

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 FA0200408 - KELLY'S DELI @ THE HOME DEPOT		Site Address 480 E HAMILTON AV, CAMPBELL, CA 95008		Inspection Date 01/14/2025		Placard Color & Score GREEN 81		
Program PR0306367 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name MARK KELLY'S MANAGEMEN		Inspection Time 15:10 - 16:55			
Inspected By PRINCESS LAGANA		Inspection Type ROUTINE INSPECTION		Consent By LUIZ				FSC Luiz Bryant Tavena 02/15/2028

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				N
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				
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	X	
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	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

No major violations were observed during this inspection.

Minor Violations

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: Pump soap stored at the prep sink rather than at the hand sink station. Pump soap in close proximity.

[CA]: Hand soaps shall be stored in an approved dispenser at the designated hand sink station.

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

Inspector Observations: In the walk in cooler, raw beef, milk, cooked beef measured between 44F- 45F. Ambient temperature of walk in cooler measured at 46F. Employee stated constant opening and closing of unit during rush hour.

[CA]: PHF's shall be cold held at 41F or below at all times.

[SA]: Discussed with Person in Charge that if temperature of walk in cooler and PHFs do not cool down to 41F before closing (at 6 PM), PHFs in the walk in cooler shall be relocated to working cooling units and/or freezer to rapidly cool down or voluntarily discarded if space is not available.

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: Washed and wet utensils observed stacked on top of each other.

[CA]: Equipment and utensils must be properly air dried after sanitizing and prior to stacking

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: Beverage cans stored outside without overhead coverage. Umbrella for overhead coverage observed closed/unused due to strong winds per employee.

[CA]: Overhead protection shall be provided for pre-packaged food.

[COS]: Employee provided overhead coverage using the umbrella.

K29 - 2 Points - Toxic substances improperly identified, stored, used; 114254, 114254.1, 114254.2

Inspector Observations: A can of Raid pest repellent was stored near the door.

[CA]: Raid pest control is for household use only. Commercial establishments are not approved to use household pest control methods. Discontinue storage/use of unapproved pest repellents.

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: Ambient temperature of walk in cooler measured at 46F. Per employees, this may be due to constant opening and closing of unit during rush hour from 12 noon - 2:30 pm.

[CA]: Cooling units shall be able to cold hold PHFs at 41F or below at all times. Employee adjusted thermostat during inspection. Employee called repair technician. Ambient temperature decreased to 42F by the end of inspection.

Follow-up By 01/15/2025

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

Inspector Observations: Soiled wet wiping cloths stored on work surfaces without being placed back into their sanitizer buckets in between uses.

[CA]: Wiping cloths used for sanitizing work surfaces must be stored inside their sanitizer buckets containing at least 100ppm chlorine or 200ppm Quat sanitizer when not actively being used.

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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

Inspector Observations: Hole/gap observed on the screen door.

[CA]: Repair hole/gap to prevent vermin entry.

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

Item	Location	Measurement	Comments
cut tomatoes, chorizo, salsa	prep line cooler	40.00 Fahrenheit	40F - 41F
beef burger	final cooking temp from flat top grill	160.00 Fahrenheit	
Quat sanitizer	sanitizer bucket	200.00 PPM	
carne asada	hot holding 2	156.00 Fahrenheit	
whip cream	under cooler unit 1	41.00 Fahrenheit	
water	prep sink	120.00 Fahrenheit	
sausage	under cooler unit 2	41.00 Fahrenheit	
rice	hot holding unit 2	161.00 Fahrenheit	
sausage	hot holding 1	159.00 Fahrenheit	
water	hand sink	100.00 Fahrenheit	
water	3 comp sink	120.00 Fahrenheit	
sausage, patties, wings	drawer cooler	39.00 Fahrenheit	39F - 41F
chicken	drawer cooler	116.00 Fahrenheit	cooling started approximately 20 minutes prior to measurement

Overall Comments:

Per supervisor Monica H., Person in charge to provide proof that the walk in cooler has been repaired and reached proper cooling temperature within 24 hours via email at Princess.Lagana@deh.sccgov.org or via text message (business card provided in person).

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 **1/28/2025**. 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: Felipe Ramirez
Person in charge

Signed On: January 14, 2025