

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 FA0209385 - LA COSTA		Site Address 4152 MONTEREY RD, SAN JOSE, CA 95129		Inspection Date 08/11/2022	
Program PR0300849 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name MARLIN CORPORATION		Inspection Time 10:00 - 11:20
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION	Consent By BRYAN	FSC Pedro Vicente 06/07/2024		

Placard Color & Score
GREEN
82

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification	X						S
K02 Communicable disease; reporting/restriction/exclusion	X						S
K03 No discharge from eyes, nose, mouth	X						S
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						S
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	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		
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	X	

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

Comments and Observations

Major Violations

No major violations were observed during this inspection.

Minor Violations

K04 - 3 Points - Improper eating, tasting, drinking or tobacco use in food preparation area; 113977

Inspector Observations: Employees' opened beverages stored on counters near food preparation and food storage areas. [CA] No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area.

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

Inspector Observations: Restroom lacked paper towels and towel dispenser. [CA] Single-use sanitary towels shall be provided in dispensers; heated-air hand drying device may be substituted for single-use towels.

K16 - 3 Points - Not in compliance with shell stock tags, condition; 114039-114039.5

Inspector Observations: Multiple lots of shell stock tags for oysters maintained commingled together inside plastic container. [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.

K19 - 3 Points - Non-compliance with consumer advisory for raw or undercooked foods; 114012, 114093

Inspector Observations: No consumer advisory warning or discretion for raw and/or undercooked food items. [CA] Provide consumer warning for the sale of raw or undercooked animal-derived foods.

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

Inspector Observations: Raw tripas thawing inside the three-compartment sink in standing water. [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)

Inspector Observations: Raw tripas maintained inside right basin of the three-compartment sink while the left and middle basin contained soiled utensils. [CA] All food shall be separated and protected from possible contamination. Food preparation shall be conducted in approved areas. Utilize sinks for their designated purposes. All food preparation shall be conducted at the food preparation sink.

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

Inspector Observations: Current 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.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Carnitas	Steam table	159.00 Fahrenheit	
Carne asada	Steam table	169.00 Fahrenheit	
Shrimp ceviche	Preparation refrigerator	41.00 Fahrenheit	
Hot water	Food preparation sink	120.00 Fahrenheit	
Hot water	Three-compartment sink	120.00 Fahrenheit	
Fish ceviche	Preparation refrigerator	41.00 Fahrenheit	
Chicken	Steam table	180.00 Fahrenheit	
Sanitizing bucket	Ware washing area	100.00 PPM	Chlorine sanitizer
Cooked fish	Walk-in refrigerator	35.00 Fahrenheit	
Diced cucumber tomatos	Preparation refrigerator	40.00 Fahrenheit	
Cooked rice	Steam table	163.00 Fahrenheit	
Cooked octopus	Preparation refrigerator	40.00 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 **8/25/2022**. 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: Bryan
Manager

Signed On: August 11, 2022