

**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> 04/15/2024	
<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> 09:40 - 11:10
<b>Inspected By</b> NHA HUYNH		<b>Inspection Type</b> ROUTINE INSPECTION		<b>Consent By</b> MI	
<b>FSC Not Available</b>					

**Placard Color & Score**  
**GREEN**  
**79**

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						N
K06 Adequate handwash facilities supplied, accessible		X		X			N
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		
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							
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		
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	X	
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

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

**Inspector Observations:**

**1. Major. Lack of paper towels in the paper towel dispenser at the handwash sink at the service area and in the kitchen.**

**[Corrective Action] Ensure paper towel dispenser is stocked at all times.**

**[Corrected on Site] Employee re-filled paper towel dispenser.**

**2. Major. Lack of liquid hand soap at the handwash sink at the prep area.**

**[Corrective Action] Ensure liquid hand soap is available to properly wash hands.**

**[Suitable Alternative] Employees wash hands at the other nearby handwash sink.**

### Minor Violations

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

**Inspector Observations:**

**Lack of Food Safety Certification.**

**[Corrective Action] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.**

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

**Inspector Observations:**

**Maximum hot water measured at 116 degrees Fahrenheit at the 3 compartment sink.**

**[Corrective Action] Provide hot water at a minimum of 120 degrees Fahrenheit at the 3 compartment sink.**

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 cooler at the service area. No live cockroaches observed.**

**[Corrective Action] Clean and sanitize areas of dead cockroaches.**

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:**

**Protective plastic film on the 3 door sandwich prep cooler observed deteriorating making the surface not easily cleanable.**

**[Corrective Action] Remove protective plastic film and maintain the refrigeration unit clean.**

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

**Inspector Observations:**

**Water leak from the pipe under the water heater.**

**[Corrective Action] Repair to stop the leak.**

### Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

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

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## Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
spring rolls	on the counter	70.00 Fahrenheit	TPHC
deli sandwich meats	3 door sandwich prep cooler	35.00 Fahrenheit	
steam buns	hot holding unit (right)	96.00 Fahrenheit	TPHC
hot water	3 compartment sink	116.00 Fahrenheit	
cheese, meat	walk-in cooler #2	36.00 Fahrenheit	
chicken, pork	hot holding unit (left)	92.00 Fahrenheit	TPHC
milk, pork	walk-in cooler #3	26.00 Fahrenheit	
milk	2 door prep cooler	38.00 Fahrenheit	
raw shell eggs	walk-in cooler by desk	35.00 Fahrenheit	
hot water	handwash sink	100.00 Fahrenheit	
grilled chicken	3 compartment hot holding unit	160.00 Fahrenheit	
shrimp salad	2 door upright display cooler #1	37.00 Fahrenheit	
coffee	3 door undercounter cooler	39.00 Fahrenheit	
pork xa xiu	cookline	165.00 Fahrenheit	cooling for 30 minutes
soymilk	2 door upright display cooler #2	38.00 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 **4/29/2024**. 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:

<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



**Received By:** Jenny Truong  
Operator

**Signed On:** April 15, 2024