

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 FA0207734 - BANH MI OVEN (DOWNTOWN)		Site Address 221 E SAN FERNANDO ST, SAN JOSE, CA 95112	Inspection Date 04/10/2026
Program PR0301011 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11		Owner Name DINH BROS, INC	Inspection Time 11:05 - 11:50
Inspected By ALEXANDER ALFARO	Inspection Type LIMITED INSPECTION	Consent By QUAN	

Placard Color & Score GREEN N/A

Comments and Observations

Major Violations

No major violations were observed during this inspection.

Minor Violations

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

Inspector Observations:

1. The back of house sink lacked paper towels in the dispenser and lack soap.

[CA] Handwashing soap and towels or drying device shall be provided in dispensers dispensers shall be maintained in good repair.

2. The back of house sink lacks a wall mounted soap dispenser.

[CA] Provide a wall mounted soap dispenser.

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:

Facility has the following non ANSI equipment:

- 1x stand mixer
- 1x Gourmia airfryer
- 1x rice cooker

[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).

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:

The three compartment sink is leaking at the faucet.

[CA] Repair the plumbing fixture.

K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

Inspector Observations:

The staff restroom toilet has been replaced with a makeshift shower.

[CA] Toilet facilities shall be maintained clean and in good repair.

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

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Inspector Observations:

1. At the front cookline area, the top ridge of the stainless steel has a gap and is not easily cleanable.

[CA] Seal the gap and ensure the finish is easily cleanable.

2. The red quarry tile flooring of the dry storage room has been covered by a LVP flooring. new flooring has gaps and holes throughout.

[CA] The floor surfaces shall be smooth, of durable construction, and of nonabsorbent material that is easily cleanable.

3. The door frame to the back of house area has gaps along the frame with the white tile detaching from the stainless steel frame.

4. the counter tops has exposed unfinished wood.

[CA] The walls / ceilings shall have durable, smooth, nonabsorbent, light-colored, and washable surfaces.

5. The customer restroom lacks an approved cove base.

[CA] Approved base coving shall be provided in all areas, except customer service areas and where food is stored in original unopened containers.

K46 - 2 Points - Unapproved private home/living/sleeping quarters; 114285, 114286

Inspector Observations:

The dry storage room has been converted to living quarters that open directly to the food prep area.

[CA] No sleeping accommodations shall be maintained or kept in any room where food is prepared, stored, or sold.

K48 - 2 Points - Plan review unapproved; 114380

Inspector Observations:

Facility has submitted for the addition of equipment and plans have not been approved for installation and use.

[CA] Cease use of equipment until final plan check approval has been received from this department.

[COS] Equipment was impounded by this department.

Performance-Based Inspection Questions

N/A

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Water	Handwash Sink	100.00 Fahrenheit	
Chlorine	Three Compartment Sink	100.00 PPM	
Water	Mop Sink	120.00 Fahrenheit	

Overall Comments:

OWNERSHIP CHANGE INFORMATION

NEW FACILITY NAME: Ben Sandwiches

NEW OWNER: Ben Sandwiches

The applicant has completed the facility evaluation application process for an Environmental Health Permit.

The permit category for this facility is FP10. An invoice for the permit fee in the amount of \$1,377.00 will be mailed to the billing address on the application. Payment must be submitted within 10 days of receipt of the invoice. The owner is responsible for contacting our department if an invoice is not received and remit payment within 30 days.

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The Environmental Health Permit will be effective: 05/01/26 - 04/30/27 This report serves as a temporary permit. However, the permit will be deemed invalid if the permit fee is not paid in full within 30 days from the date of this report. Okay to Operate.

An official permit will be mailed to the address on file and shall be posted in public view upon receipt.

***Structural Review inspection conducted on 04/10/26**

***Permit condition:**

The two ovens and deep fryer are unapproved. Facility shall complete plan check approval for SR0884004 prior to use and shall operate the restricted menu submitted.

Facility to have proteins provided by their other business and breads sourced from the approved sources discussed.


The previously observed sewage back up has been corrected. No sewage back up was observed.

***Obtain food safety manager certificate within 60 days. All other food employees must have valid food handler cards within 30 days from hire date.**

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 **4/24/2026**. 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: Oanh Le
Owner

Signed On: April 10, 2026