

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 FA0250334 - NOAH'S NEW YORK BAGELS		Site Address 1140 LINCOLN AV, SAN JOSE, CA 95125		Inspection Date 04/07/2025		Placard Color & Score GREEN 78		
Program PR0360678 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name EINSTEIN & NOAH CORP		Inspection Time 11:00 - 12:25			
Inspected By HELEN DINH		Inspection Type ROUTINE INSPECTION		Consent By CHON, NATALIE (PHONE) & BRIANNA				FSC Chon Ta 2/23/30

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						
K06	Adequate handwash facilities supplied, accessible	X						S
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						
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	X	
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		
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		
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	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

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

Inspector Observations: *Per operator, the following PHFs are under time as a public health control (TPHC): six cheese bagel, hash brown & cheese bagel, cheese & jalapeño bagel and spinach & cheese bagel at display case and back area shelf rack. Observed no means of time mark. [CA] When time only, rather than time and temperature is used as a public health control, PHFs shall be time marked to indicate when item is removed from temperature control, discarded if not consumed or served within 4 hours, and written procedures shall be readily available for review. [COS] Operator directed to time mark PHFs.*

Minor Violations

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

Inspector Observations: *1. Measured the following PHFs holding between 43F - 46F in 2 door cold top: slice cheese, sliced tomato and grated cheese.*

2. Measured container of half & half milk at customer self-service area holding at 44F.

3. Measured container of raw shell eggs holding at 47F near newly adding egg cooking device.

Per operator, PHFs placed in unit/location for less than 4 hours.

[CA] Maintain all PHFs cold held at or below 41F.

[SA] Operator opted to use time as a public health control (TPHC) for shell eggs.

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: *Found black like substance on white interior panel of ice machine. [CA] Routinely clean.*

K27 - 2 Points - Food not separated and unprotected; 113984(a-d,f), 113986, 114060, 114067(a,d,e,j), 114069(a,b), 114077, 114089.1(c), 114143(c)

Inspector Observations: *Found container of shell eggs stored above ready to eat foods in 2 door reach in (R). [CA] All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items.*

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: *Found a newly added egg cooking device (Antunes). Per operator, equipment was added a few months ago. [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). **Further review needed. Plan check maybe required.***

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: *1. Found mop sink clogged. [CA] Ensure mop sink is free flowing and in good repair.*
2. Found leaking faucet at 1-compartment sink adjacent to warewash sink. [CA] Secure leak.

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: *Found accumulated food debris on floor near prep/front service area. [CA] Routinely clean.*

Performance-Based Inspection Questions

Needs Improvement - Time as a public health control; procedures & records.

Needs Improvement - Proper hot and cold holding temperatures.

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Measured Observations

Item	Location	Measurement	Comments
cream cheese	grab n go (near cashier)	39.00 Fahrenheit	
grated cheese	2 door cold top (L)	43.00 Fahrenheit	between 43F - 44F
sliced cheese	2 door cold top (L)	44.00 Fahrenheit	between 44F - 46F
milk	1 door reach in	37.00 Fahrenheit	
hash brown & cheese bagel	display & rack	68.00 Fahrenheit	under TPHC, not time marked.
sliced tomato	walk-in (M)	41.00 Fahrenheit	
beverage	grab n go	41.00 Fahrenheit	
salmon (lux)	walk-in (M)	44.00 Fahrenheit	
cream cheese	2 door cold top (L)	41.00 Fahrenheit	
cream cheese	grab n go	41.00 Fahrenheit	
spinach & cheese bagel	display & rack	70.00 Fahrenheit	under time as a public health control (TPHC), not time marked.
bagel	walk-in-freezer	-4.80 Fahrenheit	
six cheese bagel	display & rack	69.00 Fahrenheit	under TPHC, not time marked.
sausage	2 door cold top (R)	36.00 Fahrenheit	
sliced tomato	2 door cold top (R)	41.00 Fahrenheit	
shredded cheese	2 door cold top (R)	41.00 Fahrenheit	
cream cheese	2 door cold top (R)	41.00 Fahrenheit	
eggs	warmer	156.00 Fahrenheit	
quat	warewash/sani bucket	200.00 PPM	
cheese & Jalapeno bagel	display & rack	68.00 Fahrenheit	under TPHC, not time marked.
sliced tomato	2 door cold top (L)	46.00 Fahrenheit	
half & half milk	counter self-service	44.00 Fahrenheit	
shell eggs	counter	47.00 Fahrenheit	
hot water	warewash/1-comp	120.00 Fahrenheit	
sliced cheese	2 door reach in (R)	41.00 Fahrenheit	
sausage	2 door cold top (L)	39.00 Fahrenheit	
shredded cheese	walk-in (L)	41.00 Fahrenheit	
turkey	2 door cold top (L)	41.00 Fahrenheit	
warm water	handsink (front, prep & RR)	100.00 Fahrenheit	

Overall Comments:

Inspection conducted in conjunction to CO0156552.

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 **4/21/2025**. 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: Natalie Huynh
Manager
Signed On: April 07, 2025