

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 FA0230324 - KELLY'S DELI		Site Address 2435 LAFAYETTE ST, SANTA CLARA, CA 95050		Inspection Date 02/23/2026		Placard Color & Score YELLOW 62		
Program PR0330329 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name TRI-KEL INVESTMENTS LLC		Inspection Time 14:50 - 16:30			
Inspected By MINDY NGUYEN		Inspection Type ROUTINE INSPECTION		Consent By PERDLA				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				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				N
K06	Adequate handwash facilities supplied, accessible		X		X			N
K07	Proper hot and cold holding temperatures		X		X			N
K08	Time as a public health control; procedures & records						X	
K09	Proper cooling methods			X				N
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				N
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	X	
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	X	
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	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	X	
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

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: At the only kitchen handsink: Observed the paper towel dispenser was empty.
[CA] Paper towel dispensers must be stocked at all times.
[SA] A paper towel roll was placed near the handsink.

Follow-up By
03/30/2026

Minor violation:

Observed plates and utensils inside the handsink on two separate occasions during the inspection. Operator stated they usually wash hands at either the prep sink or 3-compartment sink instead.

[CA] Do not store objects inside the handsink. Handsinks must be accessible to make handwashing not only possible, but likely.
[COS] Items were removed from the handsink.

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: In the rear warewashing area: measured internal temperature of raw ground beef to be 60F. PIC stated it had been defrosting for 1 hour.

Follow-up By
03/30/2026

[CA] Maintain foods at 41F and below or 135F and above. Foods must be thawed in an approved manner. See violation K26 below.
[COS] Employee moved the meat back into the freezer.

Minor violation: Measured PHFs in the prep inserts (pico de gallo, ham) to be 45F. Items in the reach-under section measured 41F and below. PIC stated the lunch rush began around 12:00pm today (approximately 3 hours prior).
[CA] Keep potentially hazardous foods at 41F and below or 135F and above, even during busy times.

Minor Violations

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

Inspector Observations: A manager's food safety certificate was not available upon request.

[CA] Obtain a manager's food safety certificate.

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: Observed employee rinsing hands in the 3-compartment sink.

[CA] All handwashing must be conducted at the handwash sink.

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

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Inspector Observations: *On a countertop in the front service area: observed tall lidded plastic container of cooked ground meat (130F). PIC stated it was cooling and had been cooked one hour prior.*

[CA] Whenever food has been prepared or heated so that it becomes PHF, it shall be rapidly cooled:

- **From 135°F to 70°F in 2 hours, AND**
- **From 70°F to 41°F in 4 hours**

Potentially hazardous foods must be rapidly cooled using one or more of the following methods:

- **Placing the food in shallow pans**
- **Separating the food into smaller or thinner portions**
- **Using rapid cooling equipment**
- **Using containers that facilitate heat transfer**
- **Adding ice as an ingredient**
- **Using ice paddles**
- **Inserting appropriately designed containers in an ice bath and stirring frequently**

K14 - 3 Points - Food contact surfaces unclean and unsanitized; 113984(e), 114097, 114099.1, 114099.4, 114099.6, 114101, 114105, 114109, 114111, 114113, 114115(a,b,d), 114117, 14125(b), 114141

Inspector Observations: *Observed orange mold-like substance on the metal panel inside the ice machine.*

[CA] Keep ice machine clean.

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

Inspector Observations: *Observed raw ground beef defrosting at ambient room temperature.*

[CA] Frozen potentially hazardous food shall be thawed using one of the following methods:

- 1) **Under refrigeration**
- 2) **Completely submerged under cold running water of sufficient velocity to flush loose particles**
- 3) **In a microwave oven**
- 4) **During the cooking process**

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

Inspector Observations: *Observed bag of potatoes stored on floor under the 3-compartment sink. Observed pineapple stored directly adjacent to steps connecting the front area to the warewashing area.*

[CA] Store foods on approved shelving at least 6 inches above the floor. Store food so that it is protected from potential contamination.

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

Inspector Observations: *Sanitizer test strips were not available upon request.*

[CA] Obtain sanitizer test strips to measure sanitizer concentration.

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

Inspector Observations: *Measured chlorine in wiping cloth bucket to be over 200ppm.*

[CA] Store wiping cloths in 100ppm chlorine or 200ppm quaternary ammonia.

K44 - 2 Points - Premises not clean, not in good repair; No personal/chemical storage; inadequate vermin-proofing; 114067(j), 114123, 114143 (a,b), 114256, 114256.1, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282

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Inspector Observations: 1) Observed 2 of the large service windows (approximately 3 feet tall, 1.5 feet wide) were open during the inspection.

[CA] To prevent vermin entry, no gaps larger than 1/4 shall be present. Openable windows shall be screened to prevent the entrance and harborage of animals, birds, and vermin.

2) In the dry storage area: observed personal items (purse, sweater, lunch bag) were stored directly on top of/against food containers.

[CA] Store personal items below/away from food to prevent contamination.

Performance-Based Inspection Questions

Needs Improvement - Hands clean/properly washed/gloves used properly.
Needs Improvement - Demonstration of knowledge; food manager certification.
Needs Improvement - Proper hot and cold holding temperatures.
Needs Improvement - Proper cooling methods.
Needs Improvement - Adequate handwash facilities: supplied or accessible.
Needs Improvement - Food contact surfaces clean, sanitized.

Measured Observations

Item	Location	Measurement	Comments
HOT WATER	3-COMPARTMENT SINK, PREP SINK	120.00 Fahrenheit	
RICE, BEANS	HOT HOLDING	135.00 Fahrenheit	
MILK, SAUCES,	REACH-UNDER SECTION OF PREP UNIT	40.00 Fahrenheit	
COOKED GROUND MEAT	FRONT PREP AREA	130.00 Fahrenheit	COOLING, ONE HOUR
CHLORINE	SANITIZER BUCKET	200.00 Fahrenheit	OVER 200PPM
PICO DE GALLO, HAM	PREP INSERTS	45.00 Fahrenheit	
MILK	UPRIGHT COUNTERTOP REFRIGERATOR	40.00 Fahrenheit	
RAW GROUND BEEF	REAR WAREWASHING AREA	60.00 Fahrenheit	THAWING
WARM WATER	HANDSINK	100.00 Fahrenheit	

Overall Comments:

A follow up inspection will be conducted to assess the major violations listed above. The first follow-up is free of charge. Any additional follow-up inspection(s) shall each be billed \$298/hr during business hours. Failure to comply may result in enforcement action. Please contact Mindy Nguyen at (408) 918-3490 or mindy.nguyen@deh.sccgov.org if there are any changes or updates.

Report discussed with PIC Javier over the phone.

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 **3/9/2026**. 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.

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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: Perla zarco
Employee

Signed On: February 23, 2026