

# 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> FA0267876 - THE OLIVE GARDEN ITALIAN RESTAURANT #18		<b>Site Address</b> 1350 GREAT MALL DR J, MILPITAS, CA 95035		<b>Inspection Date</b> 02/20/2024		<b>Placard Color &amp; Score</b> <div style="background-color: green; color: white; padding: 10px; text-align: center;"> <b>GREEN</b>  <b>85</b> </div>		
<b>Program</b> PR0395315 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 3 - FP17			<b>Owner Name</b> N & D RESTAURANTS, INC		<b>Inspection Time</b> 14:50 - 16:25			
<b>Inspected By</b> GLENCIJOY DAVID		<b>Inspection Type</b> ROUTINE INSPECTION		<b>Consent By</b> GARY HOFER				<b>FSC</b> Gary Lynn Hofer 05/04/2026

  

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						
K07	Proper hot and cold holding temperatures		X		X			
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		
K12	Returned and reservice of food	X						
K13	Food in good condition, safe, unadulterated	X						
K14	Food contact surfaces clean, sanitized	X						S
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	X	
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		
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:** *Macaroni and cheese measured at 48F in ice bath above cook line, tortellini measured at 47F, and ravioli measured at 47F at top left drawer cooler at cook line for approximately 6 hours prior to inspection per PIC.*

**[CA]:** *PHFs must be cold held at 41F or below at all times. Discontinue using drawer cooler until it is working properly. Ensure there is sufficient ice in ice bath at all times.*

**[COS]:** *PHF's were voluntarily discarded by PIC during inspection.*

### Minor Violations

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

**Inspector Observations:** *Multiple fruit flies at cook line, server line, ware-washing, and bar areas. No direct contamination observed.*

**[CA]:** *Remove Fruit Flies using safe, approved and effective methods. Ensure food and food contact surfaces are protected at all times from possible contamination. Remove any standing water in facility.*

K36 - 2 Points - Equipment, utensils, linens: Improper storage and use; 114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5

**Inspector Observations:** *Tong by cook line stored in stagnant water that measured at 79F without temperature control.*

**[CA]:** *Scoops and utensils shall be stored in water above 135F, in a clean and dry container, or in a dipper well with running water at a rate sufficient to flush away loose particles from utensils when storing in between use.*

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 200ppm Quat sanitizer when not actively being used.*

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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## Measured Observations

Item	Location	Measurement	Comments
pasta	drawer cooler 2	40.00 Fahrenheit	
Quat Sanitizer	wiping cloth	200.00 PPM	
whipped cream	2 door reach in 1	41.00 Fahrenheit	
lasagna	prep line cooler	38.00 Fahrenheit	
water	3 comp	120.00 Fahrenheit	
tomato sauce	prep line cooler	40.00 Fahrenheit	
tortellini	drawer cooler	47.00 Fahrenheit	
steak	drawer cooler - under grill	41.00 Fahrenheit	
vegetable soup	steam table 2	193.00 Fahrenheit	
angel hair pasta	walk in cooler	40.00 Fahrenheit	
artichoke dip	walk in freezer	5.00 Fahrenheit	IR
meat saue	walk in cooler	40.00 Fahrenheit	
raw shrimp	drawer cooler 1	40.00 Fahrenheit	
ravioli	drawer cooler	47.00 Fahrenheit	
minestrone pasata	hot box	180.00 Fahrenheit	
water	hand sink	105.00 Fahrenheit	
cheese with vegetable sauce	prep line cooler	40.00 Fahrenheit	
meatball sauce	steam table 1	181.00 Fahrenheit	
macaroni and cheese	ice bath	48.00 Fahrenheit	
High Temp Sanitizer	High Temp Dish Machine	160.00 Fahrenheit	
chicken	drawer cooler - under grill	41.00 Fahrenheit	
water	mop sink	120.00 Fahrenheit	
salad with cut tomatoes	2 door reach in 2	41.00 Fahrenheit	
salmon	drawer cooler - under grill	41.00 Fahrenheit	
fettucine	walk in cooler	40.00 Fahrenheit	
pasta	walk in cooler	38.00 Fahrenheit	
water	food prep sink	126.00 Fahrenheit	
chicken tenders	walk in freezer	8.00 Fahrenheit	IR

## Overall Comments:

*Joint inspection by Princess Lagana and Glencijoy David. Inspection report written by Princess Lagana.*

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 **3/5/2024**. 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: Jacob Palpallatoc  
PIC

Signed On: February 20, 2024