

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 FA0250472 - MAIN STREET BAGEL #3		Site Address 1708 OAKLAND RD 600, SAN JOSE, CA 95131		Inspection Date 07/30/2024	
Program PR0360775 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name LING, YONG K		Inspection Time 12:35 - 14:00
Inspected By MINDY NGUYEN	Inspection Type ROUTINE INSPECTION		Consent By LILY	FSC YONG LING 02/28/2029	

Placard Color & Score
GREEN
75

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		X			
K07 Proper hot and cold holding temperatures	X						S
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						
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	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		
K37 Vending machines		
K38 Adequate ventilation/lighting; designated areas, use		
K39 Thermometers provided, accurate		X
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

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

Inspector Observations: Observed the only handwash sink's pipes were leaking water heavily onto the floor when the sink was turned on, rendering it unusable. Observed the water that came out of the handwash sink faucet was brown.

Follow-up By
07/31/2024

Observed soap and paper towel dispensers had been set up at the 3-compartment sink, but the paper towel dispenser was not working and the employee could not repair it. Employee stated they usually get paper towels from a roll on a table across the room.

[CA] Repair the leak so that the handwash sink is usable. Ensure the handwash sink's water is clean and clear. Store paper towels in a functional dispenser.

[SA] A paper towel roll was placed next to the 3-compartment sink. Facility may use the wash compartment of the 3-compartment sink until the handwash sink's leak is repaired.

HANDWASH SINK MUST BE REPAIRED BY END OF DAY TODAY. WATER MUST BE CLEAR AND CLEAN. A follow-up inspection will be conducted tomorrow, 7/31/24, to determine handwash sink is repaired and no longer leaking, and the water runs clear. See notes below.

Minor Violations

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

Inspector Observations: Valid food handler cards were not available upon request.

[CA] Obtain valid food handler cards for employees.

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: Measured warm water at the restroom handwash sink to be 89F.

[CA] Provide warm water (100F) at the restroom handwash sink.

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

Inspector Observations: Observed a few flies in the back kitchen area.

[CA] Keep facility clear of flies.

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

Inspector Observations: Observed container of Ortho home insecticide spray.

[CA] Remove household insecticide from facility. Use only approved methods/professional pest control.

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

Inspector Observations: Inside the grab and go refrigerators: observed cut fruits and plastic cups of coffee lacked labels.

[CA] Food prepackaged in a food facility shall bear a label that includes:

- 1. The common name of the food.**
- 2. If made from two or more ingredients, a list of ingredients in order of weight.**
- 3. Quantity of the contents.**
- 4. Name and place of business of the manufacturer, packer, or distributor.**

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

Inspector Observations: A metal probe thermometer was not available upon request.

[CA] Obtain a metal probe thermometer to measure internal food temperatures.

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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: *The pipes under the handwash sink were leaking water onto the floor whenever the handwash sink was turned on. The water from the handwash sink was brown.*

[CA] Repair leaks and ensure water is clean and clear. See violations K06 above.

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
SLICED TOMATOES, TURKEY	PREP INSERTS	41.00 Fahrenheit	
WARM WATER	HANDWASH SINK, RESTROOM	89.00 Fahrenheit	
CREAM CHEESE, FRUIT	GRAB AND GO REFRIGERATOR	39.00 Fahrenheit	
HOT WATER	3-COMPARTMENT SINK	120.00 Fahrenheit	
HAM, HOTDOGS, TURKEY, EGGS	WALK-IN REFRIGERATOR	41.00 Fahrenheit	

Overall Comments:

A follow up inspection will be conducted tomorrow, 7/31/24, to assess compliance regarding the repairs of the handwash sink, clean water, as well as soap/paper towels being stocked. The first follow-up is free of charge. Any additional follow-up inspection(s) shall each be billed \$298/hr during business hours. Failure to comply may result in enforcement action. Please call Mindy Nguyen at (408) 918-3490 if there are any changes or updates.

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 **8/13/2024**. 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.

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: Lyly Ling
Cashier

Signed On: July 30, 2024