

**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**

<b>Facility</b> FA0275950 - MAIN ST BAGEL #8		<b>Site Address</b> 2638 HOMESTEAD RD, SANTA CLARA, CA 95051		<b>Inspection Date</b> 06/22/2022	
<b>Program</b> PR0417103 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			<b>Owner Name</b> SREY PECH NAVY		<b>Inspection Time</b> 09:55 - 11:30
<b>Inspected By</b> MELISSA GONZALEZ	<b>Inspection Type</b> ROUTINE INSPECTION	<b>Consent By</b> SOTHIARY NG	<b>FSC SOTHIARY ENG</b> 01/10/2025		

<b>Placard Color &amp; Score</b>
<b>YELLOW</b>
<b>54</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						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						S
K06	Adequate handwash facilities supplied, accessible		X		X			N
K07	Proper hot and cold holding temperatures			X				N
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		X			N
K14	Food contact surfaces clean, sanitized		X		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				N

	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		
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		
K36	Equipment, utensils, linens: Proper storage and use		X
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use		X
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		

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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: MAJOR:**

- 1.) Plant stored in handsink in warewash area. [CA] Remove plant and maintain handsinks unobstructed and easily accessible at all times. [COS] PIC relocated pot.
- 2.) Lack of papertowels and liquid hand soap in permanently attached dispensers at handsink in warewash area. [CA] Maintain supply of single use papertowels and liquid hand soap in permanently secured dispensers at handsinks at all times. [COS] PIC re-filled papertowels and soap.

Follow-up By  
06/27/2022

**MINOR:**

- 3.) Papertowel dispenser at handsink near food prep area is not operable. PIC has to pull down papertowels manually from automatic dispenser. [CA] Replace batteries or repair papertowel dispenser to dispense papertowels as intended. Maintain equipment in good repair.

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

**Inspector Observations: Observed hot dog pastries stored outside of temperature near bagel display. Per PIC, hot dog pastry was removed from temperature control 2 hours prior and are discarded within 3 hours if not sold by third hour.**

Follow-up By  
06/27/2022

[CA] If time only, rather than time in conjunction with temperature, is used as the public health control for a working supply of potentially hazardous food before cooking or for ready-to-eat potentially hazardous food that is displayed or held for service for immediate consumption, the following shall occur:

- (1) The food shall be marked or otherwise identified to indicate the time that is four hours past the point in time when the food is removed from temperature control.
- (2) The food shall be cooked and served, served if ready-to-eat, or discarded within four hours from the point in time when the food is removed from temperature control.
- (3) The food in unmarked containers or packages or marked to exceed a four-hour limit shall be discarded.
- (4) Written procedures shall be maintained in the food facility and made available to the enforcement agency upon request, that ensure compliance with this section and Section 114002, for food that is prepared, cooked, and refrigerated before time is used as a public health control.

[COS] PIC recorded discard time and will ensure food is discarded by third hour. TPHC handout provided to be completed and implemented by follow-up inspection.

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

**Inspector Observations: Observed fly landing on croissants in open bagel display case. [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] PIC discarded croissant.**

Follow-up By  
06/27/2022

K14 - 8 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: \*\*REPEAT**

Accumulated food debris on blade of meat/cheese slicer near warewash area. Per PIC, slicer was used last week and is not aware of how often equipment is uses. [CA] Clean and sanitize food contact surfaces of food equipment after every use. [COS/SA] Facility does not plan on using equipment within next few days. PIC will remove blade to be cleaned later today.

Follow-up By  
06/27/2022

### Minor Violations

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

**Inspector Observations: Measured the following foods between 44-49F in cold prep unit: cream cheese, salmon, cooked sausage patties, and half & half cream. Internal ambient temperature of unit was measured at 45F near fan. Per PIC, foods were placed in earlier today and doors are constantly being opened. [CA] Repair/adjust unit to maintain cold PHFs at or below 41F at all times.**

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K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

**Inspector Observations:** *Observed several flies and fruit flies within food prep area of facility. Also, observed 8 dead cockroaches under microwave in food prep. PIC states pest control services conducted monthly, however reports are not available for review upon request. [CA] Food facility shall be kept free of vermin and non-disease carrying insects, weevils, ants, gnats, and fruit flies. Clean and sanitize affected surfaces. Maintain records of pest control reports available for review upon request during inspections.*

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

**Inspector Observations:** **\*\*REPEAT**

*The following food containers lacked labels in refrigeration units for consumer self-service and are pre-packaged within facility: various cream cheese, thai tea, orange juice, and fruit.*

*Bag of unpeeled garlic and bag of rice on display were missing labels or missing information. [CA] Food prepackaged shall bear a label that complies with the labeling requirements prescribed by the Sherman Food, Drug, and Cosmetic Law (Part 5 (commencing with Section 109875)), 21 C.F.R. 101-Food Labeling, 9 C.F.R. 317-Labeling. Label information shall include the following:*

- (1) The common name of the FOOD, or absent a common name, an adequately descriptive identity statement.*
- (2) If made from two or more ingredients, a list of ingredients in descending order of predominance by weight, including a declaration of artificial color or flavor and chemical preservatives, if contained in the FOOD.*
- (3) An accurate declaration of the quantity of contents.*
- (4) The name and place of business of the manufacturer, packer, or distributor.*

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:** **\*\*REPEAT**

*Plastic bowls used as scoops in dry food storage bins. Also, handle of metal scoops stored in contact with food in dry food storage bins. [CA] Use scoops with handles and sore handle in a manner that prevents potential contamination.*

K38 - 2 Points - Inadequate ventilation and lighting in designated area; 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

**Inspector Observations:** *Light inoperable above 3 comp warewash sink. [CA] Replace light bulbs and maintain lighting in good repair.*

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:** *Front door open without air curtain or other means to prevent fly entry. [CA] Maintain exterior doors closed at all times to prevent vermin entry.*

## Performance-Based Inspection Questions

- Needs Improvement - Food contact surfaces clean, sanitized.
- Needs Improvement - No rodents, insects, birds, or animals.
- Needs Improvement - Adequate handwash facilities: supplied or accessible.
- Needs Improvement - Time as a public health control; procedures & records.
- Needs Improvement - Proper hot and cold holding temperatures.
- Needs Improvement - Food in good condition, safe, unadulterated.

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## Measured Observations

Item	Location	Measurement	Comments
hot water	food prep sink	120.00 Fahrenheit	
hot water	handsink - food prep	100.00 Fahrenheit	
sliced turkey	walk in cooler	40.00 Fahrenheit	
hot water	handsink - warewash	100.00 Fahrenheit	
sliced turkey	cold prep unit - insert	45.00 Fahrenheit	
ambient temperature	cold prep unit - door	45.00 Fahrenheit	
cream cheese	glass door reach-in refrigeration	38.00 Fahrenheit	
half & half	cold prep unit - door	43.00 Fahrenheit	
cream cheese	cold prep unit - insert	49.00 Fahrenheit	
bagels	walk in freezer	20.00 Fahrenheit	
salmon	cold prep unit - insert	45.00 Fahrenheit	
hot water	3 comp warewash sink	120.00 Fahrenheit	

## Overall Comments:

**Follow-up inspection will be conducted within 3 business days to follow up on major violations. Ensure major violations are corrected and kept in compliance. Failure to comply will result in second re-inspection charged at \$219/hr for a minimum 1 hour charge, billed to facility. Do not remove, discard, cover-up or tamper with yellow placard. Failure to comply will result in enforcement actions. Contact district specialist at (408) 712-8802 to schedule follow-up inspection.**

**Note: Repeat violations must be brought into compliance by deadline provided at bottom of health report. Failure to comply will result in enforcement action.**

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 **7/6/2022**. 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:** SOTHIARY NG  
MANAGER

**Signed On:** June 22, 2022