

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 FA0267876 - THE OLIVE GARDEN ITALIAN RESTAURANT #18 | | Site Address 1350 GREAT MALL DR J, MILPITAS, CA 95035 | | Inspection Date 12/05/2024 | | Placard Color & Score <div style="background-color: green; color: black; padding: 10px; text-align: center;"> GREEN 87 </div> | | |
| Program PR0395315 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 3 - FP17 | | | Owner Name N & D RESTAURANTS, INC | | Inspection Time 13:30 - 16:00 | | | |
| Inspected By GLENCIJOY DAVID | | Inspection Type ROUTINE INSPECTION | | Consent By GARY HOFER | | | | FSC Gary Lynn Hofer 05/04/25 |

| 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 | | | | | | |
| 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 | | |
| 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 | | |
| 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: *Several employee food handler cards are expired. [CA] All food handlers shall maintain a valid food handler card during duration of employment.*

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

Inspector Observations: *At the bar, no paper towels available in the dispenser at the handwash sink. Napkins available nearby. [CA] Handwash sinks shall be supplied with soap and paper towels at all times. [COS] Employee restocked paper towel dispenser during inspection.*

K18 - 3 Points - Non-compliance with variance/ROP/HACCP Plan; 114057, 114057.1, 114417.6, 114419

Inspector Observations: *Facility uses a cook-chill process for sauces. Observed HACCP logs with incomplete information (date, temperatures, etc.). [CA] Facility shall follow approved HACCP plan and complete logs for each product.*

K35 - 2 Points - Equipment, utensils - Unapproved, unclear, 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: *High temperature dishwasher machine leaks when in use. PIC stated that the machine will be serviced tomorrow. [CA] Repair dishwasher and maintain equipment in good repair.*

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

Inspector Observations: *Accumulation of water on the kitchen floors nearby food prep area. [CA] Floors in food preparation areas shall be kept clean.*

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

| Item | Location | Measurement | Comments |
|---------------------|-----------------------------------|-------------------|--------------------|
| water | mechanical warewashing | 161.00 Fahrenheit | |
| sauce | cook-chill ice bath | 75.00 Fahrenheit | cooling |
| raw salmon | under counter refrigeration | 41.00 Fahrenheit | |
| raw chicken | walk-in cooler | 41.00 Fahrenheit | |
| water | 3-compartment sink | 120.00 Fahrenheit | |
| water | handwashing sink | 100.00 Fahrenheit | |
| sanitizer | bucket | 200.00 PPM | quaternary ammonia |
| cauliflower mixture | hot holding | 135.00 Fahrenheit | |
| tomato soup | hot holding | 135.00 Fahrenheit | |
| alfredo sauce | cook line | 170.00 Fahrenheit | |
| alfredo sauce | walk-in cooler | 41.00 Fahrenheit | |
| raw chicken | under counter refrigeration | 41.00 Fahrenheit | |
| alfredo sauce | prep insert | 41.00 Fahrenheit | |
| cheese | under counter refrigeration | 41.00 Fahrenheit | |
| tomato sauce | cook line | 170.00 Fahrenheit | |
| fettucine | walk-in cooler | 61.00 Fahrenheit | cooling |
| milk | under counter refrigeration (bar) | 41.00 Fahrenheit | |
| shrimp | cook line | 155.00 Fahrenheit | final cooking temp |

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Overall Comments:

Joint inspection with Kathy Vo. Report written by Kathy Vo.

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 **12/19/2024**. 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.

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: Gary Hofer
Manager
Signed On: December 05, 2024