

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

Facility FA0252724 - NEW SAM KEE RESTAURANT		Site Address 1942 ABORN RD, SAN JOSE, CA 95121		Inspection Date 04/15/2024	
Program PR0367906 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name NEW SAM KEE RESTAURANT		Inspection Time 09:10 - 11:00
Inspected By MARCELA MASRI	Inspection Type ROUTINE INSPECTION		Consent By TOM TRIEU	FSC Not Available	

Placard Color & Score
GREEN
65

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification			X				
K02 Communicable disease; reporting/restriction/exclusion	X						S
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		
K06 Adequate handwash facilities supplied, accessible	X						S
K07 Proper hot and cold holding temperatures		X		X			S
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		S
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	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	X	
K27 Food separated and protected	X	
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	X	
K33 Nonfood contact surfaces clean		
K34 Warewash facilities: installed/maintained; test strips	X	
K35 Equipment, utensils: Approved, in good repair, adequate capacity	X	
K36 Equipment, utensils, linens: Proper storage and use	X	
K37 Vending machines		
K38 Adequate ventilation/lighting; designated areas, use		
K39 Thermometers provided, accurate		
K40 Wiping cloths: properly used, stored	X	
K41 Plumbing approved, installed, in good repair; proper backflow devices		
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	X	
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

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: FOUND THE BEAN SPROUTS AT 68F ON THE COUNTER IN THE KITCHEN. [CA] KEEP COLD POTENTIALLY HAZARDOUS FOOD AT 41F OR BELOW.

Minor Violations

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

Inspector Observations: MISSING THE FOOD SAFETY CERTIFICATE FOR MANAGERS. [CA] PROVIDE THE FOOD SAFETY CERTIFICATE WITHIN 2 WEEKS.

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

Inspector Observations: FOUND THE HOT WATER AT 68F IN THE RESTROOMS. [CA] PROVIDE HOT WATER AT 100F MINIMUM. COS

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: FOUND WASTE WATER IN THE MOP BUCKET. [CA] DISCARD THE WASTE WATER IN THE SANITARY SEWER.

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

Inspector Observations: FOUND SHRIMP BEING THAWED IN STANDING WATER IN THE KITCHEN. [CA] FROZEN POTENTIALLY HAZARDOUS FOOD SHALL ONLY BE THAWED IN ONE OF THE FOLLOWING WAYS: 1) UNDER REFRIGERATION THAT MAINTAINS THE FOOD TEMPERATURE AT 41°F OR BELOW, 2) COMPLETELY SUBMERGED UNDER POTABLE RUNNING WATER FOR A PERIOD NOT TO EXCEED TWO HOURS AT A WATER TEMPERATURE OF 70°F OR BELOW, AND WITH SUFFICIENT WATER VELOCITY TO AGITATE AND FLUSH OFF LOOSE PARTICLES INTO THE SINK DRAIN, 3) IN A MICROWAVE OVEN, IF IMMEDIATELY FOLLOWED BY IMMEDIATE PREPARATION, 4) AS A PART OF A COOKING PROCESS.

K27 - 2 Points - Food not separated and unprotected; 113984(a-d,f), 113986, 114060, 114067(a,d,e,j), 114069(a,b), 114077, 114089.1(c), 114143(c)

Inspector Observations: FOUND A TRAY WITH RAW GROUND BEEF STORED ABOVE A BAG WITH JALAPENOS IN THE WALK IN COOLER. [CA] STORE RAW ANIMAL FOOD BELOW READY TO EAT FOOD.

FOUND SEVERAL FOOD CONTAINERS NOT COVERED IN THE WALK IN COOLER. [CA] COVER FOOD.

K32 - 2 Points - Food improperly labeled & not honestly presented: 114087, 114089, 114089.1(a, b), 114090, 114093.1

Inspector Observations: FOUND ENCRUSTED FOOD DEBRIS ON THE TALBE AROUND THE BASE OF THE MIXER. [CA] CLEAN THIS AREA MORE OFTEN.

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

Inspector Observations: MISSING THE CHLORINE TEST STRIPS. [CA] PROVIDE THE CHLORINE TEST STRIPS TO MEASURE 50-100 PPM AT THE WARE WASHER.

K35 - 2 Points - Equipment, utensils - Unapproved, unclean, not in good repair, inadequate capacity; 114130, 114130.1, 114130.2, 114130.3, 114130.4, 114130.5, 114132, 114133, 114137, 114139, 114153, 114155, 114163, 114165, 114167, 114169, 114175, 114177, 114180, 114182

Inspector Observations: FOUND THE CUTTING BOARD IN THE KITCHEN TO HAVE DEEP DARK STAINS. [CA] SURFACES OF EQUIPMENT SUCH AS CUTTING BLOCKS AND CUTTING BOARDS THAT ARE SCRATCHED AND SCORED SO THAT THEY CAN NO LONGER BE EFFECTIVELY BE CLEANED AND SANITIZED SHALL BE RESURFACED OR REPLACED.

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K36 - 2 Points - Equipment, utensils, linens: Improper storage and use; 114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5

Inspector Observations: FOUND A BOWL BEING USED AS A SCOOP FOR THE RICE. [CA] USE FOOD GRADE WASHABLE SCOOPS WITH A HANDLE AND KEEP THE HANDLE OUTSIDE THE FOOD.

FOUND FOOD EQUIPMENT HANGING ON HOOKS AT THE MOP SINK. [CA] RELOCATE FOOD EQUIPMENT FROM THE MOP SINK AREA.

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

Inspector Observations: FOUND A COUPLE OF WIPING CLOTHS STORED ON THE FOOD COUNTERS. [CA] STORE WIPING CLOTHS IN A SANITIZER SOLUTION WHILE NOT IN USE.

K44 - 2 Points - Premises not clean, not in good repair; No personal/chemical storage; inadequate vermin-proofing; 114067(j), 114123, 114143 (a,b), 114256, 114256.1, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282

Inspector Observations: FOUND AN ELECTRIC CORD STORED ON THE DRY STORAGE SHELVES IN THE BACK OF THE KITCHEN. [CA] STORE ELECTRIC CORDS AND PERSONAL ITEMS SEPARATE AND AWAY FROM FOOD OR FOOD RELATED ITEMS. COS

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

Inspector Observations: FOUND FOOD DEBRIS AND TRASH IN THE BACK OF THE KITCHEN NEXT TO THE WALK IN FREEZER AND BELOW THE DRY STORAGE SHELVES.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
BEAN SPROUTS	SERVICE REFRIGERATOR	35.00 Fahrenheit	
CH-CHIKEN	SERVICE REFRIGERATOR	39.00 Fahrenheit	
GROUND BEEF	WALK IN COOLER	38.00 Fahrenheit	
HOT WATER	HAND WASH SINK IN THE KITCHEN	100.00 Fahrenheit	
CHICKEN	WALK IN COOLER	38.00 Fahrenheit	
PORK	SERVICE REFRIGERATOR	35.00 Fahrenheit	
MILK	WALK IN COOLER	38.00 Fahrenheit	
PORK	WALK IN FREEZER	10.00 Fahrenheit	
HOT WATER	3 COMPARTMENT SINK	120.00 Fahrenheit	
BEAN SPROUTS	IN STANDING WATER	68.00 Fahrenheit	
CHICKEN SOUP	COOKING TEMP	178.00 Fahrenheit	
SHRIMP	WALK IN COOLER	37.00 Fahrenheit	
BEEF	WALK IN FREEZER	16.00 Fahrenheit	
HOT WATER	HAND WASH SINKS IN RESTROOMS	68.00 Fahrenheit	

Overall Comments:

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 **4/29/2024**. 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.

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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: TOM TRIEU
MANAGER

Signed On: April 15, 2024