

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 FA0206927 - EL BUEN GUSTO TAQUERIA #2		Site Address 1710 BERRYESSA RD 105, SAN JOSE, CA 95131		Inspection Date 12/18/2023	
Program PR0304041 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name EL BUEN GUSTO CORPORA		Inspection Time 10:50 - 12:45
Inspected By PETER ESTES	Inspection Type ROUTINE INSPECTION	Consent By RICHARD ORTIZ	FSC Not Available		

Placard Color & Score

GREEN
53

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	X			N
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				
K15	Food obtained from approved source	X						
K16	Compliance with shell stock tags, condition, display		X		X			N
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	X	
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	X	
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	X	
K36	Equipment, utensils, linens: Proper storage and use	X	
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use	X	
K39	Thermometers provided, accurate	X	
K40	Wiping cloths: properly used, stored	X	
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	X	
K44	Premises clean, in good repair; Personal/chemical storage; Adequate vermin-proofing	X	
K45	Floor, walls, ceilings: built, maintained, clean		
K46	No unapproved private home/living/sleeping quarters		
K47	Signs posted; last inspection report available	X	

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K48	Plan review	
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

K16 - 8 Points - Not in compliance with shell stock tags, condition; 114039-114039.5

Inspector Observations: Shell stock tags for oysters are not kept at facility. [CA] Molluscan shellfish shall have shellstock tags and shall be properly stored and displayed, all shellstock tags shall be kept in chronological order for 90 days after harvest date. [COS] Oysters VC&D

Minor Violations

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

Inspector Observations: Food Safety Manager Certification has expired. [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. Must obtain within 60 days.

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: Observed employee change tasks, enter front cook/prep area and then put on gloves without washing hands. Employee washed hands and then did not dry hands when putting gloves on. [CA] Must wash hands prior to putting gloves on and when changing tasks. [COS] Employee washed hands.

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

Inspector Observations: 1) No paper towel dispenser at front prep area. Napkins available next to hand sink. [CA] Provide paper towels in enclosed dispenser.

2) Hand sinks blocked by garbage cans and containers. [CA] Remove garbage cans and containers from hand sinks and make hand sinks accessible at all times.

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

Inspector Observations: Observed beans cooling in walk in but covered. [CA] When cooling PHF's, food may be left uncovered or loosely covered to allow rapid cooling.

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, 14125(b), 114141

Inspector Observations: Observed containers being stacked while still wet. [CA] Equipment and utensils must be air dried or properly stored to facilitate drying after sanitizing.

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

Inspector Observations: Shrimp observed sitting in standing water in prep sink thawing. [CA] Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.

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)

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Inspector Observations: 1) Open baskets of chips stored on top of each other without protection. [CA] Provide food grade material in between baskets or do not double stack.

2) Observed bowl of shrimp stored on top of open container of food in prep unit. [CA] Provide food grade material in between containers or do not double stack.

3) Observed food stored in open containers in reach in and bottom portion of prep units. [CA] Cover all food, except cooling food, to prevent contamination.

4) Food stored in to-go grocery bags in reach ins. [CA] Store food in food grade containers.

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

Inspector Observations: 1) Observed bulk food containers missing lids. [CA] Provide lids to all bulk food containers.

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: Gasket to 2 door reach in at front prep area is broken. [CA] Repair gasket.

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: 1) Knives stored in crevice between hot hold prep table and wall. [CA] Store knives on a clean dry surface.

2) CO2 tanks are not chained to the wall. [CA] All pressurized cylinders must be chained to the wall.

3) Container with no handle used as scoop for bulk rice. [CA] Provide scoop with handle and store scoop with handle out of food.

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

Inspector Observations: 1) Observed gaps in front hood filters. [CA] Repair hood filters and remove all gaps.

2) Deep fryer is outside of front hood. [CA] There shall be a minimum of 6 inches overhang of ventilation hood over cooking equipment.

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

Inspector Observations: Missing thermometers for prep units. [CA] Provide thermometer for prep units and place at warmest location of unit and where visible.

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

Inspector Observations: Observed wiping cloths stored on prep counters and employee aprons. [CA] Store used wet wiping cloths in sanitizer measuring 100 ppm chlorine.

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: Dumpster lids are kept open. [CA] Keep dumpster lids closed at all times.

K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

Inspector Observations: Restroom door does not self close. [CA] Repair restroom door so that it self closes.

K44 - 2 Points - Premises not clean, not in good repair; No personal/chemical storage; inadequate vermin-proofing; 114067(j), 114123, 114143 (a,b), 114256, 114256.1, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282

Inspector Observations: Front door held open. [CA] Keep doors closed to prevent pests.

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K47 - 2 Points - Signs not posted; last inspection report not available; 113725.1, 113953.5, 113978, 114381(e)

Inspector Observations: Last inspection report is not available at facility. [CA] A copy of the most recent routine inspection report conducted to assess compliance with this part shall be maintained at the food facility and made available upon request.

Performance-Based Inspection Questions

Needs Improvement - Hands clean/properly washed/gloves used properly.
Needs Improvement - Compliance with shell stock tags, condition, display.
Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

Item	Location	Measurement	Comments
shrimp	prep	41.00 Fahrenheit	
octopus	prep	41.00 Fahrenheit	
chicke	hot hold	185.00 Fahrenheit	
chlorine	3 compartment	100.00 PPM	
chlorine	sanitizer bucket	100.00 PPM	
sliced tomatoes	prep	41.00 Fahrenheit	
raw beef	prep	40.00 Fahrenheit	
hot water	3 compartment	120.00 Fahrenheit	
sliced tomatoes	prep	40.00 Fahrenheit	
refried beans	hot hold	139.00 Fahrenheit	
salmon	prep	39.00 Fahrenheit	
beans	hot hold	169.00 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 **1/1/2024**. 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: Richard Ortiz

Signed On: December 18, 2023