

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 FA0251414 - LUNCH WITH TONY - FRONT KITCHEN		Site Address 201 S MARKET ST, SAN JOSE, CA 95113		Inspection Date 05/08/2026		Placard Color & Score YELLOW 69		
Program PR0365358 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name LUNCH WITH TONY, LLC		Inspection Time 10:15 - 12:15			
Inspected By ALEXANDER ALFARO		Inspection Type ROUTINE INSPECTION		Consent By ROHAN				FSC Tony Santos 04/05/2028

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				S
K07	Proper hot and cold holding temperatures		X		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		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	X	
K33	Nonfood contact surfaces clean		
K34	Warewash facilities: installed/maintained; test strips	X	
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	X	
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:

1. Sliced tomatoes measured at 50F in an improper ice bath. Per staff, they removed the tomatoes from the cooler about 30 minutes prior.

2. Repeat Violation: Raw ground beef patties measured at 44F at the extremities and 39 internal. A box of corn dogs measured between 43-48F. A 1/3 hotel pan of sausages measured at 44F. Per cook, all food was stored in there overnight.

Note: There were also other PHFs (milks, egg salad, rice, cheese) that measured between 40-42F.

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

[COS] 1. A proper ice bath was made for the sliced tomatoes.

[COS] 2. Items were moved out of the cooler and placed into known working coolers.

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:

Staff were observed rinsing dishes after being sanitized in the dishwasher.

[CA] Equipment and utensils must be air dried or properly stored to facilitate drying after sanitizing, do not rinse after being sanitized.

[COS] Dishes were resanitized and allowed to air dry before use.

Minor Violations

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations:

The handwash station at the cookline lacked soap in the soap dispenser. There was a pump bottle of soap available.

[CA] Provide handwashing cleanser in dispenser at handwash stations at all times.

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

Inspector Observations:

1. Facility is storing food (alcohol) and food related equipment (cups, plates, etc) in a cage outside.

[CA] Food or food related equipment shall be stored in an approved fully enclosed food facility. Move items inside immediately.

2. A bulk bag of sugar was observed to not be stored in a container.

[CA] Store open bulk foods in approved NSF containers with tight fitting lids.

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

Follow-up By
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Inspector Observations:

Repeat Violation: Facility prepackages several foods (sandwiches, salads, wraps, cut fruit, and charcuterie boards) for their self service grab and go cooler. Foods lack required information on the labels.

[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.

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:

Facility lacks chlorine testing materials for their undercounter dishwasher.

[CA] Testing equipment and materials shall be provided to adequately measure the applicable sanitization method used during manual or mechanical warewashing.

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. Repeat Violation: Ambient air of the undercounter cooler was measured between 43-48F. The unit had three thermometers placed inside with each measuring 40F, 48F, and 49F respectively.

2. There are three undercounter coolers under the cashier station and cafe area that are in disrepair and not working.

[CA] Refrigeration must be capable of maintaining PHFs at 41°F or below. Repair, replace, or service the unit.

3. There is a heat lamp that is in disrepair and not working.

[CA] Ensure to maintain the equipment in good repair. Replace, repair, or service the unit.

4. Facility has a non -ANSI microwave.

[CA] New and/or replacement food equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation).

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:

A bowl was found to be used as a scooper for dry rice.

[CA] Use approved utensils such as scoops or spoons with handles to ensure hands do not come in direct contact with food.

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

Inspector Observations:

Drain lines were found leading into the floor sinks for the espresso machine and soft drink fountain.

[CA] All equipment that discharges liquid waste shall be drained by means of indirect waste pipes, and all wastes drained by them shall discharge through an airgap into a floor sink or other approved type of receptor.

Performance-Based Inspection Questions

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All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Milk	Undercounter Cooler	40.00 Fahrenheit	
Tortilla Soup	Final Reheat	170.00 Fahrenheit	
Water	Three Compartment Sink	120.00 Fahrenheit	
Chlorine - Sanitizer	Undercounter Dishwasher	50.00 PPM	
Cooked Chicken	Upright Cooler	39.00 Fahrenheit	
Rice	Upright Cooler	40.00 Fahrenheit	
Sliced Tomatoes	Ice Bath	50.00 Fahrenheit	
Tomato Soup	Final Reheat	180.00 Fahrenheit	
Rice	Undercounter Cooler	40.00 Fahrenheit	
Cooked Chicken	Ice Bath	39.00 Fahrenheit	
Water	Handwash Sink	100.00 Fahrenheit	
Tuna Salad	Ice Bath	40.00 Fahrenheit	

Overall Comments:

Notes:

- A follow up inspection will be conducted within 5 business days to verify compliance with major violations noted. The first follow up inspection is free of charge. Any and all subsequent follow up inspections shall be charged at the approved hourly rate of \$282.00/hr, minimum of one hour, during normal business hours: Monday through Friday 7:30 AM to 4:30 PM, and \$645 for a minimum of two hours, during non-business hours, and upon inspector availability.

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 **5/22/2026**. 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: Rohan
Manager
Signed On: May 08, 2026