

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 FA0208285 - TANCHITOS RESTAURANT		Site Address 2651 SENTER RD, SAN JOSE, CA 95111		Inspection Date 04/12/2023	
Program PR0304255 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name DON CHAVEZ ENTERPRISES		Inspection Time 15:00 - 16:30
Inspected By GUILLERMO VAZQUEZ	Inspection Type ROUTINE INSPECTION		Consent By MARIA M.	FSC Not Available	

Placard Color & Score
RED
71

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification			X				N
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						
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	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		
K33 Nonfood contact surfaces clean		
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

K21 - 8 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: *Hot/warm water within the facility was measured at 67°F at the time of inspection. Per PIC the pilot for the water heater turned off.*

[CA] *Ensure hot water heater is operable and maintained in good repair at all times. REPEAT VIOLATION. Failure to comply may result in enforcement action.*

Follow-up By
04/17/2023

K22 - 8 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: *Floor drain under the 3-Compartment sink is clogged, prep sink and only hand wash station within the prep area drain into sink.*

[CA] *Food facility shall not operate if there is sewage overflowing or backing up in the food facility. The food facility, or impacted areas, shall remain closed until all plumbing problems have been corrected and all contaminated surfaces have been cleaned and sanitized.*

Follow-up By
04/17/2023

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: *Multiple live cockroaches of different life cycle within the following locations; 3-compartment sink, dry storage area, and walls.*

[CA] *The premises of each food facility shall be kept free of vermin. A food facility shall not operate when there is a vermin infestation that has resulted in the contamination of food contact surfaces, food packaging, utensils, food equipment, or adulteration of food(s). The food facility shall cease operation of the food facility immediately. The food facility shall remain closed until: there is no longer evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved.*

Follow-up By
04/17/2023

Minor Violations

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

Inspector Observations: *Unable to provide a current food manger certification and food handler cards for employees.*

[CA] *Obtain new food manger certification within 60-days and food handler cards within 30-days. REPEAT VIOLATION. Failure to comply may result in enforcement action.*

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: *Raw meat on top shelf under avocado within the walk in.*

[CA] *All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items.*

Performance-Based Inspection Questions

Needs Improvement - Demonstration of knowledge; food manager certification.

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Measured Observations

Item	Location	Measurement	Comments
Hot water	3-Compartment	67.00 Fahrenheit	Adjust to 120°F minimum.
Raw steak	Under counter refrigeration (prep table)	39.00 Fahrenheit	
Cooked beef	Plastic tray	103.00 Fahrenheit	Cooling. Less then 1-hour.
Warm water	Hand wash	67.00 Fahrenheit	Adjust to 100°F minimum.
Cut tomato	Prep table	40.00 Fahrenheit	
Beans	Hot holding (Steam table)	155.00 Fahrenheit	
Cooked pork	Cook line	203.00 Fahrenheit	Cooking.
Cheese	Prep table	40.00 Fahrenheit	
Milk	Walk in	40.00 Fahrenheit	
Ambient	Reach in freezer	5.00 Fahrenheit	
Sanitizer (Chlorine)	Sanitizer bucket	100.00 PPM	
Raw steak	Walk in	40.00 Fahrenheit	
Warm water	Restroom	67.00 Fahrenheit	Adjust to 100°F minimum.
Rice	Hot holding (Steam table)	158.00 Fahrenheit	
Shelled eggs	Prep table	39.00 Fahrenheit	
Raw shrimp	Under counter refrigeration (prep table)	39.00 Fahrenheit	

Overall Comments:

The food facility is hereby closed by this department and must cease/desist all operations until the following items have been addressed:

1. Vermin activity within the facility has been abated. Provide a current pest control report if facility is serviced.

2. Drain floor under the 3-compartment sink has been repaired properly.

3. Hot/cold water has been restored to the facility properly.

- Contact Guillermo Vazquez (408)918-7114 for a follow up inspection.

- Subsequent follow-up inspections after the first follow-up shall be billed \$219-hour, minimum one hour, during normal business hours: Monday-Friday 7:30AM to 5:00PM or \$493/hour, minimum one hour, during non-business hours, and upon inspector availability.

- Do not camouflage or cover red placard.

CLOSURE / PERMIT SUSPENSION NOTICE

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 **4/26/2023**. 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.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

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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: Rene C.
Owner

Signed On: April 12, 2023