

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 FA0273889 - THE OLIVE GARDEN ITALIAN RESTAURANT #44		Site Address 2226 EASTRIDGE LP, SAN JOSE, CA 95122		Inspection Date 07/15/2025		Placard Color & Score <div style="background-color: yellow; padding: 10px; text-align: center;"> YELLOW 75 </div>		
Program PR0414165 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 3 - FP17			Owner Name N & D RESTAURANTS, INC D		Inspection Time 14:40 - 16:10			
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By ALEX				FSC Paul A. Garcia 04/18/2030

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		X			S
K08	Time as a public health control; procedures & records	X						S
K09	Proper cooling methods					X		
K10	Proper cooking time & temperatures	X						
K11	Proper reheating procedures for hot holding	X						S
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		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

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

Inspector Observations: *PHF items (macaroni and cheese, various types of cheeses) maintained in ice bath by the pasta cooker measured between 51F to 55F. Employee stated that the items have been here for approximately one hour to an hour and a half. The ice in the ice bin is usually changed every two hours and that the food items are discarded if its warm.*

Follow-up By
07/17/2025

[CA] *PHFs shall be held at 41°F or below or at 135°F or above.*

[COS] *Instructed employee to either continue serving PHF items for a cumulative of 4 hours, and or to change out ice bath to immediately cool.*

**** This Division recommends relocating the ice bin to an area away from the pasta cooker.**

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: *Observed one live cockroach on its back on the floor at the bar by the hand wash sink. One dead cockroach observed on counter under the espresso machine at the bar area.*

Follow-up By
07/17/2025

General manager stated that the facility is serviced once per month with the last service done on 7/8/2025. Pest control report was provided upon request and stated that no activity was observed.

No other activity was observed.

[CA]: *The premises of each food facility must be maintained free of vermin. A facility cannot operate if there is a vermin infestation that leads to contamination of food contact surfaces, packaging, utensils, food equipment, or adulteration of food. The facility is required to cease operations immediately and must remain closed until all corrective actions on the provided checklist are completed.*

[COS] *Live cockroach was abated by manager.*

Minor Violations

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

Inspector Observations: *Numerous employees with expired food handler cards.*

[CA] *Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.*

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

Inspector Observations: *Hand wash sink at the ware wash area obstructed with plastic bags maintained inside the hand wash basin.*

[CA] *Handwashing facility shall be clean, unobstructed, and accessible at all times.*

[COS] *Manager removed plastic bags.*

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

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Inspector Observations: *Water at the left side hand wash sink in the men's restroom measured at 110F. Water temperature is not adjustable by user.*

[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.

***Note:** *additional hand sink available.*

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Raw chicken	Walk-in refrigerator	39.00 Fahrenheit	
Sanitizing buckets	Throughout kitchen	200.00 PPM	
Bagged soup	Hot holding unit	155.00 Fahrenheit	
Raw chicken tenders	Drawer refrigerator	40.00 Fahrenheit	
Milk	One-door reach-in refrigerator - server station	41.00 Fahrenheit	
Cream of mushroom	Ice bath	40.00 Fahrenheit	
Milk	Two-door reach-in refrigerator - bar	41.00 Fahrenheit	
Hot water	Three-compartment sink - bar	121.00 Fahrenheit	
Spinach dip	Ice bath	41.00 Fahrenheit	
Hot water	Three-compartment sink kitchen	125.00 Fahrenheit	
Surface temperature	High temperature dish machine	160.00 Fahrenheit	Irreversible test trip
Meatball in sauce	Steam table	161.00 Fahrenheit	
Raw scallops	Drawer refrigerator	38.00 Fahrenheit	
Sliced tomatoes	Salad station - drawer refrigerator	40.00 Fahrenheit	
Meat sauce	Steam table	159.00 Fahrenheit	
Diced tomatoes	Walk-in refrigerator	37.00 Fahrenheit	
Milk	Walk-in refrigerator	39.00 Fahrenheit	
Fettuccine noodles	Drawer refrigerator	41.00 Fahrenheit	
Ravioli	Drawer refrigerator	41.00 Fahrenheit	
Angel hair pasta	Drawer refrigerator	41.00 Fahrenheit	
Raw steak	Drawer refrigerator	39.00 Fahrenheit	
Lasgana	Hot holding unit	156.00 Fahrenheit	
Raw marinated calamari	Ice bath	40.00 Fahrenheit	
Salad with sliced tomatoes	Two-door upright refrigerator	41.00 Fahrenheit	
Chicken parmigiana	Deep fryer	197.00 Fahrenheit	
Zuppa toscana soup	Steam table	162.00 Fahrenheit	
Raw shrimp	Drawer refrigerator	37.00 Fahrenheit	

Overall Comments:

- **Two or more major violations were observed during the routine inspection.**
- **A follow-up inspection will be conducted to verify compliance of all major violations.**
- **Subsequent follow-up inspection after first follow-up shall be billed \$298/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$645/hour, minimum two hours, during non-business hours, and upon inspector availability.**
- **The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered, or copied. Failure to comply may result in enforcement actions per County Ordinance Code Section B11-55.**

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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 7/29/2025. 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: Alyssa G.
General manager

Signed On: July 15, 2025