

# 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 FA0230502 - HOUSE OF BAGELS-505		Site Address 505 E SAN CARLOS ST, SAN JOSE, CA 95112		Inspection Date 07/09/2025	
Program PR0330537 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name CHIAR, MARK		Inspection Time 09:55 - 12:25
Inspected By ALEXANDER ALFARO	Inspection Type ROUTINE INSPECTION		Consent By BOB	FSC Jenny Thai 04/22/2028	

Placard Color & Score
<b>YELLOW</b>
<b>55</b>

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						
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		X			N
K07 Proper hot and cold holding temperatures		X		X			
K08 Time as a public health control; procedures & records		X		X			N
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						N
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	X	
K28 Fruits and vegetables washed		
K29 Toxic substances properly identified, stored, used		
K30 Food storage: food storage containers identified	X	
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		
K35 Equipment, utensils: Approved, in good repair, adequate capacity	X	
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	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	X	
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	X	

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

## Comments and Observations

### Major Violations

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

**Inspector Observations: Both handwash facilities in the kitchen area lacked paper towels.**

Follow-up By  
07/14/2025

**[CA] Single-use sanitary towels shall be provided in dispensers; heated-air hand drying device may be substituted for single-use towels.**

**[COS] PIC restocked paper towels dispensers.**

**Minor violation: 1. Handwash sink in the front of the kitchen area and handwash sink in the bathroom lacked soap in wall-mounted dispensers. Soap available in pump bottles for both locations.**

**[CA] Handwashing cleanser shall be provided in wall mounted dispensers.**

**2. Second Repeat Violation: Hand sink in the back of the kitchen area was completely obstructed with a metal pan placed directly on top of it.**

**[CA] Hand sinks shall remain unobstructed at all times that the facility is in operation.**

**[COS] Obstruction removed by PIC.**

**Note: Additional, unobstructed hand sink nearby.**

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

**Inspector Observations: 1. Second Repeat Violation: Creamer, which measured 58F, and half-and-half, which measured 57F, observed to be left out on the counter in the customer service area.**

Follow-up By  
07/14/2025

**2. In the self service area cream cheeses and milk measured above 41F. Per operator they have been in the cooler for over 24 hours.**

**[CA] PHF shall be held at or below 41F.**

**[SA] 1. PIC elected to use TPHC and will discard PHFs after 4 hours of initially leaving temperature control.**

**[COS] 2. PHFs were discarded. See VC&D report.**

**Minor violation: Sliced tomatoes measured 43F, and sliced ham measured 45F, in upper prep inserts in the prep unit next to the side door.**

**[CA] PHF shall be held at or below 41F.**

**[COS] PHF in the upper prep inserts were moved to the lower part of the prep unit.**

K08 - 8 Points - Improperly using time as a public health control procedures & records; 114000

**Inspector Observations: Facility is using TPHC for various items (cheese croissant, hot-dog roll, pesto bread, etc.) but items are not labeled, and TPHC procedures are not available for review. Per the staff, PHF was made an hour ago.**

Follow-up By  
07/14/2025

**[CA] Provide written procedures and time marking for PHFs utilizing time as a public health control (TPHC).**

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*When time only, rather than time and temperature is used as a public health control, PHFs shall be time marked to indicate when item is removed from temperature control, discarded if not consumed or served within 4 hours, and written procedures shall be readily available for review.*

*[COS] PHFs marked for discard after 4 hours of initial cooking/reheating.*

## **Minor Violations**

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

*Inspector Observations: One employee had an expired food handler card.*

*[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.*

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: Multiple bottles of sauce observed to be stored on the floor in the kitchen area.*

*[CA] Food shall be stored a minimum of 6 inches off the floor.*

*Raw bacon found stored above bagel dough.*

*[CA] All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items.*

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

*Inspector Observations:*

*1. Large bulk bin of white substance is not labeled or otherwise identified.*

*2. Various food items in the consumer self service area are not labeled with their common name.*

*[CA] Food shall be labeled if it is not easily identifiable.*

*Food related equipment (paper bags) was found stored outside.*

*[CA] Food or food related equipment shall be stored in an approved fully enclosed food facility.*

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

*Inspector Observations:*

*Facility offers various types of cream cheeses and bagels that are packaged in the facility and placed for sale in self service refrigerators. The cream cheeses are missing the quantity of contents on the labels.*

*[CA] Food prepackaged in a food facility shall bear a label with the following:*

- 1) common name of the food,*
- 2) list of ingredients in descending order of predominance by weight,*
- 3) quantity of contents,*
- 4) name and place of business of the manufacturer, packer, or distributor.*

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

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**Inspector Observations: Repeat Violation: Two non-ANSI approved microwaves observed in use at the front kitchen area.**

**[CA] All utensils and equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation).**

**Repeat Violation: Ice machine is non-functional. Facility buys bagged ice and places ice into machine for storage.**

**[CA] Repair, replace, or remove ice machine. Remove the ice maker unit from the bin.**

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

**Inspector Observations: Multiple soiled wiping cloths observed out on counters.**

**[CA] Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium). Single use wiping cloths shall be discarded after becoming soiled.**

K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

**Inspector Observations: Self-closing mechanism on bathroom door is non-functional.**

**[CA] Repair or replace self-closing mechanism.**

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: Both front doors and side door observed to left open.**

**[CA] Doors shall remain closed to prevent the entrance of vermin.**

**Multiple personal items stored around/above food prep areas (phone, lotion, etc.)**

**[CA] Personal items shall be stored away from food prep or food storage areas.**

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

**Inspector Observations: Repeat Violation: Food/grease buildup observed on the wall underneath/behind the 3 compartment sink, and on the wall behind the oven.**

**[CA] Walls in food preparation area shall be kept clean.**

K47 - 2 Points - Signs not posted; last inspection report not available; 113725.1, 113953.5, 113978, 114381(e)

**Inspector Observations:**

**Second Repeat Violation: The Environmental Health Permit is not posted within public view.**

**[CA] The health permit issued by this department shall be posted in a conspicuous place in the food facility. Failure to comply may result in further enforcement actions from this department including, but not limited to, additional inspections and any fees associated with additional inspections.**

## Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Needs Improvement - Food contact surfaces clean, sanitized.

Needs Improvement - Time as a public health control; procedures & records.

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## Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
hot dog roll	speed rack	84.00 Fahrenheit	TPHC
hot dog roll	front service glass display	78.00 Fahrenheit	TPHC
hot water	3 comp sink	120.00 Fahrenheit	
ham	lower prep unit	37.00 Fahrenheit	
creamer	consumer self service area	58.00 Fahrenheit	
chlorine sanitizer	3 comp sink	100.00 PPM	
breakfast sausages	1 door reach-in	29.00 Fahrenheit	
water	hand sink 1	100.00 Fahrenheit	
half and half	consumer self service area	57.00 Fahrenheit	
sliced tomatoes	upper prep unit insert	43.00 Fahrenheit	
hot dogs	1 door reach-in 2	41.00 Fahrenheit	
water	bathroom hand sink	100.00 Fahrenheit	
sliced ham	upper prep unit insert	45.00 Fahrenheit	

## Overall Comments:

### **Notes:**

- **Approved written procedures for TPHC were provided.**
- **Joint inspection with M. Chin. Report written by M. Chin.**
- **A follow up inspection shall be conducted within 3 business days to determine compliance with violations noted. 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 \$298.00/hr, minimum of one hour, during normal business hours: Monday through Friday 7:30am to 4:30pm or \$645/hour minimum two hour during non business hours, and upon inspector availability.**

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 7/23/2025. 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.

### Legend:

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




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**Received By:** Bob  
Manager

**Signed On:** July 09, 2025