

# 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> FA0257461 - CARNITAS EL RINCON CORPORATION		<b>Site Address</b> 1199 S KING RD 20, SAN JOSE, CA 95122		<b>Inspection Date</b> 12/18/2024		<b>Placard Color &amp; Score</b> <div style="background-color: black; color: white; padding: 10px; text-align: center;"> <b>RED</b>  <b>75</b> </div>		
<b>Program</b> PR0376436 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			<b>Owner Name</b> GUILIBALDO GUERRERO		<b>Inspection Time</b> 12:05 - 13:35			
<b>Inspected By</b> MARCELA MASRI		<b>Inspection Type</b> ROUTINE INSPECTION		<b>Consent By</b> CLAUDIA MARTINEZ				<b>FSC</b> ERIKA GUERRERO 1-30-28

  

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		
K06	Adequate handwash facilities supplied, accessible			X	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		
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		
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	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		
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: FOUND THE CARNITAS AT 127F STORED ON THE COUNTER IN THE KITCHEN. [CA] KEEP THE HOT POTENTIALLY HAZARDOUS FOOD AT 135F OR ABOVE. NOTE THE FOOD HAS BEEN IN THE CONTAINER FOR LESS THAN 4 HOURS. THE FOOD WAS PLACED IN THE REFRIGERATOR.**

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

**Inspector Observations: FOUND NO HOT WATER IN THE FACILITY. [CA] PROVIDE HOT WATER AT 120F AT THE 3 COMPARTMENT SINK AND 100F AT THE HAND WASH SINK.**

Follow-up By  
12/20/2024

### Minor Violations

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

**Inspector Observations: FOUND A JUG INSIDE THE HAND WASH SINK IN THE BACK. [CA] KEEP THE HAND WASH SINK ACCESSIBLE AT ALL TIMES. COS**

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: FOUND A BROKEN CUTTING BOARD BEING USED FOR THE CARNITAS. [CA] REPLACE THE CUTTING BOARD. COS**

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: FOUND A CO2 TANK NOT FASTENED TO A RIGID STRUCTURE. [CA] FASTEN CO2 TANK.**

**FOUND A PLASTIC BOWL BEING USED TO SCOOP THE LIQUID LARD. [CA] USE FOOD GRADE WASHABLE SCOOPS WITH A HANDLE AND KEEP THE HANDLE OUTSIDE THE 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, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282

**Inspector Observations: FOUND THE MOP INSIDE THE MOP BUCKET. [CA] HANG THE MOP TO AIR DRY.**

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

### Measured Observations

Item	Location	Measurement	Comments
HOT WATER	HAND WASH SINK	58.00 Fahrenheit	
CARNITAS	ON THE COUNTER	127.00 Fahrenheit	
SALSA	REACH IN REFRIGERATOR IN THE FRONT	30.00 Fahrenheit	
HOT WATER	3 COMPARTMENT SINK	58.00 Fahrenheit	
CARNITAS	HOT HOLDING	161.00 Fahrenheit	

### Overall Comments:

**THIS FACILITY IS CLOSED DUE TO HAVING NO HOT WATER.**

**CALL MARCELA AT 408-687-3451**

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## 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 **1/1/2025**. 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



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**Received By:** CLAUDIA MARTINEZ  
PIC  
**Signed On:** December 18, 2024