

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 FA0208594 - FOOD MAXX STORE #491 - DELI		Site Address 3002 STORY RD, SAN JOSE, CA 95127		Inspection Date 01/16/2025		Placard Color & Score GREEN 87		
Program PR0384362 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name SAVE MART SUPERMARKET		Inspection Time 11:00 - 11:45			
Inspected By MAMAYE KEBEDE		Inspection Type ROUTINE INSPECTION		Consent By FERNANDO				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						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						S
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		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		
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	X	

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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: Rotisserie chicken stored on the hot holding case were measured between 128 °F and 160 oF. The Deli manager said the chicken were cooked an hour ago.

[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. If these food products are going to be stored at room temperature, time/temperature logs must be properly used which indicate the time the food product was taken from the safe temperature zone, and the time the food products shall be discarded. The manager pooled the products to rapid chill them (SA).

Follow-up By
01/16/2025

Minor Violations

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

Inspector Observations: Repeated violation: Repeated violation: 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>

K47 - 2 Points - Signs not posted; last inspection report not available; 113725.1, 113953.5, 113978, 114381(e)

Inspector Observations: Repeated violation: Repeated violation: Current Environmental Health permit was not posted on public view.

[CA] The most current Environmental Health permit must be posted on public view at all the time.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Hot water	Meat department's wash sink	125.00 Fahrenheit	
Chicken	Walk-in cooler	35.00 Fahrenheit	IR
Rotisserie chicken	Hot holding case	128.00 Fahrenheit	128 oF to 150 oF.

Overall Comments:

Note: 1. No food safety certified person in the facility.

2. According to the store manager, there are less than six employees in the Deli department. A data adjustment EAR shall be submitted to supervisor.

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 **1/30/2025**. 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.

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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: Fernando Salas
Manager

Signed On: January 16, 2025