

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 03/18/2025	
Program PR0303514 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name DEROSE, NICHOLAS F & MA		Inspection Time 11:10 - 12:15
Inspected By MAMAYE KEBEDE	Inspection Type ROUTINE INSPECTION	Consent By NICK DORESE	FSC Not Available		

Placard Color & Score

GREEN
84

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						
K06	Adequate handwash facilities supplied, accessible	X						
K07	Proper hot and cold holding temperatures			X				S
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					X	
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					X	
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					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

No major violations were observed during this inspection.

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

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

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

Inspector Observations: *Some potentially hazardous foods stored on the four door preparation fridge, including diced tomato, sliced turkey, and cheese were measured between 45°F and 50 °F.*

[CA] *All potentially hazardous foods like meat, seafood, poultry, dairy products, cooked vegetables, cooked cereals, greens, and diced tomatoes shall always be held at 41°F or below or at 135°F or above. Please monitor the temperature and use of the refrigeration unit regularly*

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

Inspector Observations: *Some food products on boxes were stored directly on the floor or on milk crate back in the kitchen area.*

[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 approved shelf or dunnage rack.*

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: *The ice scoop for the ice machine was stored on unclean surface.*

[CA] *All reusable utensils including the ice scoop must be stored on clean surface/container in between use.*

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.*

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

Inspector Observations: *Repeated violation: There was no functional thermometer on the meat display/storage case case.*

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

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

Inspector Observations: Repeated violation: Couple of wet/soiled wiping cloths were stored on the counters.

[CA] Wet/soiled wiping cloths must be stored in a bucket that has standard sanitizer concentration in between use which is 200 ppm quaternary ammonia or 100 ppm chlorine (bleach).

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

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Hot water	Two compartment sink	125.00 Fahrenheit	
Chlorine	Mechanical dishwasher	50.00 PPM	
Diced tomato	Double door preparation fridge	41.00 Fahrenheit	
Clams	Display case	38.00 Fahrenheit	
Dressings	Double door preparation fridge	40.00 Fahrenheit	
Oyster	Display case	35.00 Fahrenheit	
Beef	Display case	38.00 Fahrenheit	
Diced tomato	Four door preparation fridge	45.00 Fahrenheit	
Cheese	Four door preparation fridge	44.00 Fahrenheit	

Overall Comments:

Note: 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 sometime next month 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 **4/1/2025**. 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 18, 2025