

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 FA0230502 - HOUSE OF BAGELS-505		Site Address 505 E SAN CARLOS ST, SAN JOSE, CA 95112		Inspection Date 12/13/2024		Placard Color & Score GREEN 77		
Program PR0330537 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name CHIAR, MARK		Inspection Time 10:50 - 12:00			
Inspected By ALEXANDER ALFARO		Inspection Type ROUTINE INSPECTION		Consent By BOB THACH				FSC Jenny Thai 04/22/2028

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						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				N
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	X	
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	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:

Major Violations:

1. In the kitchen area, left at ambient temperatures, raw shelled eggs were measured at 60 at around 11:00 am. Per PIC, they bought the eggs from restaurant depot today around 6 am.

2. REPEAT VIOLATION: Milk in the container by the self service area was measured at 55. Per staff they dont remember when they placed the milk out.

[CA] PHFs shall be held at 41°F or below or at 135°F or above. Failure to comply may result in further enforcement actions from this department including, but not limited to, additional inspections and any fees associated with additional inspections.

[COS] Both items were discarded. See VC&D report.

Minor Violations

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations:

REPEAT VIOLATION: The hand sink near the cooking area is blocked off by a piece of cardboard and drain rack near the water boiler.

Note: There is a fully stocked and functional hand sink near the entrance of the cooking area.

[CA] All hand wash stations shall be fully stocked, easily accessible, and operable. Failure to comply may result in further enforcement actions from this department including, but not limited to, additional inspections and any fees associated with additional inspections.

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

Inspector Observations:

Staff were observed moving a box of raw shelled eggs from the floor of the kitchen area to the outdoor patio. Per staff they were placing them outside as they had no room inside.

[CA] Food or food related equipment shall be stored in an approved fully enclosed food facility.

[COS] Food items were moved inside. Eggs were discarded due to temperature violations. See K07 for more details.

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

Inspector Observations:

Facility offers various types of cream cheeses that are packaged in the facility and placed for sale in self service refrigerators. The cream cheeses are missing the quantity of contents 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.

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K35 - 2 Points - Equipment, utensils - Unapproved, unclear, 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:

1. In the back of house area, near the mop sink and microwaves, the ice machine is in disrepair and not working. Per staff they buy ice and use the machine to as an ice bin.

[CA] Ensure to maintain all equipment clean and in good repair. Repair, replace, service, or remove the ice machine.

2. The microwaves in the back of house area are not ANSI certified.

[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:

REPEAT VIOLATION: Facility is using old milk gallon containers to store pooled eggs.

[CA] Single use food container (e.g. soy sauce container, milk carton, apple juice container, can food, wine bottle) shall not be reused to store food. Use approved equipment only. Failure to comply may result in further enforcement actions from this department including, but not limited to, additional inspections and any fees associated with additional inspections.

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

Inspector Observations:

Floors and walls of the facility have an accumulation of food debris and are dirty under and behind cooking equipment

[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)

Inspector Observations:

REPEAT VIOLATION: The Environmental Health Permit is not posted within public view.

[CA] The health permit issued by this department shall be posted in a conspicuous place in the food facility. Failure to comply may result in further enforcement actions from this department including, but not limited to, additional inspections and any fees associated with additional inspections.

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

Item	Location	Measurement	Comments
Eggs	Floor	60.00 Fahrenheit	VC&D
Milk	Container - Self Service area	55.00 Fahrenheit	VC&D
Pooled Eggs	Upright Cooler - Right	40.00 Fahrenheit	
Tomoatoes	Prep Cooler	41.00 Fahrenheit	
Water	Three Compartment Sink	120.00 Fahrenheit	
Cream Cheese	Upright Cooler - Self Service Area	27.00 Fahrenheit	
Ambient Air	Upright Cooler - Left	41.00 Fahrenheit	
Milk	Upright Cooler - Self Service Area	30.00 Fahrenheit	
Water	Hand Sink	100.00 Fahrenheit	

Overall Comments:

Ensure to maintain written procedures on site how large food equipment (bowl for stand mixer) that do not fit in the basins of the

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three compartment sink are sanitized. Provide a copy to district specialist at Alexander.Alfaro@deh.sccgov.org.

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 **12/27/2024**. 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: Bob Thach
Manager
Signed On: December 13, 2024