

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 05/08/2024	
Program PR0302171 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name O'DONOGHUE, DON & DIAN/		Inspection Time 11:00 - 13:00
Inspected By GUILLERMO VAZQUEZ	Inspection Type ROUTINE INSPECTION	Consent By ROCIO MARTINEZ	FSC Not Available		

Placard Color & Score
GREEN
85

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification			X				N
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				N
K07 Proper hot and cold holding temperatures			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		
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		X
K40 Wiping cloths: properly used, stored		X
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	X
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

No major violations were observed during this inspection.

Minor Violations

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

Inspector Observations: Unable to provide some food handler cards and food manger certification at the time of inspection.

[CA] Obtain new food handler cards for employees within 30-days and food manger certification within 60-days.

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

Inspector Observations: Facility does not have a dedicated hand wash station within the food prep area. Facility is using 3-Compartment sink (scrape basin) to wash hands.

[CA] All food facilities shall provide an operable hand washing station.

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

Inspector Observations: Shelled eggs on the counter top table were measured at 53°F at the time of inspection. Per cook, they were placed outside for about 10-mins.

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

[SA] Shelled eggs were moved to the under counter refrigeration.

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

Inspector Observations: Unable to provide food probe thermometers at the time of inspection.

[CA] An accurate easily readable metal probe thermometer (accurate to +/- 2°F) that is designed to measure the temperature of thin masses shall be provided and readily available to accurately measure the temperatures of potentially hazardous foods.

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

Inspector Observations: Sanitizer bucket was measured at 200PPM at the time of inspection.

[CA] Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium).

[COS] Employee diluted the solution by adding water; re-measured at 100PPM.

K48 - 2 Points - Plan review unapproved; 114380

Inspector Observations: Facility has remodeled facility recently and installed new pieces of equipment (Under counter freezer, Prep table, new prep sink installed instead of mop sink, and new flooring).

[CA] A person proposing to build or remodel a food facility shall submit plans and specifications for review and shall receive plan approval prior to starting any new construction or remodeling. Contact DEH at 408-918-3400 or at www.ehinfo.org to obtain plan check requirements.

- Facility must submit plans into the department within 2-months (7/15/24). Failure to comply may result in enforcement action.

Performance-Based Inspection Questions

Needs Improvement - Demonstration of knowledge; food manager certification.

Needs Improvement - Adequate handwash facilities: supplied or accessible.

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Measured Observations

Item	Location	Measurement	Comments
Gray	Hot holding	157.00 Fahrenheit	
Sanitizer (Chlorine)	Dish washer	50.00 PPM	
Ambient	Reach in freezer	5.00 Fahrenheit	
Milk	Walk in	39.00 Fahrenheit	
Hot water	3-Compartment/prep sink	120.00 Fahrenheit	
Ham	Prep table #2	39.00 Fahrenheit	
Yogurt	Display refrigeration	39.00 Fahrenheit	
Ambient	Under counter freezer	5.00 Fahrenheit	
Shelled eggs	Counter top	53.00 Fahrenheit	Adjust to 41°F below. SA.
Cooked scrambled eggs	Hot holding (steam bath/cook line)	155.00 Fahrenheit	
Cooked eggs	Cook line	199.00 Fahrenheit	Final cook temperature.
Salsa (tomato base)	Prep table #3 (next to cashier station)	39.00 Fahrenheit	
Cut tomato	Prep table	40.00 Fahrenheit	
Burger patty	Walk in	38.00 Fahrenheit	
Cooked potato	Hot holding (steam bath/cook line)	148.00 Fahrenheit	
Sausage	Under counter refrigeration (prep table)	40.00 Fahrenheit	
Cheese	Prep table #2	39.00 Fahrenheit	
Warm water	Restroom	100.00 Fahrenheit	
Pooled eggs	Prep table	40.00 Fahrenheit	
Sanitizer (Chlorine)	Sanitizer bucket	200.00 PPM	Adjust to 100PPM. COS.
Cut tomato	Prep table #3 (next to cashier station)	38.00 Fahrenheit	
Jello	Display refrigeration	38.00 Fahrenheit	

Overall Comments:

- Facility has installed new equipment/sink within the facility without notifying this department. Facility must submit plans into the department within 2-months for approval.

- Provided the following decals to facility: Hot/cold and ware-washing (wash, rinse, sanitize).

NOTE

- Facility has gone through a change of ownership; DIANA O'DONOGHUE has become sole owner of the facility. Provided a Facility Evaluation Request Packet to PIC. Submit documentation within the department within 2-business days.

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 **5/22/2024**. 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: Rocio Martinez
Manager
Signed On: May 08, 2024