

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 FA0211206 - LA HACIENDA BAR RESTAURANT		Site Address 95 S MARKET ST 170, SAN JOSE, CA 95113		Inspection Date 01/23/2025		Placard Color & Score YELLOW 65		
Program PR0302125 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 1 - FP09			Owner Name GERARDO LOPEZ & ILIANA C		Inspection Time 20:50 - 22:05			
Inspected By ALEXANDER ALFARO		Inspection Type ROUTINE INSPECTION		Consent By LEONARDO				FSC Not Available

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						N
K06	Adequate handwash facilities supplied, accessible		X		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		
K11	Proper reheating procedures for hot holding					X		
K12	Returned and reservice of food					X		
K13	Food in good condition, safe, unadulterated		X		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	X			N
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		
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		
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use	X	
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		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	X
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations:

None of the hand sinks in the facility had soap or paper towels available.

[CA] Provide handwashing cleanser in dispenser at handwash stations at all times. Single-use sanitary towels shall be provided in dispensers; heated-air hand drying device may be substituted for single-use towels. Provide soap and paper towels in their dispensers.

[SA] Staff provided a roll of paper towels and a pump bottle of soap at each hand sink.

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

Inspector Observations:

Mold-like substance was found on ice in the ice bin.

[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] Ice was discarded at time of the inspection.

Minor Violations

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

Inspector Observations:

1. No food Safety certificate was available upon request.

[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.

2. No Food Handler Cards were available upon request.

[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.

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, 114125(b), 114141

Inspector Observations:

The interior upper panel of the ice machine had accumulation of a mold-like substance.

[CA] Ensure to maintain ice machine clean.

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations:

In all of the restrooms there was no hot water.

[CA] Handwashing facilities shall be equipped to provide minimum 100°F water under pressure for a minimum of 15 seconds.

[COS] Hot water valves were turned back on.

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

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Inspector Observations:

Facility lacks testing equipment for their choice of sanitizer, chlorine.

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

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:

1. Facility has several non-ANSI certified pieces of equipment.

[CA] 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).

2. The walk in cooler was observed open and PIC reported it was in disrepair. The walk in freezer found inside the walk in cooler had an ambient temperature of 40F.

[CA] Ensure to maintain equipment clean and in good repair.

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

Inspector Observations:

In the kitchen area observed several pieces of cooking equipment under a type II hood.

[CA] Provide approved exhaust hood ventilation over all cooking equipment as required to effectively remove cooking odors, smoke, steam, grease, heat, and vapors.

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

Inspector Observations:

In the kitchen area there are several holes in the wall (under sink, throughout kitchen).

[CA] Repair holes in structure and maintain in good repair to prevent pest harborage.

K49 - 2 Points - Permits not available; 114067(b,c), 114381(a), 114387

Inspector Observations:

Facility is operating without a valid health permit. Per PIC ownership changed in October 2024. The new owner is La Hacienda Bar Lounge Inc.

**Follow-up By
01/27/2025**

[CA] A food facility shall not be open for business without a valid health permit.

A permit shall be issued by this department when investigation has determined that the proposed facility and its method of operation meets the specifications of the approved plans or conforms to the requirements set forth by this department.

Please contact local health department at 408-918-3400 to obtain a valid health permit.

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Needs Improvement - Hot and cold water available.

Needs Improvement - Hands clean/properly washed/gloves used properly.

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Measured Observations

Item	Location	Measurement	Comments
Grilled Onions	Walk in Freezer	41.00 Fahrenheit	
Water	Three Compartment Sink - Bar	120.00 Fahrenheit	
Water	Two Compartment Hand Sink - Bar	120.00 Fahrenheit	
Bacon Wrapped Hot Dog	Walk in Freezer	40.00 Fahrenheit	
Beer	Beer Cooler	41.00 Fahrenheit	
Chlorine - Sanitizer	Dishwasher	50.00 PPM	

Overall Comments:

Notes:

- A follow up inspection shall be conducted within 3 business days to determine compliance with violations noted. The first follow up inspection is free of charge. Any and all subsequent follow up inspections shall be charged at the approved hourly rate of \$298.00/hr, minimum of one hour, during normal business hours: Monday through Friday 7:30am to 4:30pm or \$645/hour minimum two hour during non business hours, and upon inspector availability.

- Facility to submit for FEA/COO within 48 hours.

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 2/6/2025. 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: Leonardo Isaza
Manager
Signed On: January 23, 2025