

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 FA0255545 - BOTANERO LA SIRENA GORDA RESTAURANT		Site Address 1170 E SANTA CLARA ST 10, SAN JOSE, CA 95116		Inspection Date 05/26/2022	
Program PR0373211 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name ALEJANDRO JESUS SOLORI		Inspection Time 14:45 - 16:30
Inspected By GUILLERMO VAZQUEZ	Inspection Type ROUTINE INSPECTION		Consent By ENRIQUE G.	FSC Not Available	

Placard Color & Score
GREEN
80

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						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					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						
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		X
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		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: 1. All hand wash stations within facility have damaged mounted soap dispensers.

[CA] Repair all soap dispensers within facility.

[SA] Facility has pump soap dispensers next to hand wash stations.

2. Hand wash stations next to prep sink has no more paper towels inside of dispenser.

[CA] Have hand wash station fully stocked at all times.

Minor Violations

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

Inspector Observations: Unable to provide a copy of food manger certification or food handler cards at the time of inspection. [CA] Obtain a new food manger certification within 60-days and food handler cards within 30-days.

K19 - 3 Points - Non-compliance with consumer advisory for raw or undercooked foods; 114012, 114093

Inspector Observations: Missing a consumer advisory on the current menu. Per PIC, they plan on making a new menu.

[CA] Provide consumer warning for the sale of raw or undercooked animal-derived foods.

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

Inspector Observations: Fan guards inside of walk in have dust build up on them.

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

K42 - 2 Points - Garbage and refuse improperly disposed; 114244, 114245, 114245.1, 114245.2, 114245.3, 114245.4, 114245.5, 114245.6, 114245.7, 114245.8

Inspector Observations: Multiple boxes within the garbage area that are not broken down and garbage can lids open.

[CA] Refuse containers shall be covered at all times when not in use and remove any boxes from area to reduce harborage for vermin.

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

Inspector Observations: Facility has gone through a change of ownership and our department has not been notified. Per owner, they change ownership two weeks ago. [CA] Provided new owner with change of ownership packet and must be submitted within 3-business days (5/31/22).

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

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Measured Observations

Item	Location	Measurement	Comments
Raw steak	Walk in	41.00 Fahrenheit	
Beans	Hot holding (Steam table)	166.00 Fahrenheit	
Milk	Walk in	41.00 Fahrenheit	
Oyster	Reach in freezer	25.00 Fahrenheit	
Warm water	Restroom	100.00 Fahrenheit	
Hot water	3-Compartment	120.00 Fahrenheit	
Raw steak	Reach in freezer	25.00 Fahrenheit	
Rice	Hot holding (Steam table)	165.00 Fahrenheit	
Cut tomatoes	Prep table	39.00 Fahrenheit	
Ambient	Under counter refrigeration	39.00 Fahrenheit	
Warm water	Hand wash	100.00 Fahrenheit	
Rice	Metal pot	138.00 Fahrenheit	Cooling.

Overall Comments:

Facility has gone through a change of ownership and our department has not been notified. Per owner, the change ownership took place two weeks ago. [CA] Provided new owner with change of ownership packet and must be submitted within 3-business days (5/31/22). Failure to comply may result in closure of facility.

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 **6/9/2022**. 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

enrique G11

Received By: Enrique G.
Owner

Signed On: May 26, 2022