

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 FA0208148 - LEE'S SANDWICHES CORP		Site Address 2525 S KING RD, SAN JOSE, CA 95122		Inspection Date 12/26/2023	
Program PR0303969 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name LEE'S SANDWICHES CORP		Inspection Time 09:45 - 11:50
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By TRUC	
				FSC My Ngoc Le 11/19/2026	

Placard Color & Score
GREEN
70

	RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
			Major	Minor				
K01	Demonstration of knowledge; food safety certification	X						S
K02	Communicable disease; reporting/restriction/exclusion	X						
K03	No discharge from eyes, nose, mouth	X						
K04	Proper eating, tasting, drinking, tobacco use			X				N
K05	Hands clean, properly washed; gloves used properly		X		X			N
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				N
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	X	
K27	Food separated and protected	X	
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		X
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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K48	Plan review	
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: Employee at the hot food line consumed from beverage and did not wash hands.

Employee returning from restroom donning on gloves without washing hands.

[CA] Ensure employees are properly washing hands as required. Employees shall wash their hands in all of the following instances:

- (1) Immediately before engaging in food preparation, including working with non-prepackaged food, clean equipment and utensils, and unwrapped single-use food containers and utensils.
- (2) After touching bare human body parts other than clean hands and clean, exposed portions of arms.
- (3) Immediately after using the toilet room and again when returning into the kitchen.
- (4) After caring for or handling any animal allowed in a food facility in pursuant to this part.
- (5) After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking.
- (6) After handling soiled equipment or utensils.
- (7) During food preparation as often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks.
- (8) When switching between working with raw food and working with ready-to-eat foods.
- (9) Before initially donning gloves for working with food.
- (10) Before dispensing or serving food or handling clean tableware and serving utensils in the food service area.
- (11) After engaging in other activities that contaminate the hands.

Properly wash hands with soap, warm water and dry using single use paper towels as required. Single-use gloves shall be removed prior to washing hands.

[COS] Instructed employee to wash hands.

Minor Violations

K04 - 3 Points - Improper eating, tasting, drinking or tobacco use in food preparation area; 113977

Inspector Observations: Observed employee's half eaten sandwich stored on top of covered food container at the cook line.

Observed employee consuming beverage from behind the hot food counter above opened food.

Employees' personal beverage cups stored in areas of food preparation directly next to opened food.

Personal beverages stored in areas of food preparation, food storage, and/or food contact surfaces.

[CA] No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area. Provide designated location for employees to store personal food and beverages. Utilize cups with lids and straws.

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

Inspector Observations: The only hand wash station between the front service area and in the kitchen observed herbs and vegetables inside. Employee at the time was removing food and cleaning hand sink.

[CA] A handwashing facility shall not be used for purposes other than handwashing.

Men's restroom hand sink lacked hand soap and paper towel dispenser was inoperable.

[CA] Handwashing facilities shall be equipped with handwashing cleanser and single-use sanitary towels in dispensers. Hand soap and paper towels shall be readily available and easily accessible at all times.

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

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Inspector Observations: Numerous PHF items maintained inside the walk-in refrigerator measured at 42F to 43F. Manager stated that items were either prepared in the morning less than 4 hours prior or were just delivered. Ambient temperature of the walk-in refrigerator measured between 41F to 43F. Thermostat above the walk-in refrigerator display a temperature fluctuating between 42F and 43F.

Container of bean sprouts maintained out in ambient temperature at the food preparation table across from the cook line measured at 58F. Manager stated that item was just used to prepare another food item that contains bean sprouts.

Prepackaged fermented pork (nem chua) maintained at the open-faced display refrigerator measured at 49F.

Container of sardines in tomato sauce maintained inside the hot holding unit at the sandwich preparation line measured at 133F.

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

Frequently stir hot held items to maintain holding temperatures.

[COS] Bean sprouts and fermented pork was relocated into different refrigerators to immediately cool.

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: Metal container of cooked rice maintained out in ambient temperature measured at 90F. Employee stated that item was prepared about an hour 30 minutes prior, is currently cooling, and will be used to make fried rice in the next hour.

Large plastic colander of fried shredded tofu and vegetables cooling inside the food preparation refrigerator. Item was covered with a paper towel, measured at 149F, and had not reached cooling temperature yet.

[CA] Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F or below within 2 hours and from 70°F to 41°F or below within an additional 4 hours.

- Discontinue cooling foods inside food preparation refrigerators.
- Cool foods using approved containers which facilitate heat transfer, such as metal.
- Properly cool PHF's using shallow containers, using no more than 2 inches for solid foods and no more than 4 inches for liquids.
- When cooling PHF's, food may be left uncovered or loosely covered to allow rapid cooling.

[COS] Rice was relocated into the upright refrigerator to immediately cool. Stir fried tofu and vegetables was relocated into a different refrigerator to expedite cooling process.

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

Inspector Observations: Numerous bags of frozen PHF items thawing out in ambient temperature below the food preparation table.

Numerous boxes of frozen ground pork thawing out in ambient temperature at the two-compartment food preparation sink. Employees had relocated item into the upright refrigerators upon this Division's arrival.

[CA] Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.

K27 - 2 Points - Food not separated and unprotected; 113984(a-d,f), 113986, 114060, 114067(a,d,e,j), 114069(a,b), 114077, 114089.1(c), 114143(c)

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Inspector Observations: *Two boxes of raw shelled eggs maintained above ready-to-eat food items inside the walk-in refrigerator. Baking pans of raw pork maintained above bags of ready-to-eat food items on the rolling cart inside the walk-in refrigerator.*

[CA] *All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items.*

Numerous bags of raw onions maintained directly on the floor inside the walk-in refrigerator.

[CA] *Food shall be stored at least 6 inches above the floor to prevent contamination.*

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: *Ambient temperature of the walk-in refrigerator measured between 42F and 43F.*

[CA] *Refrigeration must be capable of maintaining PHFs at 41°F or below. Investigate cause and repair in an approved manner.*

K44 - 2 Points - Premises not clean, not in good repair; No personal/chemical storage; inadequate vermin-proofing; 114067(j), 114123, 114143 (a,b), 114256, 114256.1, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282

Inspector Observations: *Employees' personal belongings observed stored in areas of food preparation, food storage, and/or food contact surfaces.*

[CA] *No person shall store clothing or personal effects (cell phone, car keys, and jackets) in any area used for the storage and preparation of food or food contact surfaces. Employee's personal effects shall be stored in employee lockers or other designated areas for employee storage.*

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

Inspector Observations: *Observed heavy accumulation of food debris/residues on the floor inside the walk-in refrigerator with sections of rust and chipping panels.*

[CA] *The floor surfaces shall be smooth, of durable construction, and of nonabsorbent material that is easily cleanable. Regularly clean under equipment to prevent accumulation of debris.*

Performance-Based Inspection Questions

- Needs Improvement - Proper cooling methods.
- Needs Improvement - Proper eating, tasting, drinking, tobacco use.
- Needs Improvement - Hands clean/properly washed/gloves used properly.

Measured Observations

Item	Location	Measurement	Comments
Broiled pork	Food preparation refrigerator	40.00 Fahrenheit	Cook line
Milk	Two-door reach-in refrigerator	40.00 Fahrenheit	Beverage preparation area
Orange sticky rice	Two-door upright refrigerator	40.00 Fahrenheit	
Sliced fancy pork	Sandwich preparation refrigerator	41.00 Fahrenheit	
Raw fish	Two-door upright refrigerator	38.00 Fahrenheit	
Green sticky rice	Two-door upright refrigerator	40.00 Fahrenheit	
Sliced BBQ pork	Hot holding unit	135.00 Fahrenheit	Sandwich preparation area
Warm water	Hand wash sink	103.00 Fahrenheit	
Raw meat skewer	Two-door upright refrigerator	41.00 Fahrenheit	
Cooked shrimp	Food preparation refrigerator	41.00 Fahrenheit	Cook line
Sliced BBQ chicken	Hot holding unit	137.00 Fahrenheit	
Hot water	Three-compartment sink	121.00 Fahrenheit	
Meat ball in sauce	Hot holding unit	136.00 Fahrenheit	
Cooked rice	Speed line	147.00 Fahrenheit	
Raw ground pork	Two-door upright refrigerator	33.00 Fahrenheit	
Sliced headcheese	Sandwich preparation refrigerator	40.00 Fahrenheit	
Ambient	Walk-in freezer	7.00 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 **1/9/2024**. 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: Truc P.
Manager

Signed On: December 26, 2023