

# 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<br>FA0207852 - MARISCOS EL RINCON                               | Site Address<br>2294 STORY RD, SAN JOSE, CA 95122 | Inspection Date<br>10/30/2025    |
| Program<br>PR0302866 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11 | Owner Name<br>MUNOZ, JUAN M                       | Inspection Time<br>14:35 - 15:15 |
| Inspected By<br>HENRY LUU                                                | Inspection Type<br>FOLLOW-UP INSPECTION           | Consent By<br>JUAN               |

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: 10/30/2025

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

**Inspector Observations: PHF items maintained inside the food preparation refrigerator measured between 60F to 70F; cut tomatoes, container of milk, various types of meats.**

**[CA] PHFs shall be held at 41°F or below or at 135°F or above.**

**[COS] PHF items were VC&D due to time and temperature abuse.**

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 10/30/2025. See details below.**

Cited On: 10/30/2025

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 food preparation refrigerator measured at 70F. Owner stated that the refrigerator was working properly in the morning. This Division verified refrigeration was operating during the follow-up on 10/23/2025.**

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

**Temporarily discontinue use of the refrigeration until it is able to maintain food at 41F and 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 |
|------------------|------------------------|-------------------|----------|
| Ambient          | Walk-in refrigerator   | 41.00 Fahrenheit  |          |
| Hot water        | Three-compartment sink | 120.00 Fahrenheit |          |
| Raw shelled eggs | Walk-in refrigerator   | 42.00 Fahrenheit  |          |
| Raw beef         | Walk-in refrigerator   | 40.00 Fahrenheit  |          |
| Cooked beef      | Walk-in refrigerator   | 41.00 Fahrenheit  |          |

## Overall Comments:

- On-site for a follow-up inspection to verify that walk-in refrigerator has been repaired and able to maintain PHF at 41F and below.
  - Follow-up inspection will be charged.
- Walk-in refrigerator has been repaired and maintaining PHF at 41F and/or below.
  - This Division recommends decreasing temperature of the walk-in to accommodate for any cooling of PHF items and/or employees entering and exiting during busy hours.
- At time of follow-up, the food preparation refrigerator observed inoperable.
  - Facility's menu is limited and does not require much use of the food preparation refrigerator.
  - Temporarily discontinue use of refrigerator until it is repaired.
- Additional follow-up may be conducted to verify compliance.
  - Subsequent follow-up inspection after first follow-up shall be billed \$298/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$645 for a minimum of two hours, during non-business hours, and upon inspector availability.

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 **11/13/2025**. 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 30, 2025