

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 FA0253801 - BIRRIERIA TEPA MEXICAN RESTAURANT		Site Address 2610 ALUM ROCK AV, SAN JOSE, CA 95116		Inspection Date 10/02/2026		Placard Color & Score GREEN 71		
Program PR0381897 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name VARGAS, VICTORINO G		Inspection Time 10:20 - 13:50			
Inspected By NHA HUYNH		Inspection Type ROUTINE INSPECTION		Consent By ALICIA VARGAS				FSC Alicia Vargas 09/25/2028

RISK FACTORS AND INTERVENTIONS		IN	OUT		COS/SA	N/O	N/A	PBI
			Major	Minor				
K01	Demonstration of knowledge; food safety certification	X						S
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	X			
K06	Adequate handwash facilities supplied, accessible	X						N
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						N
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	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	X	
K33	Nonfood contact surfaces clean	X	
K34	Warewash facilities: installed/maintained; test strips	X	
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		
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	X	
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

No major violations were observed during this inspection.

Minor Violations

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: *Observed employee take out garbage, washed their hands in the prep sink without soap, and as she was returning to active food prep, stopped her to properly wash her hands in handwashing sink.*

[CA] *Properly wash hands with soap after bare contact with contaminated equipment before entering to active food preparation.*

[COS] *Employee properly washed hands in handwash sink.*

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

Inspector Observations: *Observed creama measured at 46F in prep line reach in cooler.*

Observed green salsa measured at 47F in prep line counter top cooler.

[CA] *Potentially hazardous foods shall be held at temperature of 41F or below.*

K14 - 3 Points - Food contact surfaces unclean and unsanitized; 113984(e), 114097, 114099.1, 114099.4, 114099.6, 114101, 114105, 114109, 114111, 114113, 114115(a,b,d), 114117, 14125(b), 114141

Inspector Observations: *Observed the sanitizer compartment in the 3 compartment sink with chlorine sanitizer measured at 25ppm.*

[CA] *Chlorine sanitizer shall maintain a sanitizer level of 100ppm in the 3 compartment sink for manuel warewashing.*

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: *Observed Raw meats stored above ready to eat foods in walk-in cooler.*

[CA] *Store raw meat products below vegetables or ready to eat foods to prevent cross contamination.*

K32 - 2 Points - Food improperly labeled & not honestly presented: 114087, 114089, 114089.1(a, b), 114090, 114093.1

Inspector Observations: *Observed unlabeled containers of white powders stored under prep table.*

[CA] *All bulk foods shall be properly labeled with common name on food containers.*

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

Inspector Observations: *Observed mold like build up in the following...*

- Rubber gasket in 2 door up right reach in freezer (kitchen)

- Walls in reach in freezer (kitchen)

- Walls in reach in cooler (kitchen)

- Walls in 2 sliding door reach in cooler (front area)

- Inside of ice machine by the ice chute (front area)

[CA] *Nonfood-contact surfaces of equipment shall be kept free of an accumulation of mold, dust, dirt, food residue, and other debris.*

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

Inspector Observations: *Observed unavailable chlorine test strips.*

[CA] *Testing equipment and materials shall be available and provided to adequately measure the applicable sanitization method used during manual or mechanical warewashing.*

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K35 - 2 Points - Equipment, utensils - Unapproved, unclear, 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: 1. Observed prep line cooler ambient temperature measured at 46F

[CA] Repair or lower the holding temperature in prep line cold holding unit to 41F or below.

2. Observed chest freezer door damaged.

[CA] Repair chest freezer.

3. Observed rust build up on wire shelving in the following...

- 2 sliding door upright reach in cooler (front area)

- 2 door upright reach in cooler (kitchen)

- 2 door upright reach in freezer (kitchen)

[CA] Repair or replace all rusted wiring shelves.

4. Observed unused 2 door upright reach in cooler, per employee cooler broken.

[CA] Repair, replace, or remove.

5. Observed unused ice machine in the kitchen.

[CA] If not in use, remove from premise.

6. Observed chipped bowl and plates at cook line.

[CA] Discard.

7. Observed green beans inside chipped plastic strainer in 2 door upright reach in cooler.

[CA] Discard and replace chipped plastic strainer.

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: Observed salsas in used single-use food containers.

[CA] Single use food container (salsa) shall not be reused to store food. Use approved reusable food containers.

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: Observed prep sink pipe line in floor drain.

[CA] All water supply inlets attached at the prep sink shall have an air gap at least twice the diameter of the water supply inlet and may not be less than one inch from the flood level rim of the plumbing fixture.

K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

Inspector Observations: 1. Observed dust build up on ventilation in employee restroom and men's restroom.

[CA] Clean and maintain dust build up in all restrooms.

2. Observed toilet paper properly not placed in dispenser.

[CA] Provide and install all toilet paper in dispenser.

3. Observe lack of self-closing on door.

[CA] Install self-closing device.

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: Observed mop stored directly on the floor next to handwash sink in the kitchen. Observed no mop hanger at mop sink.

[CA] Install mop hanger at the mop sink and hang the mop to allow to drip dry into the mop sink.

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

Inspector Observations: 1. Observed broken cove based tile by dirty dishes rack.

[CA] Repair or replace broken cove based tile on wall.

2. Observed white debris build up under water heater.

[CA] Clean and maintain floor to prevent debris build up.

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Needs Improvement - Proper cooking time & temperatures.

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Measured Observations

Item	Location	Measurement	Comments
Hot water	Prep sink	120.00 Fahrenheit	
Bierria meat	Steam table	200.00 Fahrenheit	
Diced tomatoes	Prep line counter top cooler	41.00 Fahrenheit	
Warm water	Handwash sink	100.00 Fahrenheit	
Chlorine	3 compartment sink (sanitizer compartment)	25.00 PPM	
Ambient	Prep line reach in cooler	46.00 Fahrenheit	
Broth	Walk-in cooler	37.00 Fahrenheit	
Hot water	3 compartment sink	120.00 Fahrenheit	
Crema	Prep line reach in cooler	46.00 Fahrenheit	
Al Pastor (pork)	Serving ready to eat	185.00 Fahrenheit	Final cooking temperature.
Rice	Rice cooker	186.00 Fahrenheit	

Overall Comments:

Joint inspection with Colin Chu. Written report by Colin Chu.

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 **10/16/2026**. 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: alicia vargas
PIC
Signed On: October 02, 2026