

**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 FA0202267 - GM-SAM'S KEBAB & GYROS		Site Address 172 GREAT MALL DR, MILPITAS, CA 95035		Inspection Date 02/06/2020	
Program PR0306687 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name SF BAY AREA EXIM, LLC		Inspection Time 09:50 - 12:45
Inspected By GLENCIJOY DAVID	Inspection Type ROUTINE INSPECTION	Consent By ORIYAT ISLAM	FSC Salih Inci 10/15/2022		

Placard Color & Score <b>YELLOW</b> <b>66</b>
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RISK FACTORS AND INTERVENTIO	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						N
K06 Adequate handwash facilities supplied, accessible		X		X			N
K07 Proper hot and cold holding temperatures	X						
K08 Time as a public health control; procedures & records						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				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		X			
K23 No rodents, insects, birds, or animals	X						

GOOD RETAIL PRACTICE	OUT	COS
K24 Person in charge present and performing duties		
K25 Proper personal cleanliness and hair restraints		
K26 Approved thawing methods used; frozen food	X	
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		
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	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		
K45 Floor, walls, ceilings: built,maintained, clean	X	
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available		
K48 Plan review		
K49 Permits available		
K58 Placard properly displayed/posted		

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## Comments and Observations

### Major Violations

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

**Inspector Observations: No soap in dispenser at only handwash sink in back prep area. Items stored in basin for only handwash sink in back prep area. [CA] Handwashing cleanser shall be provided in dispensers at all times. Handwashing facility shall be clean, unobstructed, and accessible at all times. [COS] Soap was provided to handwash sink.**

Follow-up By  
02/13/2020

K22 - 8 Points - Sewage and wastewater improperly disposed; 114197

**Inspector Observations: Floor sink at prep sink is clogged and draining slowly. Overflow of wastewater when prep sink is turned on. [CA] Food facility shall not operate if there is sewage overflowing or backing up in the food facility. The food facility, or impacted areas, shall remain closed until all plumbing problems have been corrected and all contaminated surfaces have been cleaned and sanitized. [COS] Floor sink was unclogged and is draining properly. Area with overflow of water was cleaned and sanitized.**

Follow-up By  
02/13/2020

### Minor Violations

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

**Inspector Observations:**

**\*REPEAT VIOLATION\***

**Food handler cards are not available. [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.**

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: Dish detergent and bleach are mixed in same compartment at three compartment sink. Employee rinsed containers and equipment and placed on shelf. [CA] Manual warewashing shall be accomplished by using a three-compartment sink where the utensils are first precleaned, washed with hot soapy water, rinsed with hot water, sanitized with an approved method, and air dried. Use 1 TBS of bleach (5.25%) per 1 gal. of water for chlorine solution (100 PPM). Use 1 tbs of quaternary ammonium (10%) per 2 gal. of water for quaternary ammonium (200 PPM).**

**Clean, wet utensils and containers are stacked directly on top of one another and stored in a way that does facilitate air drying. [CA] Equipment and utensils must be air dried or properly stored to facilitate drying after sanitizing.**

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

**Inspector Observations: Salmon was thawing on prep cooler counter.**

**[CA] Frozen potentially hazardous food shall only be thawed in one of the following ways:**

- 1) under refrigeration that maintains the food temperature at 41°F or below,**
- 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain,**
- 3) in a microwave oven if immediately followed by immediate preparation,**
- 4) as part of a cooking process.**

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

**Inspector Observations: Accumulation of debris on exterior of meat grinder and other cooking equipment. [CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.**

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: Deep fryer appears to be leaking brown liquid from back. Reach down freezer door is covered with duct tape for door handle. [CA] Equipment and utensils shall be designed and constructed to be durable and retain characteristic qualities under normal use conditions.**

**Cardboard used to line shelves in back storage area. [CA] Discontinue the use of cardboard boxes to line shelves, use approved equipment made of materials that is easily cleanable, durable, smooth, and nonabsorbent.**

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: Bowls with no handles used as scoops for bulk foods. Spoon handles for bulk foods are stored in food. [CA] Provide scoop with handle and store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.**

**Foil for food is stored underneath paper towel dispenser in front area. Containers stored underneath handwash sink in back prep area. Equipment is exposed to handwash splash. [CA] All cleaned utensils shall be stored in a clean, dry location where they are not exposed to splash, dust, or other contamination, and at least six inches above the floor.**

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

**Inspector Observations: Accumulation of grease on hood and hood filters. [CA] Clean mechanical exhaust hood and filters of grease accumulation.**

**Gap present between hood filters above grill. [CA] Filters shall be fitted in the mechanical exhaust ventilation over cooking equipment, provide spacer or correct sized filters.**

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

**Inspector Observations: Accumulation of debris on floors underneath equipment and shelving and near walls. [CA] Floors in food preparation area shall be kept clean.**

## Performance-Based Inspection Questions

- Needs Improvement - Adequate handwash facilities: supplied or accessible.
- Needs Improvement - Hands clean/properly washed/gloves used properly.
- Needs Improvement - Food contact surfaces clean, sanitized.

## Measured Observations

Item	Location	Measurement	Comments
beef kebab	walk in cooler	46.00 Fahrenheit	prep
milk tea	reach down cooler	40.00 Fahrenheit	
hot water	handwash sink	100.00 Fahrenheit	
beef	walk in cooler	41.00 Fahrenheit	
hot water	prep sink	117.00 Fahrenheit	
chicken	hot hold inserts	165.00 Fahrenheit	
peas and carrots	reach down freezer	22.00 Fahrenheit	IR
passionfruit juice	prep cooler - drink	33.00 Fahrenheit	
tomatoes	walk in cooler	45.00 Fahrenheit	prep
beef	prep cooler	41.00 Fahrenheit	
tomato cucumber salad	prep cooler	41.00 Fahrenheit	
beef/lamb	hot hold inserts	172.00 Fahrenheit	
meat	upright freezer	2.00 Fahrenheit	IR
hot water	three compartment sink	115.00 Fahrenheit	
chicken	walk in cooler	41.00 Fahrenheit	
rice	walk in cooler	41.00 Fahrenheit	
fruit jam	prep cooler - drink	36.00 Fahrenheit	

## Overall Comments:

**Placard is placed next to register. Facility shall not block view of placard or facility will face enforcement action.**

**Facility takes cooked chicken from walk in cooler in the morning, slices chicken, and places in hot hold inserts. Facility takes already cooked beef/lamb from walk in cooler and places into hot hold inserts. In less than 2 hours, items are measured above 165F.**

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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 **2/20/2020**. 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



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**Received By:** oriyat islam  
PIC

**Signed On:** February 06, 2020