

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 FA0208406 - RESTAURANT PALACIOS		Site Address 280 N CAPITOL AV, SAN JOSE, CA 95127		Inspection Date 05/26/2026		Placard Color & Score GREEN 77		
Program PR0305923 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name VICTOR PALACIOS AND MAF		Inspection Time 16:00 - 17:10			
Inspected By THAO HA		Inspection Type ROUTINE INSPECTION		Consent By CARLOS PALACIOS				FSC Marcelino Palacio 8/28/2026

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						
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	X	
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		
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: 1) Large bin of shredded cheese observed in back of facility. Per employee cheese had been out there for about 30 minutes for refill and he had forgotten to put it away. Cheese measured to be 51F.

2) Shredded cheese by grill measured to be 68F. Per employee she had just taken it out to use for orders. Once done cooking observed employee go to back to clean and leave cheese out on counter.

[CA] Keep PHFs cold at 41F and below. When not in active use, keep PHFs inside refrigerator.

[COS] 1) Cheese bin was moved into reach in cooler in back.

2) Cheese on countertop was placed into ice bath and shall be kept on ice bath when set out on countertop for use.

Minor Violations

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

Inspector Observations: 2nd hand sink battery operated paper towel dispenser is not working.

[CA] Repair/replace batteries in dispenser.

[SA] Paper towels were placed on top of dispenser

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: Large container of refried beans observed on countertop and measured to be 130F on edges and 173F interior. Low level of ice observed around container of bins. After stirring beans measured to be 159F. Per employee beans were done cooking about 35 minutes prior.

[CA] After cooking, heating, or hot holding, facility has 2 hours to cool from 135F to 70F and then 4 hours to cool from 70F to 41F. Adding more ice to ensure ice level sufficiently submerges sides of containers and stirring frequently to release steam.

[COS] Operator stirred container and added more ice.

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

Inspector Observations: Flies observed throughout facility.

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

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: Dry bulk foods such as rice, beans, and flour observed to be stored in open bins under prep table. [CA] Ensure foods are stored in containers of tight fitting lids to prevent cross contamination. Ensure lids are on containers when food is not in use.

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 and to-go containers observed to be stored in container to be used as scoops for dry bulk foods. [CA] Provide scoops with handles and store store scoops such that handles are not in direct contact with food.

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 and front door and propped open. [CA] Keep doors closed when not in use to prevent vermin entry.

Performance-Based Inspection Questions

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N/A

Measured Observations

Item	Location	Measurement	Comments
Pulled chicken	Counter top warmer	153.00 Fahrenheit	
Cooked chicken	2 door upright cooler in back	40.00 Fahrenheit	
Chlorine	3-comp sink	100.00 Fahrenheit	
Salsa	Under counter cooler	41.00 Fahrenheit	
Cheese	Prep cooler	40.00 Fahrenheit	
Beans	3 door upright cooler in back	38.00 Fahrenheit	
Beans	Ice bath	159.00 Fahrenheit	
Warm water	handwash sink	100.00 Fahrenheit	
Chipotle Aoli	Front grab n go cooler	40.00 Fahrenheit	
Eggs	Sliding door cooler in back	38.00 Fahrenheit	
Salsa	Sliding door cooler in back	39.00 Fahrenheit	
Cheese	2 door upright cooler in back	41.00 Fahrenheit	
Horchata	Front grab n go cooler	39.00 Fahrenheit	
Rice	Counter top warmer	147.00 Fahrenheit	
Rice	3 door upright cooler in back	40.00 Fahrenheit	
Cheese	Countertop by griddle	68.00 Fahrenheit	
Cheese	Countertop	51.00 Fahrenheit	
Raw beef	Sliding door cooler in back	39.00 Fahrenheit	
Hot water	3-comp sink	120.00 Fahrenheit	
Beans	Prep cooler	41.00 Fahrenheit	
Beans	Counter top warmer	155.00 Fahrenheit	

Overall Comments:

REMINDER: Food Safety Certificate is about to expire in 3 months. Ensure facility has at least one employee with a Food Safety Certificate at all times.

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 **6/9/2026**. 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: Carlos Palacios
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Signed On: May 26, 2026