

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		Placard Color & Score <div style="background-color: green; color: white; padding: 10px; text-align: center;"> GREEN 75 </div>		
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

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

Item	Location	Measurement	Comments
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