

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 FA0201150 - TAQUERIA Y MARISCOS CHAPALA		Site Address 340 E 10TH ST D, GILROY, CA 95020		Inspection Date 02/10/2026	
Program PR0304596 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name GUERRA R., ESPERANZA		Inspection Time 14:20 - 16:00
Inspected By GUILLERMO VAZQUEZ	Inspection Type ROUTINE INSPECTION		Consent By MARCOS GARCIA	FSC Marcos Garcia 10/4/29	

Placard Color & Score
RED
88

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						
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						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	X	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		
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		
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

K21 - 8 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: Hot water heater is not operational at the time of inspection. Per PIC, they started having issues with the water heater last night.

[CA] Ensure hot water heater is operable and maintained in good repair at all times.

Follow-up By
02/16/2026

Minor Violations

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

Inspector Observations: Noted a container of Fabuloso (chemical) next to the food dry storage rack.

[CA] Store chemicals separate and away from the storage and preparation of food or food contact surfaces and linens.

[COS] Container was moved away from food rack.

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

Inspector Observations: Noted wiping cloths around the facility not within sanitizer solution.

[CA] Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium).

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Birria	Cook line	126.00 Fahrenheit	Currently re-heating.
Pico de gallo	Prep table #3	39.00 Fahrenheit	
Salsa (tomato base)	Prep table	39.00 Fahrenheit	
Raw steak	Walk in	38.00 Fahrenheit	
Cheese	Prep table #3	40.00 Fahrenheit	
Cooked octopus	Prep table #2	39.00 Fahrenheit	
Cooked veggies	Reach in #3	40.00 Fahrenheit	
Salsa (tomato base)	Reach in #2	39.00 Fahrenheit	
Cheese	Reach in #3	40.00 Fahrenheit	
Rice	Hot holding (steam table)	154.00 Fahrenheit	
Sanitizer (Quats)	3-Compartment	200.00 PPM	
Warm water	Hand wash/restroom	92.00 Fahrenheit	Adjust water heater to 100°F minimum for these sinks.
Ambient	Walk in freezer	5.00 Fahrenheit	
Cut tomato	Prep table #2	39.00 Fahrenheit	
Flan	Reach in	39.00 Fahrenheit	
Shelled eggs	Walk in	38.00 Fahrenheit	
Beans	Hot holding (steam table)	158.00 Fahrenheit	
Hot water	3-Compartment/prep/mop sinks	92.00 Fahrenheit	Adjust water heater to 120°F minimum at these sinks.
Cooked shrimp	Cook line	202.00 Fahrenheit	Final cook temperature.
Cooked shrimp	Prep table	39.00 Fahrenheit	

Overall Comments:

The facility is hereby closed by this department for the following major violation:

- K21: Hot and cold water available. Hot water heater is not operational.

Notify this department once issues have been addressed. Contact Guillermo V. (408) 918-7114 (guillermo.vazquez@deh.sccgov.org)

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Subsequent follow-up inspections after the first follow-up shall be billed \$298-hour, minimum one hour, during normal business hours: Monday-Friday 7:30AM to 5:00PM or \$645/hour, minimum one hour, during non-business hours, and upon inspector availability.

CLOSURE / PERMIT SUSPENSION NOTICE

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 **2/24/2026**. 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.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

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: Marcos Garcia
PIC

Signed On: February 10, 2026