

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 FA0200408 - KELLY'S DELI @ THE HOME DEPOT		Site Address 480 E HAMILTON AV, CAMPBELL, CA 95008		Inspection Date 03/15/2024		Placard Color & Score GREEN 88		
Program PR0306367 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name MARK KELLY'S MANAGEMEN		Inspection Time 10:05 - 11:25			
Inspected By NHA HUYNH		Inspection Type ROUTINE INSPECTION		Consent By LUIZ				FSC Luiz Bryant A Tavera 02/15/2028

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						S
K04	Proper eating, tasting, drinking, tobacco use	X						
K05	Hands clean, properly washed; gloves used properly	X						
K06	Adequate handwash facilities supplied, accessible	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		
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		X
K36	Equipment, utensils, linens: Proper storage and use		X
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:

1. Major. Cooked beef and par-cooked bacon left out at room temperature were measured at 72 and 91 degrees Fahrenheit respectively. Per PIC, the foods were cooked at 7:30 AM and will be re-cooked per order.

[Corrective Action] Ensure Potentially Hazardous Foods are maintained cold at or below 41 degrees Fahrenheit or hot at or above 135 degrees Fahrenheit.

[Suitable Alternative] Discard foods after four hours from the time they were cooked.

2. Minor. Cheese, turkey, and raw shell eggs were measured at 48 degrees Fahrenheit in the top insert of the 2 door prep cooler. Foods were observed stored above the fill line.

[Corrective Action] Ensure cold Potentially Hazardous Foods are maintained at or below 41 degrees Fahrenheit.

Minor Violations

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:

Rubber seal on the right door of the 3 door upright freezer was observed in disrepair.

[Corrective Action] Repair or replace the rubber seal.

K36 - 2 Points - Equipment, utensils, linens: Improper storage and use; 114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5

Inspector Observations:

Single use plastic forks by the service window observed stored with the food contact surface facing up.

[Corrective Action] Store the forks so that the handle is facing up.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
cheese, turkey, raw shell eggs	2 door prep cooler	48.00 Fahrenheit	above fill line
rice	Vantco warmer	158.00 Fahrenheit	
beef	Vantco warmer	146.00 Fahrenheit	
bacon	metal container on top of toaster oven	91.00 Fahrenheit	par-cooked at 7:30 AM
quaternary ammonium sanitizer	sanitizing bucket	400.00 PPM	
cheese, rice, beef	walk-in cooler	38.00 Fahrenheit	
hot water	3 compartment sink	120.00 Fahrenheit	
milk	2 door undercounter cooler	38.00 Fahrenheit	
beef	metal container on top of Vantco food warmer	72.00 Fahrenheit	cooked at 7:30 AM
hot water	handwash sink	111.00 Fahrenheit	
hot dog	Winco warmer	160.00 Fahrenheit	
cheese, sliced tomatoes, ham	2 door prep cooler	41.00 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 **3/29/2024**. 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: Luiz Tavera
PIC
Signed On: March 15, 2024