

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 FA0210606 - METRO BALDERAS TAQUERIA		Site Address 688 ALMADEN AV, SAN JOSE, CA 95110		Inspection Date 10/15/2021	
Program PR0306097 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name SC CORTEZ INC		Inspection Time 14:00 - 15:45
Inspected By GINA STIEHR	Inspection Type ROUTINE INSPECTION		Consent By ABRIL SOTO	FSC Not Available	

Placard Color & Score <div style="font-size: 2em; font-weight: bold; text-align: center;">YELLOW</div> <div style="font-size: 3em; font-weight: bold; text-align: center;">77</div>

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						
K07 Proper hot and cold holding temperatures			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	X			N
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	X	
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	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		
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

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

Inspector Observations: Observed one live cockroach under the reach-in refrigerator. [CA] Ensure facility is free of vermin and pests. Recommend working with professional pest control. [COS] Cockroach was killed.

Follow-up By 10/20/2021

Minor Violations

K01 - 3 Points - Inadequate demonstration of knowledge; food manager certification

Inspector Observations: The original Food Safety Certificate (FSC) is not available upon request during the inspection.[CA]Facilities serving food shall have a valid FSC available at all times.

Follow-up By 10/20/2021

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: Observed potentially hazardous foods located in the food prep cold hold unit that measured in the temperature danger zone (ham 45F, chicken 45F, al pastor 44F, cheese 48F, sliced tomatoes 49F). According to staff, the PHFs have been in the food prep cold hold units for less than 4 hours. REPEAT VIOLATION. [CA] Ensure PHFs are properly cold held at 41F or below OR hot held at 135F or above. Repair or adjust unit to properly cold hold PHFs. [SA] PIC will discard the PHFs at the end of 4 hours.

Follow-up By 10/20/2021

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: Observed manual warewashing being done without sanitization (chlorine or quat). [CA] Ensure manual warewashing is done using all three compartments of the 3 comp sink (1st compartment for washing with soap and water, second compartment for rinsing with clean water, and 3rd compartment for sanitization with chlorine or quat). [SA] PIC will wash dishes using the sanitization step.

Follow-up By 10/20/2021

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

Inspector Observations: Observed food preparation being done in a warewash sink (washing cilantro). [CA]Warewash sink is to be used for warewashing only. Facility does not have an indirectly plumbed food prep sink therefore cannot use the 3 comp sink for food preparation such as washing produce and thawing raw meats. Recommend purchasing prewashed produce and thawing meats under refrigeration or as part of the cooking process. Facility may use sister facility's food prep sink for food preparation.

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

Inspector Observations: Observed one of the baffles under the hood to be installed incorrectly (horizontally instead of vertically). [CA] Install the baffles properly.

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: Observed leak at faucet and from pipe underneath 3 comp sink. [CA] Repair leak and maintain in good condition.

Performance-Based Inspection Questions

- Needs Improvement - Proper hot and cold holding temperatures.
- Needs Improvement - Food contact surfaces clean, sanitized.

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Measured Observations

Item	Location	Measurement	Comments
raw beef	food prep surface	54.00 Fahrenheit	diligent prep
hot water	3 comp sink	120.00 Fahrenheit	
rice	hot hold	168.00 Fahrenheit	
hot dog	food prep cold hold	42.00 Fahrenheit	
cheese	reach-in	41.00 Fahrenheit	
cooked al pastor	next to cookline	142.00 Fahrenheit	
ham	food prep cold hold	45.00 Fahrenheit	
tilapia	low boy freezer	11.00 Fahrenheit	infrared
al pastor	food prep cold hold	41.00 Fahrenheit	41F-44F
chlorine	3 comp sink	0.00 PPM	
cooked beef	next to cookline	181.00 Fahrenheit	
sausage	reach-in	41.00 Fahrenheit	
sliced tomatoes	food prep cold hold	49.00 Fahrenheit	
rice	reach-in	47.00 Fahrenheit	delivered from sister store one hour ago
cooked vegetables	next to cookline	108.00 Fahrenheit	TPHC
beans	hot hold	138.00 Fahrenheit	
cheese	food prep cold hold	48.00 Fahrenheit	
chicken	food prep cold hold	45.00 Fahrenheit	

Overall Comments:

Observed warewashing, food prep (washing cilantro) and handwashing being done at the same time in the facility's only sink. Facility must discontinue all food preparation in the 3 compartment sink and separate the timing of tasks (clean/sanitize the entire sink in between warewashing and handwashing to ensure contamination does not occur). If this cannot be done, facility will be subject to upgrading the kitchen to current standards which requires the installation of a handwash sink, an indirectly plumbed food prep sink and a floor sink. The Department's approval must be obtained PRIOR to installation of any sinks or equipment.

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 **10/29/2021**. 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: Abril Soto
Cashier

Signed On: October 15, 2021