

# 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<br>FA0202142 - THE AMERICAN ITALIAN DELI                        |                                       | Site Address<br>42 ELM ST, LOS GATOS, CA 95030 |                            | Inspection Date<br>10/18/2024     |                                  |
| Program<br>PR0305630 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10 |                                       |  | Owner Name<br>SLOAN, TAMAR |                                   | Inspection Time<br>14:25 - 16:10 |
| Inspected By<br>FRANK LEONG  | Inspection Type<br>ROUTINE INSPECTION |  | Consent By<br>TAMAR SLOAN  | FSC Thomas Lilygren<br>06/24/2029 |                                  |

Placard Color & Score

**YELLOW**

**73**

| 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     |       | 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  |       |       |        |     |     |     |
| 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     |        |     |     | N   |
| 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                    | X   |     |
| 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               | X   |     |
| 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                              | X                                |
| 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 handwash station, observed a lack of hand soap in the hand soap dispenser. After refilling handsoap dispenser, observed dispenser does not properly functioning and provide handsoap. [CA] Ensure handwash station is provided with hand soap and paper towels to allow for proper handwashing. [SA] Operator to provide a bottle of pump soap at the handwash station to allow for proper handwashing.*

Follow-up By  
10/23/2024

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

**Inspector Observations:** *In the front prep counter, in the middle 2 door display reach in refrigerator, measured sliced bologna, sliced turkey, gnocchi, meatballs, ravioli, mortadella, and italian sausage between 49F and 56F. Measured ambient air temperature of 2 door reach in refrigerator at 53F. Per operator, sliced bologna, gnocchi, meatballs, ravioli, and mortadella stored from the previous day, italian sausage stored from the morning at at 10:00am, and sliced turkey prepared about an hour prior. [CA] Ensure potentially hazardous foods are held cold at 41F or below to prevent bacterial growth. [SA] Operator moved sliced turkey to nearby refrigeration to facilitate proper holding temperatures. Sliced bologna, gnocchi, meatballs, ravioli, mortadella, and sausage was VC&D due to time and temperature abuse.*

Follow-up By  
10/23/2024

*In the front prep counter, measured various sliced cheeses stored at 55F on the interior edge above the insert containers of the 2 door prep unit. Per operator, various sliced cheeses placed stored at 1:00pm. [CA] Ensure potentially hazardous foods are held cold at 41F or below to prevent bacterial growth. [SA] Operator to serve various sliced cheeses by 5:00pm, for a total of 4 hours from when removed from temperature control or discard.*

### Minor Violations

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

**Inspector Observations:** *At the front counter, observed inadequate water pressure from the handwash station. [CA] An approved, adequate, protected, pressurized, potable supply of hot water and cold water shall be provided at all times.*

K35 - 2 Points - Equipment, utensils - Unapproved, unclean, 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:** *At the front counter, measured ambient air temperature of middle display 2 door reach in refrigerator at 53F. [CA] Ensure refrigeration is repaired and able to maintain potentially hazardous foods at 41F or below.*

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

**Inspector Observations:** *Observed a leak in the piping below the prep sink. [CA] Ensure plumbing below the prep sink is repaired to prevent leaks.*

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

**Inspector Observations:** *In the back prep area, observed coving from the floors are peeling away from the walls and creating gaps. [CA] Ensure floor coving is properly affixed to the wall and sealed to prevent harborage of vermin.*

K49 - 2 Points - Permits not available; 114067(b,c), 114381(a), 114387

**Inspector Observations:** *Noted annual permit fee was paid, but late penalty fee of \$276.75 for annual permit was not paid and is past due. [CA] Ensure payment for account is made within 48 hours to County of Santa Clara, Department of Environmental Health at the address noted above. Failure to make payment with 48 hours may result in further enforcement.*

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## Performance-Based Inspection Questions

- Needs Improvement - Hot and cold water available.
- Needs Improvement - Proper hot and cold holding temperatures.
- Needs Improvement - Adequate handwash facilities: supplied or accessible.

## Measured Observations

| <u>Item</u>             | <u>Location</u>                                 | <u>Measurement</u> | <u>Comments</u>   |
|-------------------------|---|--------------------|---|
| egg salad               | right side display 2 door reach in refrigerator | 41.00 Fahrenheit   |   |
| naked juice             | self-service 2 door reach in refrigerator       | 39.00 Fahrenheit   |   |
| chicken caesar salad    | self-service refrigerator                       | 38.00 Fahrenheit   |   |
| roast beef              | left side display 2 door reach in refrigerator  | 38.00 Fahrenheit   |   |
| pasta salad             | right side display 2 door reach in refrigerator | 41.00 Fahrenheit   |   |
| macaroni salad          | right side display 2 door reach in refrigerator | 64.00 Fahrenheit   | Cooling   |
| sliced roast beef       | 2 door prep unit                                | 41.00 Fahrenheit   |   |
| various sliced cheese   | above the insert top of the 2 door prep unit    | 55.00 Fahrenheit   |   |
| egg salad               | 2 door prep unit                                | 39.00 Fahrenheit   |   |
| fruit salad             | self-service refrigerator                       | 38.00 Fahrenheit   |   |
| ambient air temperature | middle display 2 door reach in refrigerator     | 53.00 Fahrenheit   |   |
| ice cream               | freezer chest                                   | -2.00 Fahrenheit   |   |
| sliced salami           | 2 door prep unit                                | 41.00 Fahrenheit   |   |
| PHFs                    | middle display 2 door reach in refrigerator     | 56.00 Fahrenheit   | Measured sliced bologna, sliced turkey, gnocchi, meatballs, ravioli, mortadella, and italian sausage between 49F and 56F. |
| raw shelled eggs        | 2 door prep unit                                | 40.00 Fahrenheit   |   |
| ambient air temperature | right side display 2 door reach in refrigerator | 41.00 Fahrenheit   |   |
| tuna salad              | 2 door prep unit                                | 40.00 Fahrenheit   |   |
| hot water               | 3 compartment sink                              | 120.00 Fahrenheit  |   |
| hot water               | handwash sink                                   | 75.00 Fahrenheit   | Low water pressure; unable to check for hot water temperature.  |
| turkey breast           | left side display 2 door reach in refrigerator  | 38.00 Fahrenheit   |   |

## Overall Comments:


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 **11/1/2024**. 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.

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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



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**Received By:** TAMAR SLOAN  
OWNER

**Signed On:** October 18, 2024