

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 FA0302963 - LEE'S SANDWICHES		Site Address 88 E SAN CARLOS ST 50, SAN JOSE, CA 95112		Inspection Date 11/13/2024	
Program PR0445240 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name TQL CORPORATION		Inspection Time 13:55 - 16:20
Inspected By ANABELLE GARCIA	Inspection Type ROUTINE INSPECTION	Consent By DAVID PIEDRA	FSC Juan David Piedra 10/28/2028		

Placard Color & Score
YELLOW
72

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			N
K08	Time as a public health control; procedures & records			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		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	X	
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	X	
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	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		
K45	Floor, walls, ceilings: built, maintained, clean		
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: *In the 3 door preparation refrigerator inserts, sliced deli ham and turkey measured between 40-52F. (insert was overfilled) Per operator, sliced deli meats were stored in inserts one hour prior.*

Follow-up By
11/18/2024

[CA] PHFs shall be held cold at 41°F or below. Ensure inserts are not overfilled to maintain all PHF's at 41F or below.

[SA] Top portion of deli meats were relocated to the walk in cooler for rapid cooling.

K13 - 8 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

Inspector Observations: *Observed food employee wipe down counter with a soiled, wet towel that came into contact with a sandwich bread roll. Employee then continued prepping the sandwich.*

Follow-up By
11/18/2024

[CA] Food is adulterated if it bears or contains any poisonous or deleterious substance that may render it impure or injurious to health and shall be discarded immediately.

[COS] Employee voluntarily discarded bread roll.

Minor Violations

K08 - 3 Points - Improperly using time as a public health control procedures & records; 114000

Inspector Observations: *Various food items displayed in front counter area are time marked, however, TPHC written procedures are not available for review.*

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

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: *In the walk in cooler, cooked chicken was observed cooling in a deep container and covered with plastic wrap.*

[CA] Properly cool PHF's using shallow containers, using no more than 2 inches for solid foods and no more than 4 inches for liquids.

When cooling PHF's, food may be left uncovered or loosely covered to allow rapid cooling. After heating or hot holding, Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours.

Approved cooling methods include:

- 1) Placing the food in shallow pans
- 2) Separating the food into thinner or smaller portions.
- 3) Using rapid cooling equipment (Ex. blast chiller)
- 4) Using containers that facilitate heat transfer (ex. stainless steel)
- 5) Adding ice as an ingredient.
- 6) Using ice paddles
- 7) Using an ice bath and stirring frequently
- 8) Accordance with a HACCP plan. Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool.

K29 - 2 Points - Toxic substances improperly identified, stored, used; 114254, 114254.1, 114254.2

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Inspector Observations: Chlorine sanitizer in sanitizer buckets measured above 200ppm.

[CA] Ensure chlorine sanitizing solution is maintained at 100 ppm.

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: Expired chlorine sanitizer test strips.

[CA] Provide new chlorine sanitizer test strips.

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

Inspector Observations: Multiple wet wiping cloths were observed stored on counters.

[CA] Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine).

Performance-Based Inspection Questions

Needs Improvement - Proper hot and cold holding temperatures.

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

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
ice cream	under counter freezer	-2.00 Fahrenheit	
water	janitorial sink	120.00 Fahrenheit	
spam	under counter cooler (back area)	38.00 Fahrenheit	
cooked chicken	walk in cooler	63.00 Fahrenheit	improper cooling, transferred to shallow pan
water	handwash sinks	100.00 Fahrenheit	
pork	walk in freezer	13.00 Fahrenheit	IR
sesame balls	display unit	128.00 Fahrenheit	time marked
rice	warmer	168.00 Fahrenheit	
water	2 comp sink	120.00 Fahrenheit	
sliced tomatoes	3 door prep unit (inset)	40.00 Fahrenheit	
boba	counter	62.00 Fahrenheit	cooling
veggie eggrolls	display unit	121.00 Fahrenheit	time marked
chlorine	sanitizer buckets	200.00 PPM	over 200ppm, remeasured at 100ppm
bean sprouts	2 door prep unit insert (back area)	40.00 Fahrenheit	
pate chaud	display unit	122.00 Fahrenheit	time marked
raw shell eggs	2 door prep unit (back area)	38.00 Fahrenheit	IR
bbq pork	3 door prep unit (inset)	40.00 Fahrenheit	
chicken wings	display unit	124.00 Fahrenheit	time marked
half and half	drink station prep unit	39.00 Fahrenheit	IR
pork meatball	2 door prep unit	39.00 Fahrenheit	
pork skewers	display unit	119.00 Fahrenheit	time marked
ambient	3 door prep unit	37.00 Fahrenheit	
water	3 comp sink	120.00 Fahrenheit	
bean sprouts	3 door prep unit (insert)	40.00 Fahrenheit	

Overall Comments:

TPHC form filled during inspection.

A follow up inspection will be conducted within 3 business days. The 1st follow-up inspection is free of charge. Any and all subsequent follow-up inspections will be billed at the approved hourly rate of \$298/hr, minimum of one hour.

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 **11/27/2024**. 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: David Piedra
manager

Signed On: November 13, 2024