

**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**

<b>Facility</b> FA0257201 - LEE'S SANDWICHES		<b>Site Address</b> 279 W CALAVERAS BL, MILPITAS, CA 95035		<b>Inspection Date</b> 10/19/2023	
<b>Program</b> PR0375899 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			<b>Owner Name</b> MCM INVESTMENTS INC		<b>Inspection Time</b> 08:30 - 10:30
<b>Inspected By</b> NHA HUYNH		<b>Inspection Type</b> ROUTINE INSPECTION		<b>Consent By</b> TIEN TU	
<b>FSC Not Available</b>					

<b>Placard Color &amp; Score</b>
<b>GREEN</b>
<b>86</b>

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						S
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						
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		S
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	X	
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	X	
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		

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<b>K48</b> Plan review		
<b>K49</b> Permits available		
<b>K58</b> Placard properly displayed/posted		

## Comments and Observations

### Major Violations

No major violations were observed during this inspection.

### Minor Violations

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

**Inspector Observations:**

**Expired Food Safety Certification. [Corrective Action] Renew Food Safety Certification.**

**Food Handler's Card not available for review. [Corrective Action] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.**

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

**Inspector Observations:**

**Observed dead cockroaches under the 3 door undercounter unit at the service area and on the glue traps under the 3 door undercounter unit. No live cockroaches observed. Monthly pest control reports observed. Pest control reports observed cracks, crevices, and holes not sealed and observed standing water. [Corrective Action] Clean and sanitize areas of dead cockroaches. Seal all cracks, crevices, and holes. Prevent accumulation of water on the floors. Facility may require increased frequency of pest control until pest has been resolved.**

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

**Inspector Observations:**

**Dust accumulation in the exhaust vent in the restroom. [Corrective Action] Routinely clean.**

**Accumulation of grime on the fan guard in the walk-in cooler #3. [Corrective Action] Routinely clean.**

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:**

**Lack of chlorine test strips. [Corrective Action] Provide chlorine test strips to be able to monitor chlorine sanitizer concentration.**

K38 - 2 Points - Inadequate ventilation and lighting in designated area; 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

**Inspector Observations:**

**Both lights are not working in the exhaust hood in the kitchen. [Corrective Action] Ensure lights are working.**

**Light cover missing for the ceiling light in the kitchen. [Corrective Action] Replace the light cover.**

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

**Inspector Observations:**

**Ceiling panel not properly covered at the service area. [Corrective Action] Properly cover the ceiling panel.**

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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## Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
hot water	3 compartment sink	120.00 Fahrenheit	
raw shell eggs	walk-in cooler behind desk	36.00 Fahrenheit	
coffee	3 door undercounter unit	38.00 Fahrenheit	
eggrolls	hot holding cabinet #1	103.00 Fahrenheit	TPHC
meat, boiled peanuts	walk-in cooler #3	31.00 Fahrenheit	
chicken	cookline	171.00 Fahrenheit	final temperature
hot water	handwash sink	100.00 Fahrenheit	
pork	hot holding unit in kitchen	169.00 Fahrenheit	
shrimp salad	2 door upright merchandiser	32.00 Fahrenheit	
banh bao	hot holding cabinet #2	98.00 Fahrenheit	TPHC
milk	2 door prep unit at service area	35.00 Fahrenheit	
cheese, ham, eggs	2 door prep unit in kitchen	41.00 Fahrenheit	
tofu, pate, meats	walk-in cooler #2	31.00 Fahrenheit	

## Overall Comments:

***Both hot holding cabinet are not holding foods above 135 degrees Fahrenheit. Operator uses the hot holding cabinets to keep foods warm and discards after 4 hours.***

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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 **11/2/2023**. 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:

<b>[CA]</b>	Corrective Action
<b>[COS]</b>	Corrected on Site
<b>[N]</b>	Needs Improvement
<b>[NA]</b>	Not Applicable
<b>[NO]</b>	Not Observed
<b>[PBI]</b>	Performance-based Inspection
<b>[PHF]</b>	Potentially Hazardous Food
<b>[PIC]</b>	Person in Charge
<b>[PPM]</b>	Part per Million
<b>[S]</b>	Satisfactory
<b>[SA]</b>	Suitable Alternative
<b>[TPHC]</b>	Time as a Public Health Control

Jenny

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**Received By:** Jenny Truong  
Operator

**Signed On:** October 19, 2023