

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 FA0201136 - O D'S KITCHEN		Site Address 28 MARTIN ST, GILROY, CA 95020	Inspection Date 06/14/2024
Program PR0302171 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11		Owner Name O'DONOGHUE, DON & DIAN/	Inspection Time 09:55 - 10:55
Inspected By GUILLERMO VAZQUEZ	Inspection Type FOLLOW-UP INSPECTION	Consent By ROCIO MARTINEZ	

Placard Color & Score RED N/A

Comments and Observations

Major Violations

Cited On: 06/13/2024

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

This violation found not in compliance on 06/14/2024. See details below.

Cited On: 06/14/2024

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: Multiple alive roaches around the water heater and around the dish washer area noted at the time of inspection. Different cockroaches from different life cycles adults/nymphs. Noted some dead cockroaches around the prep area at the time of inspection.

Follow-up By
06/18/2024

Minor Violations

N/A

Measured Observations

N/A

Overall Comments:

This is a follow up inspection to verify that all major violations mentioned on 6/14/24 inspection report have been addressed. Major violations have not been addressed and found within compliance:

- K23: No rodents, insects, birds, or animals. Live vermin stilled noted within the facility at the time of inspection.

Facility is to remain closed by this department, until written authorization is given.

Subsequent follow-up inspections after the first follow-up shall be billed \$290-hour, minimum one hour, during normal business hours: Monday-Friday 7:30AM to 5:00PM or \$645/hour, minimum one hour, during non-business hours, and upon inspector availability.

- NOTE: County has new DEH fees effective 6/15/24

See county website: <https://ehinfo.sccgov.org/fee-and-payment-information>

- Per PIC, they would like a follow up inspection tomorrow (6/15/24). A charge of 645/hour, minimum one hour shall be billed. Also dependent of availability upon inspector.

- Recommend having pest control come to facility two times within the month until issue has been abated.

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CLOSURE / PERMIT SUSPENSION NOTICE

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 **6/28/2024**. 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.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

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: Rocio Martinez
PIC
Signed On: June 14, 2024