

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 FA0273384 - SMOKE EATERS MERCADO LP		Site Address 3175 MISSION COLLEGE BL, SANTA CLARA, CA 95		Inspection Date 01/28/2020	
Program PR0413322 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name SMOKE EATERS MERCADO		Inspection Time 10:30 - 12:30
Inspected By MOJGAN KAZEMI	Inspection Type ROUTINE INSPECTION		Consent By PATRICK BRIOSO	FSC PATRICK BRIOSO 05/23/2023	

Placard Color & Score
GREEN
83

RISK FACTORS AND INTERVENTIO	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	
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						
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 PRACTICE	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		X
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		
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available		
K48 Plan review		
K49 Permits available		
K58 Placard properly displayed/posted		

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Program PR0413322 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name SMOKE EATERS MERCADO LP	Inspection Time 10:30 - 12:30

Comments and Observations

Major Violations

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: PRE-PORTIONED CHICKEN MEASURED AT 73F INSIDE HOT HOLDING UNIT. PIC INDICATED IT IS REMOVED FROM WALK IN AND PLACED IN UNIT UNTIL A ORDER IS RECEIVED, IT IS THEN HEATED PER ORDER. [CA] ENSURE PHF ARE HELD AT OR BELOW 41F OR AT OR ABOVE 135F AT ALL TIMES. [SA] 4 PIECES TIME MARKED FOR USE OR DISCARD WITHIN 3 HOURS.

Minor Violations

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: PAPER TOWELS ARE NOT AVAILABLE INSIDE A DISPENSER AT BACK HAND WASH SINK, HANGING ON METRO RACK BEHIND SINK. PAPER TOWELS ARE ALSO AVAILABLE AT ADDITIONAL HANDWASH SINK IN KITCHEN.

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: A BOWL IS BEING USED TO DISPENSE TATER TOTS INSIDE FREEZER. [CA] ENSURE FOOD IS DISPENSED IN A MANNER SO AS TO PREVENT POSSIBLE CROSS CONTAMINATION AND FOOD EMPLOYEE HANDS COMING IN DIRECT CONTACT WITH FOOD.

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: SINGLE BURNER INDUCTION BURNER IS BEING USED UNDER A FOOD PREP AREA SHELF. [CA] ENSURE COOKING EQUIPMENT IS ADEQUATELY UTILIZED SO AS TO FACILITATE PROPER AIR FLOW AND VENTILATION.

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

Inspector Observations: EXCESS DEBRIS NOTED AT HOOD VENTILATION FILTERS. [CA] THOROUGHLY CLEAN AND MAINTAIN IN GOOD REPAIR.

INOPERABLE LIGHTS NOTED AT HOOD VENTILATION SYSTEM. [CA] REPAIR/ REPLACE AND MAINTAIN IN GOOD REPAIR.

Performance-Based Inspection Questions

N/A

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
HOT WATER	FOOD PREP	120.00 Fahrenheit	
QUAT AMMONIA	WAREWASH	200.00 PPM	
HOT WATER	BAR HANDWASH	100.00 Fahrenheit	
CHLORINE	MECHANICAL WAREWASH	50.00 PPM	
TOMATOES	PREP	38.00 Fahrenheit	
HOT WATER	WAREWASH	120.00 Fahrenheit	
CHICKEN BREAST	WALK IN	41.00 Fahrenheit	
HOT WATER	HANDWASH	100.00 Fahrenheit	
CHEESE	PREP	38.00 Fahrenheit	
BEEF	DRAWER	38.00 Fahrenheit	
HOT WATER	BAR WAREWASH	120.00 Fahrenheit	
CHICKEN SLICED	HOT HOLDING	73.00 Fahrenheit	
FLANK STEAK	DRAWER	40.00 Fahrenheit	
CHICKEN WINGS	WALK IN	41.00 Fahrenheit	
MILK	WALK IN	38.00 Fahrenheit	
HOT WATER	RESTROOM	100.00 Fahrenheit	
TATER TOTS	FREEZER	-10.00 Fahrenheit	

Overall Comments:

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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 **2/11/2020**. 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: PATRICK BRIOSO
MANAGER

Signed On: January 28, 2020