

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 FA0257074 - LEE'S SANDWICHES		Site Address 2471 BERRYESSA RD 3, SAN JOSE, CA 95133		Inspection Date 07/29/2025		Placard Color & Score YELLOW 67		
Program PR0375608 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name B & H ESTABLISHMENTS INC		Inspection Time 10:20 - 12:20			
Inspected By JENNIE PENALOZA		Inspection Type ROUTINE INSPECTION		Consent By DIEM NGUYEN				FSC DIEM NGUYEN 4/17/2026

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						
K06	Adequate handwash facilities supplied, accessible	X						
K07	Proper hot and cold holding temperatures		X		X			
K08	Time as a public health control; procedures & records		X		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						
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	X	
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		
K31	Consumer self service does prevent contamination		
K32	Food properly labeled and honestly presented	X	
K33	Nonfood contact surfaces clean	X	
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	X	
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		
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

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

Inspector Observations: *Several potentially hazardous foods are being held between 67F - 125F (see food item list). Per PIC, food was recently cooked about 1 hour before inspection; per PIC, pork roll has been on drainboard for about 1 hour.*

Follow-up By 08/01/2025

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

[SA] TPHC will be used for hot foods inside the hot holding case. Pork roll was relocated inside the walk-in cooler.

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

Inspector Observations: *Several in house prepackaged potentially hazardous foods (fried rice, shrimp egg roll, chicken bun, sweet rice, corn, chow mein, sandwiches) are kept on the counter near register and are lacking the time stamp for TPHC. Per PIC, food were cooked about half hour before inspection.*

Follow-up By 08/01/2025

[CA] PHFs utilizing time as a public health control (TPHC) shall be discarded within 4 hours from the point in time when food is removed from temperature control.

[COS] a time stamp was placed on the food items.

Minor Violations

K14 - 3 Points - Food contact surfaces unclean and unsanitized; 113984(e), 114097, 114099.1, 114099.4, 114099.6, 114101, 114105, 114109, 114111, 114113, 114115(a,b,d), 114117, 14125(b), 114141

Inspector Observations: *Bread equipment rolling pad is heavily accumulated with grease. Per PIC, bread pad has been ordered.*

[CA] wash, rinse and sanitize bread pad as often as needed to maintain clean and prevent cross contamination.

K25 - 2 Points - Lack of personal cleanliness and hair restraints; 113969, 113971

Inspector Observations: *Observed personal belongings (aprons, backpack, phones) throughout kitchen countertops near food items.*

[CA] No person shall store clothing or personal effects in any area used for the storage and preparation of food or food contact surfaces.

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: *Large flour bags are observed to be open and not protected.*

[CA] All food shall be separated and protected from cross-contamination. Store flour in a enclosed container to protect from contamination.

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

Inspector Observations: *Observed prepackaged (made in house) chicken bun without a label.*

[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.

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

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Inspector Observations: 1. Multiple hand contact surfaces have accumulation of food residue and grease:

- exterior of food bins
- microwave
- exterior of refrigeration units
- food shelves and racks
- exterior of ice machine
- shelves throughout kitchen

2. Observed accumulation of dust on the fan covers inside the 1st walk-in refrigerator.

[CA] Clean fan covers and maintain clean to prevent cross contamination.

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: 1. Observed dirty cardboard being used behind food prep tables.

[CA] Discontinue the use of cardboard boxes to line shelves/flooring, use approved equipment made of materials that is easily cleanable, durable, smooth, and nonabsorbent.

2. Observed particle boards on the dry food shelves; boards are not easily cleanable, not smooth and are absorbent.

[CA] Discontinue the use of these types of boards to line shelves, use approved equipment made of materials that is easily cleanable, durable, smooth, and nonabsorbent.

3. Observed a juicer equipment without proper ANSI/NSF certification; equipment placard states it is made in Vietnam (model: NB PR). Observed equipment clean and not in use.

Provide equipment's specification sheets for review and approval by 08/05/2025. Failure to provide specification sheets can result in additional administrative actions.

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: Observed scoop handle in food container inside the refrigerated drawer.

[CA] Store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.

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

Inspector Observations: Floor throughout kitchen is unclean with food scraps and debris.

[CA] Repair the wall with a durable, smooth, nonabsorbent, and easily cleanable surface.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Follow-up By
08/05/2025

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Measured Observations

Item	Location	Measurement	Comments
water	prep sink	120.00 Fahrenheit	
pork roll banana leaf	drainboard	67.00 Fahrenheit	
shredded veggie	walk-in cooler	43.00 Fahrenheit	per PIC, staff had door open to bring in delivery.
pork	steam table	166.00 Fahrenheit	
raw chicken	drawer	41.00 Fahrenheit	
ham	2nd walk-in cooler	35.00 Fahrenheit	
water	3 comp sink	130.00 Fahrenheit	
milk	2nd walk-in cooler	36.00 Fahrenheit	
fried chicken	hot holding case	125.00 Fahrenheit	less than 1 hour per PIC
sliced tomatoes	top well	39.00 Fahrenheit	cooked chicken - 39F ham - 41F shredded chicken - 39F ham - 39F
raw shrimp	drawer	41.00 Fahrenheit	
chicken	steam table	174.00 Fahrenheit	
water	hand sink	100.00 Fahrenheit	
chicken	hot holding case	115.00 Fahrenheit	less than 1 hour per PIC
chlorine sanitizer	3 comp sink	100.00 Fahrenheit	
ambient	hot holding case	120.00 Fahrenheit	
soup	walk-in cooler	41.00 Fahrenheit	raw chicken - 38F raw chicken - 41F tofu - 41F

Overall Comments:

Specialist discussed time as public health control procedures for potentially hazardous foods.

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 **8/12/2025**. 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:

[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: DIEM NGUYEN
Manager
Signed On: July 29, 2025