

# County of Santa Clara

## Department of Environmental Health

### Consumer Protection Division

1555 Berger Drive, Suite 300, San Jose, CA 95112-2716

Phone (408) 918-3400 www.ehinfo.org



## OFFICIAL INSPECTION REPORT

<b>Facility</b> FA0200221 - SUBWAY SANDWICH #470		<b>Site Address</b> 2006 S WINCHESTER BL B, CAMPBELL, CA 95008		<b>Inspection Date</b> 06/17/2024		<b>Placard Color &amp; Score</b> <div style="background-color: black; color: white; padding: 10px; text-align: center; font-size: 24px; font-weight: bold;">RED</div> <div style="background-color: black; color: white; padding: 10px; text-align: center; font-size: 36px; font-weight: bold;">82</div>		
<b>Program</b> PR0302673 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			<b>Owner Name</b> ELLMJOUIE, AMIR		<b>Inspection Time</b> 16:20 - 17:55			
<b>Inspected By</b> ALEXANDER ALFARO		<b>Inspection Type</b> ROUTINE INSPECTION		<b>Consent By</b> AMIR				<b>FSC</b> Not Available

RISK FACTORS AND INTERVENTIONS		IN	OUT		COS/SA	N/O	N/A	PBI
			Major	Minor				
K01	Demonstration of knowledge; food safety certification			X				N
K02	Communicable disease; reporting/restriction/exclusion	X						
K03	No discharge from eyes, nose, mouth	X						
K04	Proper eating, tasting, drinking, tobacco use	X						
K05	Hands clean, properly washed; gloves used properly	X						S
K06	Adequate handwash facilities supplied, accessible	X						S
K07	Proper hot and cold holding temperatures	X						
K08	Time as a public health control; procedures & records					X		
K09	Proper cooling methods					X		
K10	Proper cooking time & temperatures					X		
K11	Proper reheating procedures for hot holding					X		
K12	Returned and reservice of food					X		
K13	Food in good condition, safe, unadulterated	X						
K14	Food contact surfaces clean, sanitized	X						
K15	Food obtained from approved source	X						
K16	Compliance with shell stock tags, condition, display						X	
K17	Compliance with Gulf Oyster Regulations						X	
K18	Compliance with variance/ROP/HACCP Plan						X	
K19	Consumer advisory for raw or undercooked foods						X	
K20	Licensed health care facilities/schools: prohibited foods not being offered						X	
K21	Hot and cold water available			X				
K22	Sewage and wastewater properly disposed	X						
K23	No rodents, insects, birds, or animals		X					

GOOD RETAIL PRACTICES		OUT	COS
K24	Person in charge present and performing duties		
K25	Proper personal cleanliness and hair restraints		
K26	Approved thawing methods used; frozen food		
K27	Food separated and protected		
K28	Fruits and vegetables washed		
K29	Toxic substances properly identified, stored, used		
K30	Food storage: food storage containers identified		
K31	Consumer self service does prevent contamination		
K32	Food properly labeled and honestly presented		
K33	Nonfood contact surfaces clean		
K34	Warewash facilities: installed/maintained; test strips		
K35	Equipment, utensils: Approved, in good repair, adequate capacity		
K36	Equipment, utensils, linens: Proper storage and use		
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use		
K39	Thermometers provided, accurate		
K40	Wiping cloths: properly used, stored		
K41	Plumbing approved, installed, in good repair; proper backflow devices		X
K42	Garbage & refuse properly disposed; facilities maintained		
K43	Toilet facilities: properly constructed, supplied, cleaned		
K44	Premises clean, in good repair; Personal/chemical storage; Adequate vermin-proofing		
K45	Floor, walls, ceilings: built, maintained, clean		X
K46	No unapproved private home/living/sleeping quarters		
K47	Signs posted; last inspection report available		

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K48	Plan review	
K49	Permits available	
K58	Placard properly displayed/posted	

## Comments and Observations

### Major Violations

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

#### Inspector Observations:

*In the back of house area, on the floor under the prep table and soda syrups, numerous glue traps were found full of cockroaches from all stages of life. Per PIC they have no pest control service.*

Follow-up By  
06/20/2024

*[CA] The premises of each food facility shall be kept free of vermin. A food facility shall not operate when there is a vermin infestation that has resulted in the contamination of food contact surfaces, food packaging, utensils, food equipment, or adulteration of food(s). The food facility shall cease operation of the food facility immediately. The food facility shall remain closed until: there is no longer evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved. Contact Alexander Alfaro at (408) 497-0913 or alexander.alfaro@sccgov.org to schedule a follow up inspection.*

### Minor Violations

K01 - 3 Points - Inadequate demonstration of knowledge; food manager certification

#### Inspector Observations:

##### \*Repeat Violation\*

*1. No food safety certificate is available upon request.*

*[CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.*

*2. Food handler cards for staff are either expired or not available upon request.*

*[CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.*

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

#### Inspector Observations:

*Hot water at the three compartment sink was measured at 117°F.*

*[CA] Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet throughout facility except at handwash sinks.*

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

#### Inspector Observations:

*1. The drainage pipes of the three compartment sink do not have an air gap above the floor sink.*

*[CA] All water supply inlets including a spray nozzle attached at the warewash sink shall have an air gap at least twice the diameter of the water supply inlet and may not be less than one inch from the flood level rim of the plumbing fixture.*

*2. The floor sink where the prep sink and three compartment sink discharge into was not draining.*

*[CA] Maintain all plumbing fixtures in good repair and functioning properly.*

*[COS] PIC used a plumbing snake to unclog the drain through a pipe located under the three compartment sink.*

*NOTE: The pipe under the three compartment sink is open and facility places plastic to cover it.*

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K45 - 2 Points - Floor, walls, ceilings: not built, not maintained, not clean; 114143(d), 114266, 114268, 114268.1, 114271, 114272

## Inspector Observations:

**There are several holes throughout the facility, around the pipes above the water heater, ceiling gaps above the small storage area and rack, and a large hole or entrance above the storage rack.**

**[CA] Repair holes in structure and maintain in good repair to prevent pest harborage.**

## Performance-Based Inspection Questions

Needs Improvement - Demonstration of knowledge; food manager certification.

## Measured Observations

Item	Location	Measurement	Comments
Turkey Slices	Prep Line	39.00 Fahrenheit	
Chicken	Walk in Cooler	28.00 Fahrenheit	
Cheese	Walk in Cooler	28.00 Fahrenheit	
Meatballs	Prep Line	41.00 Fahrenheit	
Quat Sanitizer	Three Compartment Sink	200.00 PPM	
Water	Hand Washing Sink	110.00 Fahrenheit	
Water	Three Compartment Sink	117.00 Fahrenheit	
Shredded Chicken	Prep Line	38.00 Fahrenheit	
Tomato	Prep Line	40.00 Fahrenheit	
Meatballs	Walk in Freezer	23.00 Fahrenheit	
Chicken	Walk in Freezer	23.00 Fahrenheit	

## Overall Comments:

**Please contact Alexander Alfaro to schedule a follow up inspection. The first follow up inspection is free of charge, any and all subsequent follow up inspections shall be charged at the approved hourly rate of \$298/hr, minimum of one hour.**

**Note: Facility offers dine-in but no restroom access for customers. Will need to further evaluate if facility is grandfathered in. If so, a statement saying no public restroom shall be required.**

## CLOSURE / PERMIT SUSPENSION NOTICE


When required to determine compliance, a single reinspection will be conducted without additional charge. If subsequent reinspections are required, an hourly fee (minimum one hour) at the current rate approved by the Board of Supervisors will be assessed for each and every reinspection until the necessary changes or corrections are made. Unless otherwise noted by the inspector, all violations are to be corrected no later than **7/1/2024**. Any major change in menu or any change in ownership must have prior approval by this Department. This may require structural and/or equipment changes or remodeling to accommodate new operations.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

## Legend:

[CA]	Corrective Action
[COS]	Corrected on Site
[N]	Needs Improvement
[NA]	Not Applicable
[NO]	Not Observed
[PBI]	Performance-based Inspection
[PHF]	Potentially Hazardous Food
[PIC]	Person in Charge
[PPM]	Part per Million
[S]	Satisfactory
[SA]	Suitable Alternative
[TPHC]	Time as a Public Health Control

  
Received By: Amir Elmjouie  
Owner  
Signed On: June 17, 2024