

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 FA0270160 - SUERTE EATERY		Site Address 100 N ALMADEN AV 160, SAN JOSE, CA 95110		Inspection Date 03/14/2025		Placard Color & Score YELLOW 65		
Program PR0402124 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name GUAPOS CORP		Inspection Time 13:55 - 15:25			
Inspected By ALEXANDER ALFARO		Inspection Type ROUTINE INSPECTION		Consent By DANIEL				FSC Not Available

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		X			N
K07	Proper hot and cold holding temperatures		X		X			N
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 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		
K34	Warewash facilities: installed/maintained; test strips	X	
K35	Equipment, utensils: Approved, in good repair, adequate capacity	X	
K36	Equipment, utensils, linens: Proper storage and use		
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use		
K39	Thermometers provided, accurate		X
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	X	

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K48	Plan review	X
K49	Permits available	
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. In the kitchen, at the only hand wash station, the paper towel dispenser was not working.

Follow-up By
03/18/2025

[CA] Single-use sanitary towels shall be provided in dispensers; heated-air hand drying device may be substituted for single-use towels.

[SA] Staff removed the roll of paper towels and made it available for use.

2. In the kitchen, at the only hand wash station, there is no permanently installed dispenser for hand soap. A pump bottle of soap was available.

[CA] Provide handwashing cleanser in dispenser at handwash stations at all times.

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

Inspector Observations:

In the kitchen, at the cookline, pork belly was found stored on the range with the burner off. Interior temperature was measured at 140°F and exterior temperatures were between 105-30°F. Per staff, they turn the range on and off so the meat doesn't burn/dry and last turned it off about 20 minutes ago.

Follow-up By
03/18/2025

[CA] PHFs shall be held at 41°F or below or at 135°F or above. Ensure to maintain temperature control of PHFs.

[SA] Food was reheated to 165°F and hot held.

Minor Violations

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

Inspector Observations:

1. Repeat Violation: Facility lacks a Food Safety Certificate upon request.

[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.

2. Several staff do not have food handler cards upon request.

[CA] All food employees shall have adequate knowledge of, and shall be properly trained in, food safety as it relates to their assigned duties.

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

Inspector Observations:

Staff were observed donning gloves without washing their hands first.

[CA] Properly wash hands with soap, warm water and dry using single use paper towels as required prior to putting on gloves.

[COS] Inspector instructed staff to wash their hands prior to putting on gloves.

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

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Inspector Observations:

Repeat Violation: Hot water at the three compartment sink reached a maximum of 113°F.

[CA] Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet throughout facility except at handwash sinks.

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:

1. Facility lacks drain plugs to fill the basins of the three compartment sink.

[CA] Plugs/stoppers shall be available to fill up the warewashing sink.

2. Facility lacks testing materials for their choice of sanitizer, quaternary ammonia at the facilities held in common sink and chlorine at their own three compartment sink.

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:

1. Facility has a non ANSI accredited freezer.

[CA] New and/or replacement food equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation).

2. The prep sink lacks an integrated drainboard or adjacent table.

[CA] All permanent food facilities that wash, rinse, soak, thaw, or similarly prepare foods shall be provided with a food preparation sink with an integrated drainboard or adjacent table that is 18 inches by 18 inches.

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

Inspector Observations:

Facility lacks a probe type thermometer.

[CA] An accurate easily readable metal probe thermometer (accurate to +/- 2°F) that is designed to measure the temperature of thin masses shall be provided and readily available to accurately measure the temperatures of potentially hazardous foods.

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

Inspector Observations:

Repeat Violation: The Environmental Health Permit is not posted.

[CA] The health permit issued by this department shall be posted in a conspicuous place in the food facility.

K48 - 2 Points - Plan review unapproved; 114380

Inspector Observations:

Facility has not had a final inspection for their open service request with our plan check program for the addition of cooking equipment and the exhaust hood.

[CA] A person proposing to build or remodel a food facility shall submit plans and specifications for review and shall receive plan approval prior to starting any new construction or remodeling. Contact DEH at 408-918-3400 or at www.ehinfo.org to obtain plan check requirements.

Schedule the final inspection by end of day Monday. Failure to schedule the final inspection will result in impoundment of unapproved equipment. You may call or visit our office to schedule the final inspection at (408) 918-3400 or go to 1555 Berger Dr, Building 2 Suite 300, San Jose, CA 95112.

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Performance-Based Inspection Questions

Needs Improvement - Proper hot and cold holding temperatures.
Needs Improvement - Hands clean/properly washed/gloves used properly.
Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

Item	Location	Measurement	Comments
Pork	Walk in Cooler	30.00 Fahrenheit	Thawing
Shrimp	Drawer Cooler	40.00 Fahrenheit	
Carne Asada	Table Top Steam Table	135.00 Fahrenheit	
Birrita	Burner Range	140.00 Fahrenheit	
Nacho Cheese	Table Top Steam Table	140.00 Fahrenheit	
Water	Prep Sink	120.00 Fahrenheit	
Fries	Walk in Freezer	-10.00 Fahrenheit	
Watermelon	Prep Cooler	40.00 Fahrenheit	
Fries	Mini Freezer	8.00 Fahrenheit	
Water	Hand Sink	100.00 Fahrenheit	
Pork	Burner Range	115.00 Fahrenheit	
Water	Three Compartment Sink	113.00 Fahrenheit	
Shredded Cheese	Prep Cooler	40.00 Fahrenheit	

Overall Comments:

Notes:

- Per the facility's permit condition, they are to hot hold and cold hold foods only. No cooking is to be taking place. SOPs for how food is delivered from the secondary facility are to be available at the facility.

- A follow up inspection shall be conducted within 3 business days to determine compliance with violations noted. The first follow up inspection is free of charge. Any and all subsequent follow up inspections shall be charged at the approved hourly rate of \$298.00/hr, minimum of one hour, during normal business hours: Monday through Friday 7:30am to 4:30pm or \$645/hour minimum two hour during non business hours, and upon inspector availability.

- Failure to correct repeat violations may lead to further enforcement actions from this department.

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 **3/28/2025**. 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: Daniel Gutierrez
Sous Chef
Signed On: March 14, 2025