

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 FA0269828 - NICK THE GREEK		Site Address 5019 ALMADEN EX, SAN JOSE, CA 95118		Inspection Date 12/26/2024		Placard Color & Score <div style="background-color: green; color: white; padding: 10px; text-align: center;"> GREEN 84 </div>		
Program PR0401598 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name NICK TSIGARIS		Inspection Time 12:30 - 14:30			
Inspected By ANABELLE GARCIA		Inspection Type ROUTINE INSPECTION		Consent By TOMAS VERA				FSC Lucerito Ibarra 01/30/2028

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						
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						
K07	Proper hot and cold holding temperatures		X		X			N
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						S
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		
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		X
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		
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		
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: *In the warmer, avgolemono (lemon chicken soup) measured at 97F. Per operator, food was placed in warmer at 11am.*

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

[COS] Soup was reheated to 165F.

Minor Violations

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

Inspector Observations: *Multiple employees lacking a food handler certificate.*

[CA] Food handlers shall maintain a valid food handler certificate. Ensure food handler certificates are readily available for review at all times.

K08 - 3 Points - Improperly using time as a public health control procedures & records; 114000

Inspector Observations: *Facility is using Time as a Public Health Control (TPHC) for various gyros (pork, beef/lamb, chicken) cooked on vertical broilers. Written procedures not available for review.*

[CA] Provide written procedures for PHFs utilizing time as a public health control (TPHC) and have them available for review at all times.

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: *1) Facility is lacking quaternary ammonium test strips.*

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

2) Food preparation observed in the 3 composition sink. Preparation sink is available for use.

[CA] Discontinue using 3 comp sink for food preparation. Ensure preparation sink is used for food prep at all times and 3 comp sink is only used for warewashing to prevent the contamination of food.

Performance-Based Inspection Questions

Needs Improvement - Proper hot and cold holding temperatures.

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Measured Observations

Item	Location	Measurement	Comments
pork (sealed package)	walk in freezer	13.00 Fahrenheit	IR
ambient	walk in cooler	38.00 Fahrenheit	
raw pork skewer	drawer cooler	39.00 Fahrenheit	
diced tomatoes	3 door prep unit	40.00 Fahrenheit	
water	prep sink	120.00 Fahrenheit	
quaternary ammonium	3 comp sink	200.00 PPM	
water	3 comp sink	120.00 Fahrenheit	
mustard	walk in cooler	39.00 Fahrenheit	IR
water	janitorial sink	120.00 Fahrenheit	
raw beef patty	drawer cooler	40.00 Fahrenheit	
diced tomatoes	3 door prep unit insert	41.00 Fahrenheit	
pork gyro	sheet pan	73.00 Fahrenheit	cooling
avgolemono (lemon chicken soup)	warmer	97.00 Fahrenheit	reheated to 165F
water	handwash sinks	100.00 Fahrenheit	
spicy yogurt sauce	display warmer	40.00 Fahrenheit	IR
tzatziki sauce	2 door prep unit	40.00 Fahrenheit	IR
beef/lamb gyro	couter	160.00 Fahrenheit	cook temp

Overall Comments:

TPHC form filled during inspection.

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 **1/9/2025**. 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: Tomas Vera
manager
Signed On: December 26, 2024