

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 FA0207852 - MARISCOS EL RINCON		Site Address 2294 STORY RD, SAN JOSE, CA 95122	Inspection Date 10/23/2025
Program PR0302866 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11		Owner Name MUNOZ, JUAN M	Inspection Time 15:00 - 16:15
Inspected By HENRY LUU	Inspection Type FOLLOW-UP INSPECTION	Consent By JUAN M.	

Placard Color & Score

GREEN
N/A

Comments and Observations

Major Violations

Cited On: 10/22/2025

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Compliance of this violation has been verified on: 10/23/2025

Cited On: 10/22/2025

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

Compliance of this violation has been verified on: 10/23/2025

Cited On: 10/22/2025

K13 - 8 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

Compliance of this violation has been verified on: 10/23/2025

Minor Violations

Cited On: 10/22/2025

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

This violation found not in compliance on 10/23/2025. See details below.

Cited On: 10/23/2025

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: Ambient temperature of the walk-in refrigerator measured at 60F via IR, probe thermometer, as well as the facility provided thermometer inside. Technician was on-site and stated that the walk-in refrigerator was repair about an hour to two hours prior and will need about 45 minutes to an hour to come down in temperature. At the end of the inspection, ambient temperature did not drop. At time of inspection, facility only has beverages and non-PHF items inside the refrigerator.

[CA] Refrigeration must be capable of maintaining PHFs at 41°F or below.

[SA] Facility has repaired the food preparation refrigerator and the two-door upright refrigerator in the back of the facility. Per owner, menu will be restricted to limit the amount of food preparation required, as majority of the sales is from beverages. Facility shall not store any PHF items inside the walk-in refrigerator until it is able to maintain PHF at 41F or below.

Cited On: 10/22/2025

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

Compliance of this violation has been verified on: 10/23/2025

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Measured Observations

Item	Location	Measurement	Comments
Hot water	Food preparation sink	123.00 Fahrenheit	
Ambient	Food preparation refrigerator	39.00 Fahrenheit	
Ambient	Two-door upright refrigerator	28.00 Fahrenheit	
Hot water	Three-compartment sink	122.00 Fahrenheit	

Overall Comments:

- On-site for follow-up inspection after facility was closed due to failure to maintain food in good and safe condition due to inadequate refrigeration.

- Facility has corrected the following violations:

- K06M - Inadequate handwash facilities:

- All hand wash stations in the facility observed with hand soap and paper towels.
- Hand soap dispenser has been installed in the women's restroom.

- K07M - Improper hot and cold holding temperatures:

- All PHF items have been removed from refrigerators and relocated into freezers.
- Ensure PHF items in refrigeration units are maintained at 41F or below.

- K13M - Food not in good condition/unsafe/adulterated:

- Refrigeration units in the facility has been repaired and observed with ambient temperature at 41F or below, with the exception of the walk-in refrigerator.
- At time of the inspection, the walk-in refrigerator only contained beverages and non-PHF items.

- K35m - Equipment, utensils - not in good repair:

- Food preparation refrigerator at the cook line has been repaired. Ambient temperature measured at 39F via probe thermometer placed inside the unit.
- Two-door upright refrigerator in the back of the kitchen has been repaired. Ambient temperature measured at 28F via IR.
- Walk-in refrigerator has been repaired. Ambient temperature measured at

- Facility is hereby authorized to reopen and resume operations.

- Continue to address all other violations noted on previous inspection report.

** A second follow-up will be conducted to verify that walk-in refrigerator has been repaired.

- Follow-up inspection may be charged at \$298/hour, minimum one hour.

FACILITY RE-OPENED / PERMIT REINSTATED

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 **11/6/2025**. 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.

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: Juan M
Owner
Signed On: October 23, 2025