

# 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

<b>Facility</b> FA0262021 - LA VICTORIA TAQUERIA #3		<b>Site Address</b> 5015 ALMADEN EX, SAN JOSE, CA 95118		<b>Inspection Date</b> 01/10/2024		<b>Placard Color &amp; Score</b> <div style="background-color: black; color: white; padding: 10px; text-align: center;"> <b>GREEN</b>  <b>92</b> </div>		
<b>Program</b> PR0384257 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			<b>Owner Name</b> BARRITA, NICANDRO		<b>Inspection Time</b> 09:55 - 11:00			
<b>Inspected By</b> JENNIFER RIOS		<b>Inspection Type</b> ROUTINE INSPECTION		<b>Consent By</b> PILAR				<b>FSC</b> Pilar Vazquez 09/30/2027

  

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						
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						
K07	Proper hot and cold holding temperatures			X				
K08	Time as a public health control; procedures & records			X			X	
K09	Proper cooling methods			X				
K10	Proper cooking time & temperatures					X		
K11	Proper reheating procedures for hot holding	X				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						

  

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		
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

No major violations were observed during this inspection.

### Minor Violations

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

**Inspector Observations:** Food items in the walk in fridge measured 43F to 45F (see measured observations). At beginning of temperature measurements, ambient air of walk in fridge measured 45F. Thermometer was left in walk in fridge and ambient air reached 41F. Per PIC, the walk in fridge was left open for a long period of time for preparation. [CA] PHFs shall be held at 41°F or below or at 135°F or above.

Salsa in ice bath measured 44F to 46F. Ice and water observed only on the bottom of the container for the ice bath. [CA] PHFs shall be held at 41°F or below or at 135°F or above. Ensure that ice and water reach up the sides of the containers to match the level of food in them.

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

**Inspector Observations:** Observed large plastic buckets of beans on shelf without lids that measured 117F and 130F. Per PIC, it was cooked two hours prior to temperature measurement. [CA] After heating or hot holding, Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours. Approved cooling methods include:

- 1) Placing the food in shallow pans
- 2) Separating the food into thinner or smaller portions.
- 3) Using rapid cooling equipment (Ex. blast chiller)
- 4) Using containers that facilitate heat transfer (ex. stainless steel)
- 5) Adding ice as an ingredient.
- 6) Using ice paddles
- 7) Using an ice bath and stirring frequently
- 8) Accordance with a HACCP plan.

Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool.

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:** Test strips not available for chlorine at time of inspection. [CA] Testing equipment and materials shall be provided to adequately measure the applicable sanitization method used during manual or mechanical warewashing.

### Performance-Based Inspection Questions

N/A

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## Measured Observations

Item	Location	Measurement	Comments
Warm water	Restroom	100.00 Fahrenheit	
Beans	Hot holding unit	156.00 Fahrenheit	
Cheese	Under counter reachin	41.00 Fahrenheit	
Chili relleno	Under counter reach in	39.00 Fahrenheit	
Salsa	Ice bath	46.00 Fahrenheit	44F - 46F
Chorizo	Hot holding	148.00 Fahrenheit	
Salsa	Ice bath	45.00 Fahrenheit	
Beans	Cooling bucket	130.00 Fahrenheit	
Rice	Hot holding unit	158.00 Fahrenheit	
Ambient air	Walk in fridge	41.00 Fahrenheit	
Nacho cheese	Hot holding	136.00 Fahrenheit	
Eggs	Hot holding on stove	160.00 Fahrenheit	
Chili verde	Walk in fridge	43.00 Fahrenheit	
Salsa	Walk in fridge	45.00 Fahrenheit	
Hot water	Three comp sink	120.00 Fahrenheit	
Beans	Cooling bucket	117.00 Fahrenheit	
Pork	Hot holding	168.00 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 **1/24/2024**. 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: Pilar Vaquez  
Cashier  
Signed On: January 10, 2024