

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 FA0258830 - TOSTADAS		Site Address 304 E SANTA CLARA ST A, SAN JOSE, CA 95113		Inspection Date 02/04/2026		Placard Color & Score YELLOW 56		
Program PR0379109 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name GARCIA, ALEXANDER		Inspection Time 14:35 - 16:35			
Inspected By ALEXANDER ALFARO		Inspection Type ROUTINE INSPECTION		Consent By ANDREW				FSC Yajaira Hernandez 06/30/2026

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						S
K06	Adequate handwash facilities supplied, accessible		X		X			N
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	X	
K27	Food separated and protected	X	
K28	Fruits and vegetables washed		
K29	Toxic substances properly identified, stored, used		
K30	Food storage: food storage containers identified	X	
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	X	
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	X	
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

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations:

- 1. The bar handwash station lacked paper towels.*
 - 2. The restroom handwash station lacked paper towels.*
 - 3. The only handwash sink in the kitchen lacked paper towels in the dispenser but had napkins available for use.*
- [CA] Single-use sanitary towels shall be provided in dispensers; heated-air hand drying device may be substituted for single-use towels.*
- [SA] Facility provided napkins for use. Per PIC, they have a delivery later today and have ran out of paper towels.*

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

Inspector Observations:

- 1. Ranch sauce in the prep cooler near the serving window measured at 46F around 3:30 pm. Per bartender, the ranch has been in the prep cooler since 8 am.*
 - 2. Sour cream in the prep cooler near the serving window measured at 54F around 3:30 pm. Per bartender, the sour cream had been in the prep cooler since 12 pm when he restocked it.*
- [CA] PHFs shall be held at 41°F or below or at 135°F or above.*
- [COS] Ranch was discarded.*
- [COS] Bartender agreed to discard sour cream after 4 hours of removal from temperature control.*

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

Inspector Observations:

- 3 deep hotel pans of beef birria in the walk in cooler were measured at 50F. Per cook, they had been cooling since around 8 pm last night. Cook stated they cooled each hotel pan in an ice bath and moved it into the walk in cooler before leaving.*
- [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] Birria was discarded. Discussed with cook about cooling methods for birria. Discussed use of thinner hotel pans so food is less than 2" thick. Also discussed adding salt or ice baths to promote a quicker cool down. Cooling handout provided to cook.*

Minor Violations

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

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Inspector Observations:

Some of the staff lack food handler cards and have been employed >30 days.

[CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations:

Water in the men's restroom handwash sink measured at a maximum of 65F.

[CA] Handwashing facilities shall be equipped to provide minimum 100°F water under pressure for a minimum of 15 seconds.

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

Inspector Observations:

Beef and bacon was found thawing in the basins of the three compartment sink.

[CA] Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.

[COS] Items were moved to the walk in cooler for thawing.

K27 - 2 Points - Food not separated and unprotected; 113984(a-d,f), 113986, 114060, 114067(a,d,e,j), 114069(a,b), 114077, 114089.1(c), 114143(c)

Inspector Observations:

Chamoy and Tajin plates at the bar counter were not protected from contamination. Candied straws were also not protected from contamination.

[CA] Food on display shall be protected from contamination by the use of packaging, counter, service line, or sneeze guards that intercept a direct line between the consumer's mouth and the food being displayed, containers with tight-fitting securely attached lids, display cases, mechanical dispensers, or other effective means.

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

Inspector Observations:

1. Facility is storing prepackaged non-Potentially Hazardous Foods and canned goods in the attic of the kitchen.

2. Facility is storing prepackaged non-Potentially Hazardous Foods and canned goods in an unpermitted remote storage room near the office lobby (entrance is in the back parking lot).

[CA] Food or food related equipment shall be stored in an approved fully enclosed food facility.

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:

Facility lacks testing materials for their choice of sanitizer at the three compartment sink, quaternary ammonia.

[CA] Testing equipment and materials shall be provided to adequately measure the applicable sanitization method used during manual or mechanical warewashing.

K35 - 2 Points - Equipment, utensils - Unapproved, unclean, not in good repair, inadequate capacity; 114130, 114130.1, 114130.2, 114130.3, 114130.4, 114130.5, 114132, 114133, 114137, 114139, 114153, 114155, 114163, 114165, 114167, 114169, 114175, 114177, 114180, 114182

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Inspector Observations:

The prep cooler near the service window is not maintaining PHFs at 41F or below.

[CA] Refrigeration must be capable of maintaining PHFs at 41°F or below.

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:

1. Facility was found using the three compartment sink as a prep sink and the prep sink to store dirty dishes.

[CA] Ensure to use each sink for its intended use.

2. The CO2 tank was found to not be restrained.

[CA] All pressurized cylinders shall be securely fastened to a rigid structure.

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

Inspector Observations:

The waste pipe of the prep sink has a leak.

[CA] Repair plumbing fixture and maintain in clean and good repair.

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

Item	Location	Measurement	Comments
Chlorine - Sanitizer	Dishwasher - Kitchen	50.00 PPM	
Rice	Cooling	110.00 Fahrenheit	<30 mins cooling
Chicken Tinga	Final Reheat	180.00 Fahrenheit	
Shrimp - Raw	Prep Cooler - Kitchen	39.00 Fahrenheit	
Ambient Air	Prep Cooler - Bottom	46.00 Fahrenheit	
Quaternary Ammonia - Sanitizer	Sanitizer Bucket	200.00 PPM	
Chlorine - Sanitizer	Dishwasher - Bar	50.00 PPM	
Shrimp - Cooked	Drawer Cooler	40.00 Fahrenheit	
Birria	Walk in Cooler	50.00 Fahrenheit	
Birria	Walk in Cooler	50.00 Fahrenheit	
Water	Handwash Sink - Restroom	65.00 Fahrenheit	
Water	Handwash Sink - Kitchen	100.00 Fahrenheit	
Chile Verde	Walk in Cooler	38.00 Fahrenheit	
Mussels	Upright Freezer	-1.00 Fahrenheit	
Water	Three Compartment Sink - Kitchen	120.00 Fahrenheit	
Lentil Soup	Soup Warmer	170.00 Fahrenheit	
Sliced Tomatoes	Prep Cooler	40.00 Fahrenheit	
Chicken	Drawer Cooler	40.00 Fahrenheit	
Beans	Steam Table	150.00 Fahrenheit	
Rice	Steam Table	140.00 Fahrenheit	
Birria	Steam Table	170.00 Fahrenheit	

Overall Comments:

Notes:

- A follow up inspection will be conducted within 5 business days to verify compliance with major violations noted. The first follow up inspection is free of charge. Any and all subsequent follow up inspections shall be charged at the approved hourly rate of \$298.00/hr, minimum of one hour, during normal business hours: Monday through Friday 7:30 AM to 4:30 PM, and \$645 for a minimum of two hours, during non-business hours, and upon inspector availability.

- Facility has a remote storage room accessible from the office lobby in the private parking lot. Facility to obtain a permit for the remote storage space. Space is used for storage of dry goods, liquor bottles, and other items for the operation. Facility may store

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food items that are currently stored in the attic in this space once a permit is obtained. Please contact our office at (408) 918-3400 or visit our website at www.ehinfo.org for permit requirements.

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 2/18/2026. 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: Adan
Chef
Signed On: February 04, 2026