

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 FA0206405 - EL CABRON KITCHEN AND CANTINA		Site Address 155 W SAN FERNANDO ST, SAN JOSE, CA 95113		Inspection Date 11/15/2024	
Program PR0307099 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name EL CABRON KITCHEN & CAN		Inspection Time 16:05 - 17:50
Inspected By ALEXANDER ALFARO	Inspection Type ROUTINE INSPECTION	Consent By JUAN	FSC Jay Sun 07/28/2027		

Placard Color & Score
YELLOW
72

	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		X			N
K07	Proper hot and cold holding temperatures	X						S
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		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	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		
K36	Equipment, utensils, linens: Proper storage and use		
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	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		

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K48	Plan review	
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 bar area, at the only hand wash sink, there was no soap in the soap dispenser. The soap dispenser broke as staff was filling it with soap.

Follow-up By
11/20/2024

[CA] Provide handwashing cleanser in dispenser at handwash stations at all times. Repair or replace the soap dispenser.

[SA] Staff will wash their hands at the hand wash sink in the back of house next to the cook line.

2. In the back of house area, at the hand wash sink next to the prep sink, there is no paper towel dispenser or paper towels available.

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

[SA] Staff will wash their hands at the hand wash sink in the back of house next to the cook line.

3. In the back of house area, at the hand sink next to the cook line, there is no guard to prevent possible splash contamination of wastewater into foods being cooked or reheated on the stock pot burner.

[CA] Provide a guard spanning the full length of the drainboard of the handwash sink to prevent possible contamination.

K14 - 8 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:

In the bar area, at the undercounter dish washer, chlorine was measured at 0 PPM while actively washing dishes.

Follow-up By
11/20/2024

[CA] Maintain chlorine in mechanical warewash machine at 50 PPM.

[SA] Staff will wash, rinse, and sanitize all dishes either manually or with the use of the upright dishwasher in the back of house.

Minor Violations

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

Inspector Observations:

Facility lacks a consumer advisory for the raw or undercooked items on the menu (ceviche, aguachiles, steak).

[CA] Provide consumer warning for the sale of raw or undercooked animal-derived foods.

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

Inspector Observations:

In the back of house area, at the hand sink next to the prep sink, the hot water does not turn on.

Follow-up By
11/20/2024

[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. Handwashing facilities shall be equipped to provide minimum 100°F water under pressure for a minimum of 15 seconds.

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

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Inspector Observations:

Facility is storing open foods in the hallway that connects to a different facility. Per change of ownership inspection, only non - Potentially Hazardous Foods in their original packaging may be stored in the hallway.

Note: Facility is an empty ware house.

[CA] Food or food related equipment shall be stored in an approved fully enclosed food facility. Failure to comply may result in permit condition revoked.

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

Inspector Observations:

1. Facility is using a flat grill outside of the exhaust hood to cook tortillas.

[CA] Provide approved exhaust hood ventilation over all cooking equipment as required to effectively remove cooking odors, smoke, steam, grease, heat, and vapors.

2. In the kitchen area, there is a large stock pot burner that is not within 6 inches of the exhaust hood.

[CA] There shall be a minimum of 6 inches overhang of ventilation hood over cooking equipment.

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:

In the back of house, at the hand wash sink next to the prep sink, turning on the cold water also turns on the cold water at the prep sink and vice versa.

[CA] Repair plumbing fixture and maintain in clean and good repair.

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

Item	Location	Measurement	Comments
Soda	Undercounter Cooler - Bar	39.00 Fahrenheit	
Al Pastor	Final Cook	167.00 Fahrenheit	
Al Pastor	Drawer Cooler	36.00 Fahrenheit	
Chlorine - Sanitizer	Dishwasher - Kitchen	50.00 PPM	
Water	Hand Sink - Kitchen	100.00 Fahrenheit	
Water	Three Compartment Sink	120.00 Fahrenheit	
Chlorine - Sanitizer	Undercounter Dishwasher - Bar	0.00 PPM	
Ambient Air	Walk in Cooler	28.00 Fahrenheit	
Beef	Walk in Cooler	31.00 Fahrenheit	
Water	Hand Sink - Bar	100.00 Fahrenheit	
Chicken	Upright Reach in Freezer	-2.00 Fahrenheit	

Overall Comments:

A follow up inspection will be conducted within 3 business days to verify compliance with major violations. 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.

Note: Per Chef and Manager, they have acquired the ware house in the back and intend to extend the restaurant. 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.

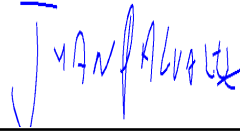
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When required to determine compliance, a single reinspection will be conducted without additional charge. If subsequent reinspections are required, an hourly fee (minimum one hour) at the current rate approved by the Board of Supervisors will be assessed 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 **11/29/2024**. 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: Juan Alvarez
Manager

Signed On: November 15, 2024