

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 FA0208943 - ANTIPASTOS		Site Address 3454 MCKEE RD, SAN JOSE, CA 95127		Inspection Date 03/24/2026		Placard Color & Score GREEN 73		
Program PR0303514 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name DEROSE, NICHOLAS F & MA		Inspection Time 15:35 - 17:05			
Inspected By MAMAYE KEBEDE		Inspection Type ROUTINE INSPECTION		Consent By NICK DORESE				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						
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						
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	X	
K28	Fruits and vegetables washed		
K29	Toxic substances properly identified, stored, used		
K30	Food storage: food storage containers identified	X	
K31	Consumer self service does prevent contamination		
K32	Food properly labeled and honestly presented		
K33	Nonfood contact surfaces clean	X	
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	X	
K39	Thermometers provided, accurate	X	
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: chicken stored on the steam table was measured at 120 oF. The chef said the product was cooked an hour ago.

[CA] All potentially hazardous foods like garlic in oil; cut melons; raw sprouts; cooked foods of plant origin; foods of animal origin and any other food capable of supporting the rapid and progressive growth of infectious or toxigenic microorganisms or the slower growth of *Clostridium botulinum* shall always be held at 41°F or below or at 135°F or above. If any of these food products are going to be stored at room temperature, time might be used as a public health control with proper time/temperature logs. The PIC is told to reheat the product to 165 OF and keep them at or above 135 OF (SA).

Follow-up By 03/24/2026

Minor Violations

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

Inspector Observations: There is not a food safety manager certified person in the facility.

[CA] Someone from the facility must take a food safety certificate class within two months and keep copy of the certificate on file.

Food Safety Manager certificate class may be taken on the following websites:

1. Premier Food Safety:

<https://www.premierfoodsafety.com/food-manager-certification/california>

2. Learn 2 Serve:

<https://www.360training.com/learn2serve/food-safety-manager/California>

3. Serve Safe Manager:

<https://www.servsafe.com/ServSafe-Manager>

Couple of the employees do not have food handler cards.

[CA] Employee engaged in food preparation, storage, and service and who do not have food safety certificate must take food handler cards within a month of hire.

California approved Food Handler Card (FHC) class providers

All Directory Listing

(<https://anabpd.ansi.org/Accreditation/credentialing/certificate-issuers/AllDirectoryListing?prgID=228,238&statusID=4nsi.org>)

K27 - 2 Points - Food not separated and unprotected; 113984(a-d,f), 113986, 114060, 114067(a,d,e,j), 114069(a,b), 114077, 114089.1(c), 114143(c)

Inspector Observations: Raw food products like shell eggs were stored above ready to eat food products inside the walk-in coolers.

[CA] To prevent possible contamination, ready-to-eat food products and produce must be stored above or by the said of raw food products.

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

Inspector Observations: Many food products on boxes were stored directly on the floor or on milk crate back in the storage area and inside the walk-in coolers.

[CA] To prevent insect hiding and breeding and for easy cleaning of the floor area, please store all food products at least six inches off the floor on an approved shelf or dunnage rack.

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

Inspector Observations: Re-used cardboard (from shipping boxes) used to line shelves and the floor of the cookline.

[CA] Do not use cardboard to line shelves or cover the floor area.

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K35 - 2 Points - Equipment, utensils - Unapproved, unclear, 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: *There is a vacuum oxygen machine in the preparation area.*

[CA] *Oxygen reducing packaging machines may only be used only with written approval from the State's Public Health Department Food and Drug Administration. HACCP plan must be submitted to the FDB. Please stop using the equipment until a written approval is sought from the state.*

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: *Multiple boxes of single use and other utensils were stored on the floor back in the storage area.*

[CA] *For easy floor cleaning and to prevent insect/rodent infestation and hiding, store all utensils/equipment at least six inches off the floor on approved shelf/dunnage rack at all the time.*

Compressed gas cylinder used for the soda dispenser was not chained to a secure stand.

[CA] *To prevent possible accidents from falling compressed gas cylinder, all the cylinders must restrain to a secure stand.*

K38 - 2 Points - Inadequate ventilation and lighting in designated area; 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

Inspector Observations: *A tabletop miniature deep fryer was observed under near the range at the cook line.*

[CA] *All utensils and equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g., NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation). Remove the tabletop miniature deep fryer. Contact this division's Plan Check program for review and approval of equipment prior to installation. Furthermore, all equipment that uses gas/electricity and produces steam, grease, and excessive heat must be stored under the exhaust hood.*

Couple of the light bulbs inside the walk-in cooler do not have shatterproof covers.

[CA] *Provide shatterproof covers immediately for those bulbs missing one.*

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

Inspector Observations: *There were no functional thermometers on the cold sandwich display cases.*

[CA] *To monitor the ambient air of the units, please install a functional thermometer on all refrigeration units.*

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

Inspector Observations: *The cove base and the floor tiles located in the preparation area and some in the dining area are damaged or missing.*

[CA] *Replace the damaged floor area immediately.*

Performance-Based Inspection Questions

N/A

Measured Observations

Item	Location	Measurement	Comments
Chlorine	Mechanical dishwasher	50.00 PPM	
Marinara sauce	Steam table	165.00 Fahrenheit	
Lasagna	Steam table	149.00 Fahrenheit	
Beef	Reach-in cooler	39.00 Fahrenheit	
Meatballs	Steam table	156.00 Fahrenheit	
Diced tomato	Preparation fridge	39.00 Fahrenheit	
Oyster	Display case	40.00 Fahrenheit	
Chicken	Walk-in cooler	39.00 Fahrenheit	
Hot water	Two compartment sink	130.00 Fahrenheit	
Chili	Steam table	159.00 Fahrenheit	
Cheese	Preparation fridge	41.00 Fahrenheit	

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Overall Comments:

- Note: 1. Food safety manager certificate: There is not a food safety manager certified person in the facility.**
- 2. There is no designated preparation sink in the kitchen. The two compartment warewash sink is being used for both food preparation and warewashing. it is highly recommended installing a designated preparation sink.**
- 3. Most of the violations listed above are repeated violations. A follow-up inspection shall be conducted in two months to review compliance with current Health and Safety code for free. However, subsequent follow-up inspection after first follow-up shall be billed \$298/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$645/hour, minimum two hours, during non-business hours, and upon inspector availability.**

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 **4/7/2026**. 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: Nick Dorese
Manager
Signed On: March 24, 2026