

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 FA0209977 - EL TULE MEXICAN RESTAURANT		Site Address 5440 THORNWOOD DR I, SAN JOSE, CA 95123		Inspection Date 12/11/2024	
Program PR0303791 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name MARTINEZ, GUILLERMINA		Inspection Time 14:25 - 15:45
Inspected By MARCELA MASRI	Inspection Type ROUTINE INSPECTION	Consent By ESMERALDA MARTINEZ	FSC ESMERALDA MARTINEZ 3-8-28		

Placard Color & Score

GREEN
90

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						S
K07	Proper hot and cold holding temperatures						X		X			S
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		S
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									X	
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										
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

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

Inspector Observations: FOUND THE CHICKEN IN RED SAUCE AT 121F. IN THE HOT HOLDING UNIT. [CA] KEEP HOT POTENTIALLY HAZARDOUS FOOD AT 135F OR ABOVE. REHEAT THE FOOD TO 165F THEN HOT HOLD AT 135F MINIMUM.

Minor Violations

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

Inspector Observations: FOUND MOLD LIKE SUBSTANCE ON THE INSIDE WHITE PLASTIC FLAP OF THE ICE MACHINE. [CA] CLEAN THIS PART MORE OFTEN.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
HOT WATER	2 COMPARTMENT SINK	120.00 Fahrenheit	
SLICED TOMATO	SERVICE REFRIGERATOR	39.00 Fahrenheit	
CHICKEN IN RED SAUCE	HOT HOLDING	121.00 Fahrenheit	
BEANS	REACH IN REFRIGERATOR	35.00 Fahrenheit	
CHICKEN	REACH IN REFRIGERATOR	40.00 Fahrenheit	
MEAT	REACH DOWN FREEZER	-12.00 Fahrenheit	
PICO DE GALLO	SERVICE REFRIGERATOR	39.00 Fahrenheit	
MILK	REACH IN REFRIGERATOR	35.00 Fahrenheit	
BEANS	HOT HOLDING	135.00 Fahrenheit	
HOT WATER	HAND WASH SINK	100.00 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 **12/25/2024**. 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: ESMERALDA MARTINEZ
OWNER
Signed On: December 11, 2024