

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 FA0207734 - BEN SANDWICHES	Site Address 221 E SAN FERNANDO ST, SAN JOSE, CA 95112	Inspection Date 10/21/2026
Program PR0301011 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10	Owner Name BEN SANDWICHES	Inspection Time 14:45 - 16:20
Inspected By ALEXANDER ALFARO	Inspection Type FOLLOW-UP INSPECTION	Consent By OANH

Placard Color & Score

YELLOW
N/A

Comments and Observations

Major Violations

Cited On: 10/01/2026

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Compliance of this violation has been verified on: 10/21/2026

Cited On: 10/07/2026

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Compliance of this violation has been verified on: 10/21/2026

Cited On: 10/01/2026

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

Compliance of this violation has been verified on: 10/07/2026

Cited On: 10/01/2026

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

This violation found not in compliance on 10/21/2026. See details below.

Cited On: 10/07/2026

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

This violation found not in compliance on 10/21/2026. See details below.

Cited On: 10/21/2026

K09 - 8 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations:

Fried Eggs and Fried Eggrolls were measured between 70-110F at 2:55 pm. Per Oanh, they were fried 5 minutes prior. Oanh later said that staff had made them and they left at 2:20 and was unsure what time they were made.

Follow-up By
10/28/2026

[CA] All potentially hazardous food shall be RAPIDLY cooled from 135°F to 70°F, within 2 hours, and then from 70°F to 41 °F, within 4 hours. Cooling shall be by one or more of the following methods: in shallow containers; separating food into smaller portions; adding ice as an ingredient; using an ice bath, stirring frequently; using rapid cooling equipment; or, using containers that facilitate heat transfer.

[COS] Items were discarded due to unknown time and temperature history.

Cited On: 10/21/2026

K13 - 8 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

Inspector Observations:

Flies were present in the facility and adulterated lunch meat in the prep unit.

Follow-up By
10/28/2026

[CA] Any food is adulterated if it bears or contains any poisonous or deleterious substance that may render it impure or injurious to health.

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[COS] Items were VC&D.

Minor Violations

Cited On: 10/21/2026

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

Inspector Observations:

Wet wiping cloths were found stored out of sanitizer bucket.

[CA] Maintain wet wiping cloths in a sanitizer solution of 100 ppm of chlorine or 200 ppm of quaternary ammonia.

Cited On: 10/21/2026

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:

The front doors and side exit were propped open.

[CA] Maintain doors, entrances, and windows of the facility closed to prevent vermin entrance and harborage.

Measured Observations

Item	Location	Measurement	Comments
Chlorine - Sanitizer	Sanitizer Bucket	100.00 PPM	
Fried Eggs & Fried Eggrolls	Upright Freezer	38.00 Fahrenheit	Cooled down after 30 minutes in the cooler. Previously reheated for immediate service.
Fried Egg	Prep Cooler	50.00 Fahrenheit	Per PIC, eggroll was reheated for immediate service but heated up too much and placed back into the prep cooler in a separate container and double stacked in a plastic hotel pan.
Fried Spam	Prep Cooler	55.00 Fahrenheit	Per PIC, spam was reheated for immediate service but heated up too much and placed back into the prep cooler in a separate container and double stacked in a plastic hotel pan.
Cooked Pork	Prep Cooler - Bottom	40.00 Fahrenheit	
Sauce	Upright Cooler	40.00 Fahrenheit	
Beef	Prep Cooler	60.00 Fahrenheit	Per PIC, beef was reheated for immediate service but heated up too much and placed back into the prep cooler in a separate container and double stacked in a plastic hotel pan.

Overall Comments:

This is the second follow up inspection after several major violations were observed during a routine inspection and shall be charged at the approved hourly rate.

Observations:

K07: PHFs in the prep cooler were measured between 50-60F. Ambient air of the unit was measured at 40F. Per staff, they reheat portions plus extra for each sandwich and place extras back into the prep cooler. Discussed with PIC that foods reheated for immediate service and not used must be either reheated to 165F for 15 seconds or immediately cooled to 41F. Discussed placing extra heated foods in the freezer for rapid cool down or heating the correct portion size for the intended product.

K09: Fried Eggs and eggrolls were left out of temperature control and measured between 70-120F. Per Oanh, they were cooked 5 minutes prior, then stated they were made by an employee that left at 2:20 pm and was unsure when they were cooked.

K13: Flies were observed in the facility and adulterated lunch meat and contaminated handles of utensils for the mayo and pate.

An additional follow up inspection will be conducted. Any and all subsequent follow up inspections will be subject to charge at the approved hourly rate.

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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 **11/4/2026**. 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: Quan
Owner
Signed On: October 21, 2026