

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 FA0202088 - OAK AND RYE		Site Address 303 N SANTA CRUZ AV, LOS GATOS, CA 95030		Inspection Date 11/15/2024		Placard Color & Score GREEN 81		
Program PR0302651 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name HANSON, BRIANA		Inspection Time 13:55 - 15:35			
Inspected By FRANK LEONG		Inspection Type ROUTINE INSPECTION		Consent By EDDIE DIAZ				FSC Not Available

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						
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				S
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				
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		
K34	Warewash facilities: installed/maintained; test strips		
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		
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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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: At the pizza prep area, measured two containers of tomato sauce and mozzarella cheese at 55F and a single container of tomato sauce at 49F. In the same area, in the counter-top prep unit, measured shredded cheese, pepperoni, and sausage between 49F and 53F. Observed counter-top prep unit was turned off. Per operator, counter-top prep unit, was accidentally turned off for 1.5 hours. Per operator, tomato sauce, and mozzarella cheese stored for an hour. [CA] Ensure potentially hazardous foods are held cold at 41F or below to prevent bacterial growth. [SA] Operator re-powered the counter-top prep unit and added ice to facilitate proper holding temperatures. Operator moved tomato sauce and mozzarella to nearby refrigeration to facilitate proper holding temperatures.

Minor Violations

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

Inspector Observations: Food safety manager's certificate and food handler cards were unavailable upon request. [CA] Ensure at least one valid food safety manager's certificate is available for review and posted within the facility. All other employees that prepare food shall have valid food handler cards.

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

Inspector Observations: At the bar area, observed handwash station is covered with bar items and drink-prep related items. Observed nearby handwash station is accessible at the pizza dough prep room and fully stocked with hand soap and paper towels. [CA] Ensure handwash station is accessible at the bar area and stocked with hand soap and paper towels to allow for proper handwashing.

K14 - 3 Points - Food contact surfaces unclean and unsanitized; 113984(e), 114097, 114099.1, 114099.4, 114099.6, 114101, 114105, 114109, 114111, 114113, 114115(a,b,d), 114117, 14125(b), 114141

Inspector Observations: In the warewash area, at the 3 compartment sink, measured a lack of quaternary ammonia sanitizer from the dispenser. [CA] Ensure applicable sanitizer is provided at the 3 compartment sink to allow for proper cleaning and sanitizing of utensils and equipment.

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

Inspector Observations: At the mop sink, observed a missing cove base tile, and a small unfinished area of the side wall. [CA] Ensure cove base tile is reinstalled and area is finished to prevent possible harborage of vermin.

In the pizza dough prep room, observed an in-wall air conditioning unit installed with an unfinished wooden bracket. Observed cracks and crevices between the bracket and the air conditioning unit. [CA] Ensure wooden bracket used to installed air conditioning unit is finished and sealed to prevent possible harborage of vermin.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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Measured Observations

Item	Location	Measurement	Comments
tomato suace	counter-top	49.00 Fahrenheit	
cooked eggplant	2 door prep unit	37.00 Fahrenheit	
egg white	3 door undercounter refrigerator	38.00 Fahrenheit	
hot water	handwash sink	100.00 Fahrenheit	
tomato sauce	walk-in refrigerator (dough prep)	38.00 Fahrenheit	
chlorine sanitizer	warewash machine	50.00 PPM	
oat milk	3 door undercounter refrigerator	38.00 Fahrenheit	
PHFs	counter-top prep unit	53.00 Fahrenheit	Measured shredded cheese, pepperoni, and sausage between 49F and 53F.
tomato sauce	counter-top	55.00 Fahrenheit	
manchego cheese	2 door prep unit	39.00 Fahrenheit	
milk	3 door undercounter refrigerator	40.00 Fahrenheit	
mozzarella cheese	counter-top	55.00 Fahrenheit	
hot water	3 compartment sink	120.00 Fahrenheit	
raw shelled eggs	walk-in refrigerator	35.00 Fahrenheit	
mozzarella cheese	counter-top	55.00 Fahrenheit	
pepperoni	walk-in refrigerator (dough prep)	37.00 Fahrenheit	
raw chicken	walk-in refrigerator	36.00 Fahrenheit	
raw pork sausage	walk-in refrigerator	36.00 Fahrenheit	
quaternary ammonia sanitizer	3 compartment sink	0.00 PPM	

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 **11/29/2024**. 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:

[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: EDDIE DIAZ
MANAGER

Signed On: November 15, 2024