

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 FA0257391 - MACACO SANDWICHES		Site Address 1280 1ST ST F, GILROY, CA 95020		Inspection Date 04/02/2024	
Program PR0376322 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name MACACO INC		Inspection Time 14:15 - 15:30
Inspected By GUILLERMO VAZQUEZ	Inspection Type ROUTINE INSPECTION		Consent By IVAN URANGA	FSC Ivan Uranga 2/2/29	

Placard Color & Score
RED
87

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						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	X			S
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						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		
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		X
K49 Permits available		
K58 Placard properly displayed/posted		

Comments and Observations

Major Violations

K21 - 8 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: Hot water at the 3-Compartment and prep sink was measured at 72°F at the time of inspection. Pilot at the hot water heater is not able to be turned back on. Per PIC, they have a contractor on there way to address issue.

Follow-up By
04/05/2024

[CA] An approved, adequate, protected, pressurized, potable supply of hot water and cold water shall be provided.

Minor Violations

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

Inspector Observations: Hand wash station next to the cashier station was missing paper towels inside of dispenser at the time of inspection.

[CA] Hand wash stations must be fully stocked at all times.

[COS] PIC added paper towels into dispenser.

K48 - 2 Points - Plan review unapproved; 114380

Inspector Observations: Facility has installed new pieces of equipment since change of ownership (1/30/24), equipment on site seems to be commercial grade equipment:

- Two new reach in refrigeration units Freezer/refrigeration (Atosa)
- Heat lamp (Hatco glo-ray food warmer)
- New deep fryer (Cook rite Atosa)

Per Owner, he plans to add/remove additional equipment into the facility.

[CA] A person proposing to build or remodel a food facility shall submit plans and specifications for review and shall receive plan approval prior to starting any new construction or remodeling. Contact DEH at 408-918-3400 or at www.ehinfo.org to obtain plan check requirements.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Cut tomato	Prep table	39.00 Fahrenheit	
Hot water	3-Compartment/Prep sink	72.00 Fahrenheit	Adjust to 120°F minimum.
Cooked chicken	Cook line	189.00 Fahrenheit	Final cook temperature.
Cut tomato	Reach in #2	39.00 Fahrenheit	
Sanitizer (Quats)	3-Compartment	200.00 PPM	
Raw chicken	Under counter refrigeration	39.00 Fahrenheit	
Warm water	Hand wash	72.00 Fahrenheit	Adjust to 100°F minimum.
Ambient	Reach in freezer	5.00 Fahrenheit	
Cole-slaw	Prep table	40.00 Fahrenheit	
Raw chicken	Reach in	38.00 Fahrenheit	
Milk	Reach in #2	39.00 Fahrenheit	
Warm water	Restroom	72.00 Fahrenheit	Adjust to 100°F minimum.

Overall Comments:

The facility is herby closed by this department for not having a hot water supply. Facility is to remain closed until written authorization is given by this department to re-open.

- PIC would like a follow up inspection tomorrow (4/3/24). Follow up inspection shall be conducted on this day.

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CLOSURE / PERMIT SUSPENSION NOTICE

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 **4/16/2024**. 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.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

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: Ivan Uranga
Owner

Signed On: April 02, 2024