

# 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

<b>Facility</b> FA0214205 - GARCIA'S TAQUERIA		<b>Site Address</b> 738 S FAIR OAKS AV, SUNNYVALE, CA 94086		<b>Inspection Date</b> 09/26/2023		<b>Placard Color &amp; Score</b> <div style="background-color: yellow; padding: 10px; text-align: center;"> <b>YELLOW</b>  <b>52</b> </div>		
<b>Program</b> PR0306725 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			<b>Owner Name</b> GARCIA'S TAQUERIA INC.		<b>Inspection Time</b> 10:45 - 13:55			
<b>Inspected By</b> SUHKREET KAUR		<b>Inspection Type</b> ROUTINE INSPECTION		<b>Consent By</b> OSCAR OLVERA				<b>FSC</b> Juan Hernandez 08/03/2027

  

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						
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						S
K07	Proper hot and cold holding temperatures		X		X			S
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				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	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		
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	X	
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	X	
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:** *In walk in refrigerator,*

**Major :** *Cooked beans measured at 55F. Per PIC, the beans container was left outside on the counter for 30min during preparation before storing it back inside the refrigerator.*

**[CA]** *Maintain potentially hazardous food at 41F or below.*

**[COS]** *PIC store the container in front of the fan to facilitate rapid cooling.*

**Minor :** *Measured other PHFs ( salsa, meat, ceviche) at around 44-45. Per PIC the walk in refrigerator was left open during preparation/delivery time.*

**[CA]** *Maintain potentially hazardous food at 41F or below.*

Follow-up By 09/29/2023
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K09 - 8 Points - Improper cooling methods; 114002, 114002.1

**Inspector Observations:** *In walk in refrigerator, measured beef tripe at 55F. Per PIC the beef was cooked Sunday (more than 6 hours).*

**[CA]** *After cooking potentially hazardous food (PHFs), cool rapidly from 135F to 70F within 2hours and from 70 F to 41F within 4 hours. Use approved methods mentioned below :*

*Place the food in shallow pans*

*Separate the food into thinner and smaller portions*

*Use rapid cooling equipment*

*Add ice as an ingredient*

*Use ice paddles*

*Use ice baths and stir frequently*

**[COS]** *PIC VC& D the beef tripe. (See VC&D report).*

Follow-up By 09/29/2023
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### Minor Violations

K04 - 3 Points - Improper eating, tasting, drinking or tobacco use in food preparation area; 113977

**Inspector Observations:** *Open food containers and open drinks stored in the shelves near the preparation sink.*

**[CA]** *Cover open drinks to avoid spilling and food contamination an eat in designated eating areas away from food preparation area.*

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

**Inspector Observations:** *Employee was washing dishes and handling ready to eat food containers at the same time.*

**[CA]** *Properly wash hands with soap and warm water and ry using single use paper towel as required.*

**[COS]** *Employee was advised to wash hands in between tasks.*

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:** *In dry storage area, observed dead cockroaches inside blenders that are not currently being used.*

*Ice machine had black substance buildup.*

**[CA]** *All food contact surfaces must be washed and sanitized when contamination may have occurred.*

**[COS]** *PIC removed blenders to clean and cleaned and sanitized the ice machine.*

K16 - 3 Points - Not in compliance with shell stock tags, condition; 114039-114039.5

**Inspector Observations:** *Previous shellstock tags are not available for 90 days.*

**[CA]** *Keep all shellstock tags in chronological order for 90 days after harvest date.*

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K19 - 3 Points - Non-compliance with consumer advisory for raw or undercooked foods; 114012, 114093

**Inspector Observations: Consumer advisory is not available.**

**[CA] Consumer advisory shall be provided on menus, brochures, deli case, label statements, table tents, placards, or other effective written means with a disclosure and reminder.**

**(1) Disclosure: clearly written statement that includes either a description of the animal-derived foods, such as "oysters on the half shell (raw oysters), or identification of animal derived foods marked by an asterisk (\*)**

**directing to a footnote that items are served raw or undercooked, or contain raw or undercooked ingredients**

**(2) Reminder: clearly written statement that identifies animal-derived foods by asterik that marks a food note includes one of the following: "Written information regarding the safety of these food items is available upon request " or "Consuming raw or undercooked meats, poultry, seafood, shellfish or eggs may increase the risk of foodborne illness, especially if you have certain medical conditions.**

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

**Inspector Observations: In Dry storage area: Dead cockroaches inside blenders, 1 fly behind door, old rat droppings above beer boxes in shelves.**

**In the bar area : flies near the floor sink.**

**In kitchen and outside the back door of the facility : multiple bees and flies.**

**[CA] Clean and sanitize the areas of dead cockroaches and rat droppings, seal any gaps or openings to prevent vermin entry.**

**[CA] Food facility shall be kept free of non-disease carrying insects, bees and fruit flies.**

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

**Inspector Observations: Multiple containers inside dry storage area and kitchen area not labeled.**

**[CA] Working containers holding food or food ingredients that are removed from their original packages shall be identified with the common name of the food if not easily recognizable.**

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 without handles used to scoop food in dry containers and inside walk in refrigerator.**

**[CA] Use scoops with handles an store them such a way that the handle does not come in direct contact with food to prevent contamination.**

K38 - 2 Points - Inadequate ventilation and lighting in designated area; 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

**Inspector Observations: Gaps in between ventilation hood filters.**

**[CA] Close gaps between ventilation hood filters and maintained clean and in good repair.**

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: Pipe used to drain liquid waste from the preparation sink is directly touching the floor sink.**

**[CA] Maintain an air gap of at least 1 inch between the floor sink and the pipe.**

K42 - 2 Points - Garbage and refuse improperly disposed; 114244, 114245, 114245.1, 114245.2, 114245.3, 114245.4, 114245.5, 114245.6, 114245.7, 114245.8

**Inspector Observations: Lids of garbage bins behind the facility right next to the kitchen entrance are open. Flies and other insects observed around and near the entrance.**

**[CA] Close garbage bins lids.**

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: Kitchen back door was open.**

**[CA] Keep back door closed at all times to prevent the entrance and harborage of vermin.**

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

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**Inspector Observations:** *Holes and gaps in the ceiling throughout the facility, (above warewash sink, above dry storage area, above ice machine).*

*Hole on the floor next to preparation sink, gap on the wall under preparation counter in front of fryer.*

**[CA]** *Repair holes in structure and maintain in good repair.*

## Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

## Measured Observations

Item	Location	Measurement	Comments
Rice	Hot holding	150.00 Fahrenheit	
Chicken	Hot holding	150.00 Fahrenheit	
Water	Hand wash sink	100.00 Fahrenheit	
Sliced tomatoes	Under counter refrigerator	41.00 Fahrenheit	
Beef	Hot holding	150.00 Fahrenheit	
Salsa for rice cooking	On prep counter	65.00 Fahrenheit	Prepared at 9:30 AM; PIC will use it with 4 hours from prep time.
Hot water	Three compartment sink	128.00 Fahrenheit	
Cheese	On ice	41.00 Fahrenheit	
Chlorine	Sanitizer bucket at bar area	200.00 PPM	
Beans	Hot holding	171.00 Fahrenheit	
Horchata	Two door refrigerator	39.00 Fahrenheit	

## Overall Comments:

**Reviewed pest control report from 9/4/2023**

**Follow up inspection is scheduled for 9/29/2023.**

**Joint inspection with Kaya Alassfar**

**Report written by Kaya alassfar**

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 **10/10/2023**. 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:

<b>[CA]</b>	Corrective Action
<b>[COS]</b>	Corrected on Site
<b>[N]</b>	Needs Improvement
<b>[NA]</b>	Not Applicable
<b>[NO]</b>	Not Observed
<b>[PBI]</b>	Performance-based Inspection
<b>[PHF]</b>	Potentially Hazardous Food
<b>[PIC]</b>	Person in Charge
<b>[PPM]</b>	Part per Million
<b>[S]</b>	Satisfactory
<b>[SA]</b>	Suitable Alternative
<b>[TPHC]</b>	Time as a Public Health Control



**Received By:** Carmen Garcia  
Owner  
**Signed On:** September 26, 2023