

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 FA0208023 - EL GRULLO MEXICAN FOOD		Site Address 2444 ALVIN AV C, SAN JOSE, CA 95122		Inspection Date 12/27/2023	
Program PR0302662 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name ALVAREZ, ANTONIO		Inspection Time 13:40 - 15:00
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION	Consent By ISABEL	FSC Not Available		

Placard Color & Score
GREEN
66

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification			X				N
K02 Communicable disease; reporting/restriction/exclusion	X						
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				N
K07 Proper hot and cold holding temperatures			X	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						
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		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	X	
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	
K36 Equipment, utensils, linens: Proper storage and use	X	
K37 Vending machines		
K38 Adequate ventilation/lighting; designated areas, use	X	
K39 Thermometers provided, accurate		
K40 Wiping cloths: properly used, stored	X	
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	X	
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: Two live cockroach adults observed in-between underside crevices at the right corner of the storage table in the back of the kitchen.

Employee believes that facility is serviced monthly. Pest control reports were unavailable for review. No other live or dead activity was observed.

20+ old rodent droppings observed on floors throughout the dry storage area, behind chest freezers and beneath dry storage shelves.

[CA] Clean and sanitize area of dead cockroaches or old droppings. The premises of each food facility shall be kept free of vermin. A food facility shall not operate when there is a vermin infestation that has resulted in the contamination of food contact surfaces, food packaging, utensils, food equipment, or adulteration of food(s). The food facility shall cease operation of the food facility immediately. The food facility shall remain closed until: there is no longer evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved.

Minor Violations

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

Inspector Observations: Five-year Food Safety Certified (FSC) manager certificate unavailable for review. [CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.

Employees' three-year food handler cards unavailable for review.

[CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

***** Repeat violation**

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

Inspector Observations: The only hand wash station in the kitchen was obstructed with a container of dish soap and large serving bowl.

[CA] Handwashing facility shall be clean, unobstructed, and easily accessible at all times. A handwashing facility shall not be used for purposes other than handwashing.

[COS] Instructed employee to remove obstructions.

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

Inspector Observations: Container of raw shelled eggs maintained out in ambient temperature measured at 67F.

One cut tomato maintained out in ambient temperature measured at 68F.

Large pot of soup with meat maintained out in ambient temperature measured at 100F.

Employee stated that all items was used for preparation less than one hour prior or were still in preparation.

[CA] PHFs shall be held at 41°F or below or at 135°F or above. Use only small portions of food during preparation so that it does not exceed the maximum amount of time allowed for diligent prep.

[COS] Tomato was VC&D. Container of raw shelled eggs was relocated into the food preparation refrigerator. Pot of soup was relocated back onto the stove to continue cooking process.

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K09 - 3 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: Numerous PHF items in plastic containers and buckets cooling in ice baths.

[CA] Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F or below within 2 hours and from 70°F to 41°F or below within an additional 4 hours.

- Cool foods using approved containers which facilitate heat transfer, such as metal.

K27 - 2 Points - Food not separated and unprotected; 113984(a-d,f), 113986, 114060, 114067(a,d,e,j), 114069(a,b), 114077, 114089.1(c), 114143(c)

Inspector Observations: Case of raw shelled eggs maintained ready-to-eat food items inside the walk-in refrigerator.

[CA] All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items.

Multiple cases of canned goods maintained directly on the floor.

[CA] Food shall be stored at least 6 inches above the floor to prevent contamination.

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: Domestic upright freezer and refrigerator in use. [CA] When unit fails, make plans to replace with commercial equipment. New and/or replacement food equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation).

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: Employees observed using food preparation sink to conduct hand washing. [CA] Utilize sinks for their designated purposes. Hand washing shall be conducted only at the hand wash sink.

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

Inspector Observations: Observe heavy smoke in facility while cooking is being conducted.

[CA] Mechanical exhaust ventilation shall be on while cooking is taking place. Ensure mechanical exhaust ventilation is working properly.

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

Inspector Observations: Multiple wiping cloths maintained on preparation tables.

[CA] Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium) in-between use.

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: Employees' personal belongs stored on shelves along with serving utensils and/or food.

[CA] No person shall store clothing or personal effects (cell phone, car keys, and jackets) in any area used for the storage and preparation of food or food contact surfaces. Employee's personal effects shall be stored in employee lockers or other designated areas for employee storage.

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

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Inspector Observations: FRP walls behind the three-compartment sink observed bowed and detaching from wall. [CA] Secure wall and maintain in good repair to prevent pest harborage.

Flooring throughout kitchen observed to be an unapproved finish - hardwood and linoleum tiles. [CA] Make plans to replace flooring with an approved finish. The floor surfaces shall be smooth, of durable construction, and of nonabsorbent material that is easily cleanable.

**** Note: A person proposing to build or remodel a food facility shall submit plans and specifications for review and shall receive plan approval prior to starting any new construction or remodeling. Contact DEH at 408-918-3400 or at www.ehinfo.org to obtain plan check requirements.**

Performance-Based Inspection Questions

- Needs Improvement - Adequate handwash facilities: supplied or accessible.
- Needs Improvement - Proper hot and cold holding temperatures.
- Needs Improvement - Demonstration of knowledge; food manager certification.

Measured Observations

Item	Location	Measurement	Comments
Raw shelled eggs	Walk-in refrigerator	45.00 Fahrenheit	
Cooked lengua	Food preparation table	173.00 Fahrenheit	Cooling
Tamales	Food preparation refrigerator	38.00 Fahrenheit	
Cooked shrimp	Food preparation refrigerator	41.00 Fahrenheit	
Raw beef	Household refrigerator	39.00 Fahrenheit	
Hot water	Three-compartment sink	124.00 Fahrenheit	
Shredded chicken	Steam table	159.00 Fahrenheit	
Raw fish	Household refrigerator	38.00 Fahrenheit	
Rice	Steam table	140.00 Fahrenheit	
Raw shrimp	Food preparation refrigerator	40.00 Fahrenheit	
Diced tomato	Food preparation table	41.00 Fahrenheit	
Warm water	Hand wash sink - restroom	102.00 Fahrenheit	
Warm water	Hand wash sink	110.00 Fahrenheit	
Carne asada	Steam table	167.00 Fahrenheit	
Cooked shrimp	Griddle	161.00 Fahrenheit	
Beans	Steam table	148.00 Fahrenheit	

Overall Comments:

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 **1/10/2024**. 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: Octavio E. PIC
Signed On: December 27, 2023