

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 FA0211223 - EL CHALATECO		Site Address 955 SARATOGA AV, SAN JOSE, CA 95129		Inspection Date 08/16/2023	
Program PR0305432 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name RIVIERA NAYARITA INC		Inspection Time 10:15 - 12:30
Inspected By ALELI CRUTCHFIELD	Inspection Type ROUTINE INSPECTION	Consent By DAVID	FSC Not Available		

Placard Color & Score
GREEN
75

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				
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				N
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						S
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							

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	X	
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	X	
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	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	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

No major violations were observed during this inspection.

Minor Violations

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

Inspector Observations: Unable to locate Food Safety Managers Certificate. [CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.

REPEAT VIOLATION.

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

Inspector Observations: The hand sink near the ware washing area was found blocked with a cart. [CA] Hand sink shall be accessible at all times. [COS] Cart was relocated.

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: Observed a large container of beans on a cart measured at 62F. Operator stated they removed the beans from the walk in cooler 3 hours ago in preparation for pupusas. [CA] Maintain potentially hazardous food 41F or below. Use only small portions of food during preparation so that it does not exceed the maximum amount of time allowed for diligent prep. [COS] Operator relocated the beans in the walk in cooler until ready to use.

K14 - 3 Points - Food contact surfaces unclean and unsanitized; 113984(e), 114097, 114099.1, 114099.4, 114099.6, 114101, 114105, 114109, 114111, 114113, 114115(a,b,d), 114117, 14125(b), 114141

Inspector Observations: Observed incorrect manual ware washing set up at the 3 compartment sink. [CA] Manual warewashing shall be accomplished by using a three-compartment sink where the utensils are first precleaned, washed with hot soapy water, rinsed with hot water, sanitized with an approved method, and air dried. Use 1 TBS of bleach (5.25%) per 1 gal. of water for chlorine solution (100 PPM). [COS] Operator set up the ware washing sink correctly.

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: Observed a stainless steel container with ice used to store bottled beer behind the front counter, draining into a bucket. [CA] All liquid waste lines must drain into an approved floor sink. Discontinue use of stainless steel container and locate bottled beer inside the refrigerator or drain into an approved floor sink.

K29 - 2 Points - Toxic substances improperly identified, stored, used; 114254, 114254.1, 114254.2

Inspector Observations: Observed 2 chemical spray bottles hanging on the side of the bottled beer steel container. [CA] Relocate chemicals in a designated area away from beverages/food.

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

Inspector Observations: Lack of chlorine test strips. [CA] Provide test strips and locate in an accessible location near the ware washing sink.

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

Inspector Observations: Observed several soiled wiping cloths on tables. [CA] Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium).

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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: Observed backpacks hanging on dry storage/food equipment rack. [CA] Provide a designated shelf or lockers for employees' personal items.

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

Inspector Observations: Observed missing ceiling panel above walk in freezer.[CA] Re-install the ceiling panel to prevent entrance of vermin.

Observed several damaged/missing floor tiles. [CA] Repair or replace tiles.

Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
fish	3 door prep unit	34.00 Fahrenheit	
chicken	2 door prep unit	39.00 Fahrenheit	
ambient	walk in cooler	39.00 Fahrenheit	
beans	warmer	168.00 Fahrenheit	
raw shrimp	walk in cooler	35.00 Fahrenheit	
cheese	table top 2 door prep unit	41.00 Fahrenheit	
water	3 comp sink	135.00 Fahrenheit	
water	handsink	100.00 Fahrenheit	
water	handsink- restroom	100.00 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 **8/30/2023**. 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: linsuant
Manager

Signed On: August 16, 2023