

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 02/10/2023	
Program PR0375608 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name B & H ESTABLISHMENTS INC		Inspection Time 07:30 - 09:30
Inspected By KATHERINE NGUYEN	Inspection Type ROUTINE INSPECTION	Consent By DIEM DUNG NGUYEN	FSC Diem Nguyen 4/17/2026		

Placard Color & Score
GREEN
86

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification	X						S
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						S
K07 Proper hot and cold holding temperatures	X						
K08 Time as a public health control; procedures & records		X		X			S
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	X	
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		
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		
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

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

Inspector Observations: Observed several potentially hazardous food (PHF) ready to eat items at the front counter are either at room temperature or still warm without time as public health control (TPHC) label.

[CA] 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. Operator provided label on food plates at time of inspection (COS)

Minor Violations

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

Inspector Observations: Observed several food containers are on the floor in walk in cooler and walk in freezer.

[CA] Store all foods off the floor at least 6 inches.

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: Observed personal belongings (sweaters, purses) are on dry storage shelving.

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

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

Inspector Observations: Latest inspection report is unavailable.

[CA] A copy of the most recent routine inspection report conducted to assess compliance with this part shall be maintained at the food facility and made available upon request.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
chicken	steam table	162.00 Fahrenheit	
cut tomato	3 door under counter sandwich prep cooler	39.00 Fahrenheit	
4 door prep reach in cooler	across cook line	37.00 Fahrenheit	
1 door under counter smoothies cooler	beverage prep	11.00 Fahrenheit	
walk in cooler		40.00 Fahrenheit	
raw chicken	4 door prep reach in cooler across cook line	39.00 Fahrenheit	
xa xiu	steam table	160.00 Fahrenheit	
raw chicken	walk in cooler	40.00 Fahrenheit	
3 door under counter beverage cooler	beverage prep	36.00 Fahrenheit	
hot water	3 compartment sink	140.00 Fahrenheit	
3 door under counter sandwich prep cooler	sandwich prep	35.00 Fahrenheit	
raw shrimp	4 door prep reach in cooler across cook line	39.00 Fahrenheit	
grilled pork	steam table	147.00 Fahrenheit	
cheese	3 door under counter sandwich prep cooler	39.00 Fahrenheit	
raw pork	walk in cooler	39.00 Fahrenheit	
3 door under counter sandwich prep cooler	sandwich prep	39.00 Fahrenheit	

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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 2/24/2023. 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 Dung Nguyen
Store Manager

Signed On: February 10, 2023