

# 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

<b>Facility</b> FA0273889 - THE OLIVE GARDEN ITALIAN RESTAURANT #44		<b>Site Address</b> 2226 EASTRIDGE LP, SAN JOSE, CA 95122		<b>Inspection Date</b> 05/08/2024		<b>Placard Color &amp; Score</b> <div style="background-color: black; color: white; padding: 10px; text-align: center;"> <b>GREEN</b>  <b>97</b> </div>		
<b>Program</b> PR0414165 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 3 - FP17			<b>Owner Name</b> N & D RESTAURANTS, INC D		<b>Inspection Time</b> 12:45 - 14:00			
<b>Inspected By</b> HENRY LUU		<b>Inspection Type</b> ROUTINE INSPECTION		<b>Consent By</b> TYRUS A.				<b>FSC</b> Tyrus Acoba 03/11/2029

  

RISK FACTORS AND INTERVENTIONS		IN	OUT		COS/SA	N/O	N/A	PBI
			Major	Minor				
K01	Demonstration of knowledge; food safety certification	X						S
K02	Communicable disease; reporting/restriction/exclusion	X						
K03	No discharge from eyes, nose, mouth	X						S
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						S
K08	Time as a public health control; procedures & records	X						S
K09	Proper cooling methods	X						
K10	Proper cooking time & temperatures	X						S
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		
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		

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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

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

**Inspector Observations: Water at the left side hand wash station inside the men's restroom measured at 110F. Water temperature is not adjustable.**

**[CA] Handwashing facilities equipped with a mixing valve that is not readily adjustable at the faucet, shall provide warm water at least 100°F, but not greater than 108°F.**

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

### Measured Observations

Item	Location	Measurement	Comments
Lasagna	Walk-in refrigerator	39.00 Fahrenheit	
Fettucine	Drawer refrigerator	40.00 Fahrenheit	
Angel hair pasta	Drawer refrigerator	40.00 Fahrenheit	
Macaroni and cheese	Hot holding unit	143.00 Fahrenheit	
Quaternary ammonia	Three-compartment sink - bar	200.00 PPM	
Stuffed ravioli	Drawer refrigerator	38.00 Fahrenheit	
Meat sauce	Hot holding unit	162.00 Fahrenheit	
Sliced tomato	Salad preparation refrigerator	40.00 Fahrenheit	
Milk	Beverage reach-in - bar	41.00 Fahrenheit	
Meat sauce	Steam table	167.00 Fahrenheit	
Surface temperature	High temperature dish machine	165.10 Fahrenheit	Dishtemp
Minestrone soup	Steam table	171.00 Fahrenheit	
Diced tomatoes	Ice bath - above cook line	41.00 Fahrenheit	
Cooked chicken	Cook line	168.00 Fahrenheit	
Hot water	Three-compartment sink - kitchen	126.00 Fahrenheit	
Raw shrimp	Drawer refrigerator	39.00 Fahrenheit	
Milk	Reach-in refrigerator - server station	40.00 Fahrenheit	
Hot water	Three-compartment sink - bar	121.00 Fahrenheit	
Cream of mushroom sauce	Ice bath - above cook line	40.00 Fahrenheit	
Various types of pasta	Walk-in refrigerator	41.00 Fahrenheit	
Raw salmon	Drawer refrigerator	39.00 Fahrenheit	
Raw beef steak	Drawer refrigerator	40.00 Fahrenheit	
Raw marinated calamari	Ice bath	38.00 Fahrenheit	
Spinach dip	Ice bath	39.00 Fahrenheit	
Diced tomatoes	Ice bath	37.00 Fahrenheit	
Sanitizing bucket	Cook line	200.00 PPM	Quaternary ammonia
Diced tomatoes	Walk-in refrigerator	40.00 Fahrenheit	
Sanitizing bucket	Food preparation line	200.00 PPM	Quaternary ammonia
Eggplant parmigiana	Undercounter reach-in refrigerator	37.00 Fahrenheit	
Raw marinated chicken	Walk-in refrigerator	40.00 Fahrenheit	
Meatballs parmigiana	Steam table	168.00 Fahrenheit	
Raw breaded chicken	Drawer refrigerator	40.00 Fahrenheit	
Alfredo sauce	Steam table	167.00 Fahrenheit	

### Overall Comments:

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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 **5/22/2024**. 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:

<b>[CA]</b>	Corrective Action
<b>[COS]</b>	Corrected on Site
<b>[N]</b>	Needs Improvement
<b>[NA]</b>	Not Applicable
<b>[NO]</b>	Not Observed
<b>[PBI]</b>	Performance-based Inspection
<b>[PHF]</b>	Potentially Hazardous Food
<b>[PIC]</b>	Person in Charge
<b>[PPM]</b>	Part per Million
<b>[S]</b>	Satisfactory
<b>[SA]</b>	Suitable Alternative
<b>[TPHC]</b>	Time as a Public Health Control



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**Received By:** Tyrus A.  
General Manager

**Signed On:** May 08, 2024