

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 FA0291040 - HOUSE OF BAGELS		Site Address 5297 PROSPECT RD 20, SAN JOSE, CA 95129		Inspection Date 12/13/2024		Placard Color & Score GREEN 85		
Program PR0436275 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name PEREZ ASSOCIATES INC		Inspection Time 08:45 - 09:50			
Inspected By DENNIS LY		Inspection Type ROUTINE INSPECTION		Consent By ALEX PEREZ				FSC Alex Perez 11/2/27

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						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						
K06	Adequate handwash facilities supplied, accessible			X	X			
K07	Proper hot and cold holding temperatures		X		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		X
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

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: *Yogurt inside the reach-in cooler was measured at 51F. Per employee, the yogurt has not been used all day. [CA] Potentially hazardous foods when cold holding shall be held at or below 41F.*

[COS] *Employee discarded the yogurt into the trash.*

Minor Violations

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

Inspector Observations: *Handwash sink located nearest the front counter is partially obstructed by shelf stored in front of the sink. [CA] Keep handwash sinks unobstructed and easily accessible when in operation to allow employees to properly wash hands when required.*

[COS] *Employee relocated shelf that was obstructing the handwash sink.*

K31 - 2 Points - Consumer self service does not prevent contamination; 114063, 114065

Inspector Observations: *Utensils (spoons, forks, and knives) placed on front counter for consumer self-service are stored with the handles facing down exposing the food contact end to contamination. [CA] Utensils placed out for self-service shall be stored in a manner where the food contact end of the utensil is protected from 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: *Reach-in cooler located behind the front counter has an ambient temperature measured at 56F. [CA] Refrigeration must be capable of maintaining potentially hazardous foods at 41°F or below.*

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Ham	Food prep unit insert	40.00 Fahrenheit	
Hot water	Three compartment sink	120.00 Fahrenheit	
Turkey	Walk-in cooler	41.00 Fahrenheit	
Sausage patty	Food prep unit insert	41.00 Fahrenheit	
Ham	Walk-in cooler	41.00 Fahrenheit	
Milk	Reach-in cooler	41.00 Fahrenheit	
Cream cheese	Walk-in cooler	41.00 Fahrenheit	
Cream cheese	Food prep unit insert	41.00 Fahrenheit	
Yogurt	Reach-in cooler	51.00 Fahrenheit	
Half and Half	Reach-in cooler	41.00 Fahrenheit	
Chlorine sanitizer	Three compartment sink	100.00 PPM	
Cut tomatoes	Food prep unit insert	41.00 Fahrenheit	
Raw shell eggs	Walk-in cooler	41.00 Fahrenheit	
Hot water	Handwash sink	100.00 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 **12/27/2024**. 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: Alex Perez
Manager
Signed On: December 13, 2024