

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 FA0209906 - MERCADO CALIFORNIA		Site Address 5302 MONTEREY RD, SAN JOSE, CA 95111		Inspection Date 06/06/2025		Placard Color & Score YELLOW 78		
Program PR0307179 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name LUNA, RAMON		Inspection Time 09:00 - 10:50			
Inspected By JENNIFER RIOS		Inspection Type ROUTINE INSPECTION		Consent By LESLIE				FSC Gabriela Sandoval 06/28/2027

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						
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	
K09	Proper cooling methods		X		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		
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		
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		X
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

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

Inspector Observations: *Cooked jalapenos and onions in hot holding measured 117F to 118F and were cooked one hour prior to temperature measurement.*

[CA] PHFs shall be held at 41°F or below or at 135°F or above. **[COS]** Food must be discarded by 1:30pm.

Follow-up By
06/11/2025

K09 - 8 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: *Menudo in walk in fridge measured 44F to 48F. Per PIC, it was cooked the previous day and had not been removed from the walk in fridge since it was placed the day before. [CA] After heating or hot holding, Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours. Approved cooling methods include:*

- 1) *Placing the food in shallow pans*
- 2) *Separating the food into thinner or smaller portions.*
- 3) *Using rapid cooling equipment (Ex. blast chiller)*
- 4) *Using containers that facilitate heat transfer (ex. stainless steel)*
- 5) *Adding ice as an ingredient.*
- 6) *Using ice paddles*
- 7) *Using an ice bath and stirring frequently*
- 8) *Accordance with a HACCP plan.*

Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool.

[COS] Menudu was VC&D.

Follow-up By
06/11/2025

MINOR: *Beans measured at 109F - 125F 2 hours after they were finished cooking. Rice measured 82F 1 hour after they were finished cooking and were cooling on tray on counter. Rice in hot holding unit measured 92F 1.5 hours after cooking. [CA] After heating or hot holding, Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours.*

Minor Violations

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: *Bowls used as scoops in bulk food containers. [CA] Provide scoop with handle and store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.*

K44 - 2 Points - Premises not clean, not in good repair; No personal/chemical storage; inadequate vermin-proofing; 114067(j), 114123, 114143 (a,b), 114256, 114256.1, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282

Inspector Observations: *Back door to facility was open during inspection. Per PIC, it is left open most of the day for deliveries. [CA] Air curtains shall be in operation over all open exterior doors to prevent flying pests.*

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

Inspector Observations: *Observed broken floor tiles in preparation area. [CA] Replace broken floor tiles with a smooth and of durable construction and nonabsorbent material that is easily cleanable.*

Observed holes in the ceiling in the back storage area. [CA] Repair holes in structure and maintain in good repair to prevent pest harborage.

Performance-Based Inspection Questions

N/A

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Measured Observations

Item	Location	Measurement	Comments
Refried beans	On counter	109.00 Fahrenheit	109F - 125F
Bacon	Self serve unit	41.00 Fahrenheit	
Ham	Reach in fridge	40.00 Fahrenheit	
Warm water	Handwash	100.00 Fahrenheit	
Milk	Reach in fridge	36.00 Fahrenheit	
Rice	Hot holding cabinet	92.00 Fahrenheit	
Fish	Ice on display	38.00 Fahrenheit	
Popsicles	Reach in freezer	3.40 Fahrenheit	
Hot water	Three compartment sink	120.00 Fahrenheit	
Menudo	walk in fridge	48.00 Fahrenheit	44F-48F
Cooked onions	Hot holding	118.00 Fahrenheit	
Eggo waffles	Reach in freezer	9.00 Fahrenheit	
Ice cream	Reach in freezer	-16.00 Fahrenheit	
Chicken	Ice on display	36.00 Fahrenheit	
Jalepenos	Hot holding	117.00 Fahrenheit	
Blackberry pulp	Reach in freezer	11.00 Fahrenheit	
Shrimp	Ice on display	36.00 Fahrenheit	
Crema	Reach in fridge	44.00 Fahrenheit	cooling from prep
Stew	Hot holding unit	157.00 Fahrenheit	
Milk	Reach in fridge	39.00 Fahrenheit	
Eggs	Self serve unit	41.00 Fahrenheit	

Overall Comments:

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 **6/20/2025**. 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: Fabiola Valle
Store manager

Signed On: June 06, 2025