

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 FA0257201 - LEE'S SANDWICHES		Site Address 279 W CALAVERAS BL, MILPITAS, CA 95035		Inspection Date 03/29/2021		Placard Color & Score <div style="background-color: yellow; padding: 10px; text-align: center;"> YELLOW 79 </div>		
Program PR0375899 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name MCM INVESTMENTS INC		Inspection Time 14:20 - 15:45			
Inspected By FRANK LEONG		Inspection Type ROUTINE INSPECTION		Consent By TRINH HUYNH				FSC JENNY TRUONG 05/06/2023

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						
K07	Proper hot and cold holding temperatures	X						
K08	Time as a public health control; procedures & records		X		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				N
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		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		
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		

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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: At the front counter, observed trays of sticky rice, and trays of rice dessert are not time labeled. Per operator, sticky rice and rice dessert was placed on the counter for 2 hours [CA] All potentially hazardous foods maintained by time only, rather than time and temperature shall be time labeled and served within 4 hours from when removed from temperature control or discarded. [SA] Operator to serve sticky rice and rice dessert within 2 hours, for a total of 4 hours from when removed from temperature control or discard.

Follow-up By
04/01/2021

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: In the kitchen area, at the drink prep area, above the 2 door prep unit, observed a single live cockroach on the wall behind the unit. At the drink prep area, in the handwash station cabinet, observed a single live cockroach. [CA] Ensure facility is kept free of cockroach activity to prevent possible contamination of food. Clean and sanitize all areas with cockroach activity. Seal all cracks and crevices to prevent further harborage. Contact pest control to provide service for facility. [SA] Operator eliminated live cockroaches observed above the 2 door prep unit, and in the handwash station cabinet. Follow-up inspection to occur on Thursday 4/1/2021.

Follow-up By
04/01/2021

Minor Violations

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: At the ice machines, observed mold like growth on the inner panel of both ice machines. [CA] Ensure inner panel of ice machine is cleaned and sanitized to prevent contamination of food (ice).

Follow-up By
04/01/2021

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: In the kitchen area, observed an unapproved 2 burner range stored on the left side of the hood. 2 burner range is stored outside of the hood. [CA] Ensure all unapproved equipment is removed from the facility. Unapproved equipment shall only be used when approved by plan check department.

Follow-up By
04/01/2021

Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.

Measured Observations

Item	Location	Measurement	Comments
milk	2 door prep unit	38.00 Fahrenheit	
sliced tomatoes	3 door prep unit	41.00 Fahrenheit	
milk	walk-in refrigerator	34.00 Fahrenheit	
bbq pork	3 door prep unit	41.00 Fahrenheit	
cooked pork	walk-in refrigerator	35.00 Fahrenheit	
bbq pork	steam table	155.00 Fahrenheit	
ham	3 door prep unit	41.00 Fahrenheit	
soymilk	2 door reach in refrigerator	35.00 Fahrenheit	
jelly dessert with milk	2 door reach in refrigerator	35.00 Fahrenheit	
turkey	3 door prep unit	41.00 Fahrenheit	
bbq pork	walk-in refrigerator	36.00 Fahrenheit	
hot water	3 compartment sink	120.00 Fahrenheit	
warm water	handwash sink	100.00 Fahrenheit	
raw pork	walk-in refrigerator	35.00 Fahrenheit	
grilled pork	steam table	155.00 Fahrenheit	

Overall Comments:

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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 **4/12/2021**. 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:

Signed On: March 30, 2021

Comment: Signature not obtained due to COVID-19 and social distancing parameters. A copy of this report will be emailed to the operator.