

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 FA0208656 - MERCADO SAN JOSE		Site Address 3054 ALUM ROCK AV A, SAN JOSE, CA 95127		Inspection Date 07/23/2019	
Program PR0306494 - NO FOOD PREP (GROCERY STORE) < 5,000 SQ FT - FP06			Owner Name SALCIDO, NORMA NERI		Inspection Time 10:50 - 11:50
Inspected By HELEN DINH	Inspection Type ROUTINE INSPECTION	Consent By EYAD & NORMA(PHONE)		FSC Exempt	

Placard Color & Score
RED
73

RISK FACTORS AND INTERVENTIO	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						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		X			N
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 PRACTICE	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		X
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		
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		X
K45 Floor, walls, ceilings: built,maintained, clean		X
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available		
K48 Plan review		
K49 Permits available		
K58 Placard properly displayed/posted		

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Comments and Observations

Major Violations

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

Inspector Observations: 1. Found a bug on top of one piece of raw chicken breast in the display case.

2. Found a bug on top of rice grain at the bulk bin in the customer self service area.

[CA] Food is adulterated if it bears or contains any poisonous or deleterious substance that may render it impure or injurious to health and shall be discarded immediately. [COS] Operator voluntarily discarded adulterated food in trash.

Follow-up By
07/26/2019

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

Inspector Observations: Major: Found LIVE cockroaches in the following areas:

- between 5-15 cockroaches near the prep table in the corner

- 4 behind the 2 door slide chest freezer

- 1 on the raw beef display case

- between 3-6 cockroaches on the wall and under the warewash sink

- 2 on the floor in the customer area near the cash register

- 1 on the cardboard box of chips

[CA] Eliminate all evidence of LIVE cockroaches. Clean and sanitize all effected area. Provide approved pest control services.

Follow-up By
07/26/2019

Minor:

1. Found DEAD cockroaches in the following areas: under the ware wash sink, under hand wash sink, under the napkin shelf, behind the beverage display case, under soda shelf at the front, under fruit shelf.

[CA] Eliminate all evidence of LIVE cockroaches. Clean and sanitize all effected area. Provide approved pest control services.

2. Found numerous flies throughout the facility.

3. Found numerous ants on the wall near the warewash sink and hand wash sink.

[CA] Each food facility shall be free of pest such as flies and ants. Provide approved pest control services.

Minor Violations

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

Inspector Observations: Measured the following PHFs in the walk-in-cooler (meat): diced raw chicken at 49F, raw beef at 48F and ground beef at 49F for less than 4 hours. [CA] Maintain all PHFs cold held at or below 41F.

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

Inspector Observations: Found several boxes of food stored on the floor in the walk-in-freezer. [CA] Food shall be stored a minimum of 6 inches off the floor.

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: REPEAT VIOLATION: Observed the following plumbing issues: 3 floor sink in the meat department and 1 floor sink in the walk in (meat department). Observed stagnant water in the floor sink. Per operator, floor sink is outdated and is free flowing when water reaches a certain point due to drain set up to not capture food items. [CA] Facility shall need to meet up to code in regards to plumbing fixtures.

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, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282

Inspector Observations: Found gaps in the wall underneath the hand wash sink and warewash sink. [CA] Seal all holes, gaps and crevices to prevent the entrance and harborage of vermin.

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

Inspector Observations: 1. Missing one ceiling panels in the middle of the customer area and one in the back shelf area. [CA] Provide ceiling panels.

2. Found the walk-in interior wall panels deteriorated and dislodged. [CA] Repair/replace interior wall panels.

Performance-Based Inspection Questions

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Needs Improvement - No rodents, insects, birds, or animals.

Needs Improvement - Food in good condition, safe, unadulterated.

Measured Observations

Item	Location	Measurement	Comments
milk	reach in	40.00 Fahrenheit	
raw beef	display case	38.00 Fahrenheit	
ground beef	walk-in	49.00 Fahrenheit	
raw chicken	display case	39.00 Fahrenheit	
hot water	warewash/prep	130.00 Fahrenheit	
cheese	display case	41.00 Fahrenheit	infrared
raw chicken	walk-in	49.00 Fahrenheit	
meats	walk-in-freezer	20.00 Fahrenheit	
warm water	handsink (prep & RR)	100.00 Fahrenheit	
chlorine	sani bucket	100.00 PPM	
raw beef	walk-in	48.00 Fahrenheit	

Overall Comments:

Facility opened on July 18th, 2019

OWNERSHIP CHANGE INFORMATION

NEW OWNER: Norma Neri Salcido

NEW FACILITY NAME: Mercado San Jose

The applicant has completed the application for an Environmental Health Permit.

FP06:\$684.00

Operator opted to pay in person.

****Permit Condition: Permit approved contingent upon installation of a mop sink and the repairs of the floor sinks in the meat department and walk in cooler (meat department) to be free flowing. Facility shall submit plans within 90 days to the health department for the installation of the mop sink. Once plans are approved for the mop sink, facility shall have 6 months to install the mop sink. Repair of floor sink shall be done within 3 months.****

Permit issued and valid: 8/01/19 - 7/31/20.

This report serves as a temporary permit until the official permit is mailed to the facility. Post permit in public view.

*Structural Review inspection conducted on 7/23/19.

Plan check consultation is available Monday - Friday from 7:30am - 10:00am in person or by phone at 408/918-3400.

Okay to operate as of 7/23/19 contingent upon eliminating evidence of LIVE cockroaches.

Other handouts. Handwashing, employee illness, basic food safety knowledge, consumer advisory, food allergens, shigella, AB1884: Single Use Plastic Straws and SB1192: Children's Meals.

****Facility is hereby closed due to LIVE infestation of cockroaches. Once the violation warranting the closure has been corrected, contact district specialist Helen Dinh at 408/918-2920 or 408/918-3400 for a follow up inspection.****

*****Facility shall cease and desist all sales. *****

*****Subsequent follow up inspection after first follow up shall be billed \$219/hr during business hours and \$493/hrs (minimum of 2 hours) during nonbusiness hours upon availability.*****

Consulted with Michael Cervantes.

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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 **8/6/2019**. 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: Eyad Muhammad
Helper

Signed On: July 23, 2019