

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 FA0300441 - LA MICHOACANA PLUS		Site Address 1040 S WHITE RD B, SAN JOSE, CA 95127		Inspection Date 11/01/2024		Placard Color & Score GREEN 88		
Program PR0441069 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 1 - FP09			Owner Name SJ PALETAS PLUS LLC		Inspection Time 12:50 - 13:50			
Inspected By MAMAYE KEBEDE		Inspection Type ROUTINE INSPECTION		Consent By JACQUELINE ORTIZ				FSC Liliana Ponce 10/19/2029

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						S
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		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	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	X	
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		
K39	Thermometers provided, accurate		
K40	Wiping cloths: properly used, stored		
K41	Plumbing approved, installed, in good repair; proper backflow devices	X	
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		

OFFICIAL INSPECTION REPORT

Facility FA0300441 - LA MICHOACANA PLUS	Site Address 1040 S WHITE RD B, SAN JOSE, CA 95127	Inspection Date 11/01/2024
Program PR0441069 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 1 - FP09	Owner Name SJ PALETAS PLUS LLC	Inspection Time 12:50 - 13:50
K48 Plan review		
K49 Permits available		X
K58 Placard properly displayed/posted		

Comments and Observations

Major Violations

No major violations were observed during this inspection.

Minor Violations

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: Food preparation was being conducted on the three compartment warewash sink.
[CA] Food preparation may only be conducted in the preparation sink.

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

Inspector Observations: Many food products on boxes were stored directly on the floor or on milk crate back in the storage area and inside the walk-in freezer
[CA] To prevent insect hiding and breeding and for easy cleaning of the floor area, please store all food products at least six inches off the floor on approved shelf or dunnage rack.

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: There is no approved sanitizer measuring strip to measure the concentration of the chemicals used to sanitize dishes and utensils in the facility.
[CA] Provide approved sanitizer measuring strips for the chemicals used in sanitizing utensils, equipment, and food contact surfaces.

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: Boxes of single use and other utensils were stored inside one of the restrooms.
[CA] Do not store any utensil or food product inside the restroom. Remove all the utensils from the restrooms immediately.

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

Inspector Observations: Drainpipe from the ice machine were immersed inside the floor sink.
[CA] To prevent possible contamination from backup of sewage, please provide at least one inch air gap between the floor sink and the drainpipes.

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

Inspector Observations: Our records indicate this facility has a delinquent account and is operating without a valid Santa Clara County Department of Environmental Health permit. The facility has an outstanding account balance in the amount of \$793.75

Payment must be made within 48 hours (2 business days) to the Santa Clara County DEH online at our website which is <https://paydirect.link2gov.com/SantaClaraCountyDEH/ItemSearch> using an account ID number AR1345000. You may also drop a business check or a crasher's check at our office address written on the top right corner.

Previous written notification of account balance informed about the Delinquent Permit fee last month. A re-inspection will not be conducted if your account is paid in full by 11/05/2024. The facility shall remain open, and a new valid permit will be mailed after payment has been received.

If your account has not been paid in full by the Comply By date, a re-inspection will be performed, and the facility owner may be billed at the current hourly rate per County Ordinance Code B11-8. Non-payment of permit fees within 48 hours will result in additional legal actions up to and including facility closure.

OFFICIAL INSPECTION REPORT

Facility FA0300441 - LA MICHOACANA PLUS	Site Address 1040 S WHITE RD B, SAN JOSE, CA 95127	Inspection Date 11/01/2024
Program PR0441069 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 1 - FP09	Owner Name SJ PALETAS PLUS LLC	Inspection Time 12:50 - 13:50

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Ice cream	Walk-in freezer	0.00 Fahrenheit	
Ice cream	Ice cream freezer	0.00 Fahrenheit	
Hot water	Three compartment sink	130.00 Fahrenheit	
Nacho	Nacho warmer	140.00 Fahrenheit	
Milk	Walk-in cooler	34.00 Fahrenheit	

Overall Comments:

Note: 1. Food safety manager certificate: Liliana Ponce - 10/19/2029

2. An invoice for the late Environmental Health permit is handed to the person in charge.

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 **11/15/2024**. 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: Jacqueline Ortiz
Employee
Signed On: November 01, 2024