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	Site Address	Inspection Date
FA0211052 - MARISCOS COSTA ALEGRE	855 N 13TH ST, SAN JOSE, CA 95112	10/27/2026
Program	**Owner Name**	**Inspection Time**
PR0301275 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	HERNANDEZ, MARCO	16:15 - 18:45
Inspected By	**Inspection Type**	**Consent By** / **FSC**
FRANK LEONG	ROUTINE INSPECTION	BEATRICE HERNANDEZ / BEATRICE HERNANDEZ 09/26/2030

Placard Color & Score
RED
62

RISK FACTORS AND INTERVENTIONS		IN	OUT Major	OUT Minor	COS/SA	N/O	N/A	PBI
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	X			N
K06	Adequate handwash facilities supplied, accessible		X		X			N
K07	Proper hot and cold holding temperatures		X		X			N
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						
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					N

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		
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	X	
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		
K41	Plumbing approved, installed, in good repair; proper backflow devices		
K42	Garbage & refuse properly disposed; facilities maintained		
K43	Toilet facilities: properly constructed, supplied, cleaned	X	
K44	Premises clean, in good repair; Personal/chemical storage; Adequate vermin-proofing		
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	X	
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)

Follow-up By 10/28/2026

Inspector Observations: By the cookline, at the handwash station, observed a lack of hand soap.

[CA] Handwash stations shall be stocked with hand soap and paper towels in their respective dispensers to allow for proper handwashing.

[SA] No corrective action. Facility was closed for vermin.

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

Follow-up By 10/28/2026

Inspector Observations: 1. In the kitchen area, at the sushi prep area, in the right 2 door prep unit, measured raw shrimp at 46F, raw scallops at 48F, and shrimp ceviche at 47F. Per operator, raw scallops, raw shrimp, and shrimp ceviche stored for about an hour.

2. In the same area, below a prep table, measured chopped shrimp at 64F, and raw shucked oysters at 56F. Per operator, chopped shrimp and raw shucked oysters stored from 4.5 hours prior.

3. By the walk-in refrigerator, in the 2 door reach in refrigerator, measured raw shrimp at 54F, raw scallops at 51F, shrimp ceviche at 54F, and fish ceviche at 51F. Per operator, raw shrimp and raw scallops stored for an hour, and shrimp ceviche and fish ceviche stored for about 2 hours.

[CA] Potentially hazardous foods shall be held cold at 41F and below or held hot at 135F and above to prevent bacterial growth.

[SA] Operator moved containers of raw shrimp, raw scallop, and shrimp ceviche to nearby refrigeration to facilitate proper holding temperatures. Operator placed raw shrimp, raw scallops, shrimp ceviche, and fish ceviche in ice bath to facilitate cooling and proper holding temperatures. Operator voluntarily condemned and discarded containers of chopped shrimp and raw shucked oysters.

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Follow-up By 10/28/2026

Inspector Observations: 1. Observed Vermin: Documented in the following areas: To the right of the entrance into the kitchen area, in the prep room, above the back storage rack, on peeling paint on the ceiling, observed two live adult cockroaches. At the metal storage rack, observed cockroach debris, dead cockroaches around cardboard used as shelving liners. By the entrance into the prep room, by the plastic storage rack, observed an opening in the wall with live cockroach activity. At the plastic storage rack, observed live activity in the crevices of the shelving.
2. Photographs: Taken for documentation purposes.
3. Supervisor Notified: Elizabeth Tobin
4. Notification: The person in charge during inspection, Beatrice Hernandez has been informed that the facility must close immediately.

[CA]: The premises of each food facility must be maintained free of vermin. A facility cannot operate if there is a vermin infestation that leads to contamination of food contact surfaces, packaging, utensils, food equipment, or adulteration of food. The facility is required to cease operations immediately and must remain closed until all corrective actions on the provided checklist are completed.

Requirements Before Reopening:
1. Email the signed and completed Reopening Checklist to the assigned inspector.
2. Submit a copy of the pest control report from a licensed provider.

Minor violation:

In the prep room, observed fruit flies in and around the open sewer/plumbing cover.

[CA] Ensure facility is kept free of fruit flies to prevent possible contamination of food.

Minor Violations

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

Inspector Observations: Observed employee washing hands without hand soap at the handwash station.

Follow-up By 10/28/2026

[CA] ALI food employees shall properly wash hands at the handwash station using warm water, hand soap, and paper towels.

[COS] Employee was instructed to rewash hands at the handwash station using hand soap and paper towels.

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

Inspector Observations: To the right of the entrance into the kitchen area, in the prep room, at the handwash station, lack of hot water.

Follow-up By 10/28/2026

In the warewash area, at the 3 compartment sink, measured hot water at 112F. Noted hot water set on the tankless water heater at 112F.

[CA] Ensure hot water is provided at handwash stations between 100F and 108F, and provided at warewash, prep, and mop sinks at least 120F.

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

Inspector Observations: Observed the use of cardboard to line shelving.

[CA] Discontinue use of cardboard to line shelving and remove unapproved materials/equipment.

Observed the use of two unapproved counter-top deep fryers outside of the hood in the kitchen area.

[CA] Ensure all cooking equipment is approved through plan check. All cooking equipment that produces heat, steam, grease, smoke, and vapors shall be stored and used underneath a ventilation hood.

K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

Inspector Observations: Observed two porta potties stored to the right outside the facility. Per operator, the porta potties are accessible as employee restrooms. No handwash facilities in the area outside of the porta potties. Per operator, employees are required to wash hands in the facility prior to food preparation.

[CA] Discontinue use of porta potties as employee restrooms. Toilet facilities shall be properly constructed inside the facility with access to toilet tissue, flushable toilets, and handwashing.

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

Inspector Observations: Observed heavily cracked and broken flooring in the warewash area. In the prep room, observed openings along walls, peeling paint, and an open sewer/plumbing cover.

[CA] Ensure floors, walls, and ceilings are properly installed and finished. Floors, walls, and ceilings shall be smooth, durable, and easily cleanable.

K48 - 2 Points - Plan review unapproved; 114380

Inspector Observations: From outside the exit at the warewash area, observed an unfinished and unapproved prep/storage area. Observed refrigeration stored in the area and dry food items on shelving.

[CA] Prep/storage room shall be properly built/finished for food preparation and shall receive plan approval prior to starting use. Contact DEH at 408-918-3400 or at www.ehinfo.org to obtain plan check requirements.

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Performance-Based Inspection Questions

Needs Improvement - Proper hot and cold holding temperatures.
Needs Improvement - Hands clean/properly washed/gloves used properly.
Needs Improvement - Adequate handwash facilities: supplied or accessible.
Needs Improvement - No rodents, insects, birds, or animals.

Measured Observations

Item	Location	Measurement	Comments
raw shrimp	walk-in refrigerator	58.00 Fahrenheit	recently prepared
raw prepackaged cut tuna	2 door prep unit (sushi prep area)	41.00 Fahrenheit	
frozen shrimp	2 door reach in freezer (outdoor unapproved storage/prep area)	9.00 Fahrenheit	
raw scallops	2 door reach in refrigerator (by walk-in refrigerator)	51.00 Fahrenheit	
raw scallops	2 door prep unit (sushi prep area)	48.00 Fahrenheit	
hot water	handwash sink	0.00 Fahrenheit	Initially turned off, measured at 100F after turning on.
shrimp ceviche	2 door prep unit (sushi prep area)	47.00 Fahrenheit	
raw shrimp	2 door prep unit (sushi prep area)	46.00 Fahrenheit	
shrimp ceviche	2 door reach in refrigerator (by walk-in refrigerator)	54.00 Fahrenheit	
raw shrimp	2 door reach in freezer (prep room)	41.00 Fahrenheit	
quaternary ammonium sanitizer	3 compartment sink	200.00 PPM	
frozen fish	2 door reach in freezer (outdoor unapproved storage/prep area)	8.00 Fahrenheit	
fish ceviche	2 door reach in refrigerator (by walk-in refrigerator)	51.00 Fahrenheit	
raw shrimp	2 door reach in refrigerator (by walk-in refrigerator)	54.00 Fahrenheit	
hot water	3 compartment sink	112.00 Fahrenheit	
raw oysters	walk-in refrigerator	41.00 Fahrenheit	
chopped shrimp	container under prep table	64.00 Fahrenheit	
frozen shrimp	2 door reach in freezer (prep room)	2.00 Fahrenheit	
raw shucked oysters	container under prep table	56.00 Fahrenheit	

Overall Comments:

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 **11/10/2026**.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.

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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: BEATRICE HERNANDEZ
MANAGER

Signed On: October 27, 2026