

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 FA0251414 - LUCNH WITH TONY - FRONT KITCHEN		Site Address 201 S MARKET ST, SAN JOSE, CA 95113		Inspection Date 08/05/2025		Placard Color & Score GREEN 81		
Program PR0365358 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name LUNCH WITH TONY, LLC		Inspection Time 10:40 - 12:10			
Inspected By ALEXANDER ALFARO		Inspection Type ROUTINE INSPECTION		Consent By BRITTANY				FSC Sergio Pina 06/13/2029

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	X			N
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	
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		
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	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:

Measured the temperature of corn dogs, cooked pasta, pico de gallo, and bean burgers inside the front reach-down prep refrigerator to be between 47-50°F. Employee stated foods had been held inside the unit since Sunday (two days prior).

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

[COS] Items were discarded. See VC&D report.

Minor Violations

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations:

Staff were observed using the hand sink to fill a pot of water and not wash their hands and change gloves prior to changing tasks to prepare foods.

[CA] Properly wash hands with soap, warm water and dry using single use paper towels as required. Gloves shall be properly used and changed when required.

[COS] Inspector instructed staff to change their gloves and wash their hands. Educated on using the available prep sink adjacent to the hand sink to use for food preparation. Inspector also educated on proper hand washing technique.

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

Inspector Observations:

Two squeeze bottles were unlabeled. Per cook, one held water and the other oil

[CA] Working containers holding food or food ingredients that are removed from their original packages shall be identified with the common name of the food if not easily recognizable.

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

Inspector Observations:

Facility prepackages several foods (jello, sandwiches, salads, wraps, cut fruit, and charcuterie boards) for their self service grab and go cooler. Foods lack required information on the 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.*

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:

The reach down cooler is not maintaining PHFs at 41°F or below. Measured the ambient temperature at 43°F.

[CA] Refrigeration must be capable of maintaining PHFs at 41°F or below.

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

Inspector Observations:

1. Hand wash stations lack hand wash reminder 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.

2. The health permit is not visible to the public where it is posted.

[CA] The health permit issued by this department shall be posted in a conspicuous place in the food facility.

Performance-Based Inspection Questions

Needs Improvement - Hands clean/properly washed/gloves used properly.

Measured Observations

Item	Location	Measurement	Comments
Rice	Upright Cooler	40.00 Fahrenheit	
Cooked Pasta	Undercounter Cooler	50.00 Fahrenheit	
Soup	Steam Table	150.00 Fahrenheit	
Milk	Undercounter Cooler	40.00 Fahrenheit	
Water	Hand sink	120.00 Fahrenheit	
Water	Three Compartment Sink	170.00 Fahrenheit	
Bean Burger	Undercounter Cooler	43.00 Fahrenheit	
Chlorine - Sanitizer	Undercounter Dishwasher	50.00 PPM	
Mayonaise	Undercounter Cooler	45.00 Fahrenheit	
Corn dogs	Undercounter Cooler	50.00 Fahrenheit	

Overall Comments:

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 **8/19/2025**. 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: Brittany
Manager

Signed On: August 05, 2025