

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 FA0258036 - LEE'S SANDWICHES		Site Address 260 E SANTA CLARA ST, SAN JOSE, CA 95113		Inspection Date 03/18/2025	
Program PR0377668 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name BTL ESTABLISHMENT, INC.		Inspection Time 10:15 - 11:45
Inspected By ALEXANDER ALFARO	Inspection Type ROUTINE INSPECTION		Consent By MICAH	FSC Not Available	

Placard Color & Score

YELLOW

63

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		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		
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		
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		X
K44 Premises clean, in good repair; Personal/chemical storage; Adequate vermin-proofing		X
K45 Floor, walls, ceilings: built, maintained, clean		X
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

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations:

1. In the kitchen area, on the table across the cook line, chicken was found measuring at 105°F. Per PIC and cook, they cooked it about 15 minutes prior.

Follow-up By
03/20/2025

2. In the kitchen area, in the bottom section of the prep cooler, sliced pork and chicken measured above 41°F. Per PIC, they placed it there over night. Ambient air of the unit was measured at 39°F.

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

[COS] 1. Chicken was placed in the oven to reheat to 165°F.

[COS] 2. The pork and chicken were VC&D. See VC&D Report.

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

Inspector Observations:

Repeat Violation: Potentially Hazardous Foods were found near the register without temperature control and without time marking.

Follow-up By
03/20/2025

[CA] When using TPHC, foods must be immediately time marked to indicate start/end times. Written procedures must be available as well.

[COS] PIC time marked the foods with a line date gun.

Note: Written procedures are not on file. TPHC guidelines provided. Another violation in this category will result in revocation of TPHC use.

Minor Violations

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

Inspector Observations:

Facility lacks a Food Safety Certificate upon request. Facility provided a Certificate of Completion for a training course.

[CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.

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

Inspector Observations:

Food was found stored on the floor in the walk in freezer.

[CA] Food shall be stored at least 6 inches above the floor to prevent contamination.

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

Inspector Observations:

At the register there was prepackaged food available for self service that did not bear 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.

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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:

Facility has two household microwaves that are not ANSI accredited.

[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:

In the kitchen area, at the rice cooker, the rice spatula was found stored in room temperature water.

[CA] Utensils shall be stored in the following manner: 1) in the food with their handles above the top of the food and the container, 2) in running water, 3) in a container of water at 135°F or above, 4) at room temperature if washed within 4 hours of initial use.

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

Inspector Observations:

1. Repeat Violation: The exhaust hood filters have an accumulation of grease and grime.

[CA] Ventilation hood filters shall be maintained clean and good repair.

2. The stock pot range is not within 6 inches of the exhaust hood.

[CA] There shall be a minimum of 6 inches overhang of ventilation hood over cooking equipment.

K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

Inspector Observations:

No toilet paper was available in the restroom.

[CA] Toilet tissue shall be provided in a permanently installed dispenser at each toilet.

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:

Repeat Violation: The back door was propped open.

[CA] Keep back door closed at all times to prevent the entrance and harborage of vermin.

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

Inspector Observations:

1. The floor behind the cookline equipment have an accumulation of grime and food debris.

2. The drain in the walk in cooler is missing the cover.

3. The ceiling tiles near the water heater are missing.

[CA] Ensure to maintain the floors, walls, and ceilings of the facility clean and in good repair.

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

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Inspector Observations:

The hand wash sink in the kitchen and restroom lacks hand washing signs.

[CA] A sign or poster that notifies food employees to wash their hands shall be posted at all handwashing stations used by food employees.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Chicken	Final Cook	170.00 Fahrenheit	
Meat	Walk in Cooler	40.00 Fahrenheit	
Chicken	Prep Cooler - Bottom	49.00 Fahrenheit	
Sandwich Meat	Walk in Cooler	40.00 Fahrenheit	
Water	Hand Sink	100.00 Fahrenheit	
Chicken Skewer	Display Case - Hot Hold	160.00 Fahrenheit	
Water	Three Compartment Sink	120.00 Fahrenheit	
Pork	Steam Table	170.00 Fahrenheit	
Bean Sprouts	Prep Cooler	40.00 Fahrenheit	
Ambient Air	Walk in Freezer	10.00 Fahrenheit	
Pork Skewer	Display Case - Hot Hold	160.00 Fahrenheit	
Pork	Prep Cooler - Bottom	48.00 Fahrenheit	

Overall Comments:

Notes:

- A follow up inspection shall be conducted within 3 business days to determine compliance with 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 \$298.00/hr, minimum of one hour, during normal business hours: Monday through Friday 7:30am to 4:30pm or \$645/hour minimum two hour during non business hours, and upon inspector availability.

- Failure to correct repeat violations may lead to further enforcement actions from this department.

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 **4/1/2025**. 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: Micah
Manager

Signed On: March 18, 2025