# 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 | Site Address | Inspection Date |
|---|---|---|
| FA0301312 - PORTUGUESE TASTY DESSERTS | 1085 EL CAMINO REAL, SANTA CLARA, CA 95050 | 08/13/2025 |

| Program | Owner Name | Inspection Time |
|---|---|---|
| PR0442261 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10 | NELIO DEFREITAS | 10:00 - 11:30 |

| Inspected By | Inspection Type | Consent By | FSC |
|---|---|---|---|
| KATHY VO | ROUTINE INSPECTION | NELIO DEFREITAS | Rita Grijalva 03/29/2028 |

**Placard Color & Score**

**RED**

**88**

| | RISK FACTORS AND INTERVENTIONS | IN | OUT Major | OUT Minor | COS/SA | N/O | N/A | PBI |
|---|---|---|---|---|---|---|---|---|
| K01 | Demonstration of knowledge; food safety certification | X | | | | | | |
| K02 | Communicable disease; reporting/restriction/exclusion | X | | | | | | |
| 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 | | | | | | |
| 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 | | | | | N |

| | 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 | | |
| 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 | X | |
| 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

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

***Inspector Observations: 1. Observed Vermin: Documented in the following areas:***
***- 15+ live cockroaches of differing life stages around the sticky traps underneath the 3-compartment sink***
***- 1 live adult cockroach crawling underneath the 3-compartment sink***
***- 25+ dead cockroaches of differing life stages (mostly nymphs) in the sticky traps underneath the 3-compartment sink***
***- 2 dead adult cockroaches in the sanitizing compartment of the 3-compartment sink (Per PIC, cockroaches were found on the drainboard of the 3-compartment sink and moved to the sanitizing compartment).***
***- 2 dead adult cockroaches and 4 dead nymphs in the sticky traps underneath the oven***
***- Per PIC, all sticky traps were set out 3 days ago.***
***2. Photographs: Taken for documentation purposes.***
***3. Supervisor Notified: Priscilla Mark.***
***4. Notification: The person in charge during inspection, Nelio Defreitas, has been informed that the facility must close immediately.***

***[CA]: The premises of each food facility must be maintained free of vermin. A facility cannot operate if there is a vermin infestation that leads to contamination of food contact surfaces, packaging, utensils, food equipment, or adulteration of food. The facility is required to cease operations immediately and must remain closed until all corrective actions on the provided checklist are completed.***

***Requirements Before Reopening:***
***1. Email the signed and completed Reopening Checklist to the assigned inspector.***
***2. Submit a copy of the pest control report from a licensed provider.***

### 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: Observed bulk flour bags opened and uncovered in the storage area. [CA] After opening, bulk ingredients shall be transferred to approved containers with tight fitting lids.***

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: Observed gaps in the back door leading to the outside. [CA] Seal all gaps. Facility shall be fully enclosed to prevent pest entrance and harborage.***

### Performance-Based Inspection Questions

Needs Improvement - No rodents, insects, birds, or animals.

### Measured Observations

| Item | Location | Measurement | Comments |
|---|---|---|---|
| rice pudding | 1-door upright cooler (front) | 41.00 Fahrenheit | |
| dough | 1-door upright cooler | 41.00 Fahrenheit | |
| water | handwash sink | 100.00 Fahrenheit | |
| sanitizer (quaternary ammonia) | 3-compartment sink | 200.00 PPM | |
| water | 3-compartment sink | 120.00 Fahrenheit | |
| flan | 2-door under counter | 41.00 Fahrenheit | |

### Overall Comments:

***The facility is hereby closed due to evidence of vermin infestation (K23). The facility is required to cease operations immediately and must remain closed until all corrective actions on the provided checklist are completed.***

***Requirements Before Reopening:***

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***1. Email the signed and completed Reopening Checklist to the assigned inspector.***
***2. Submit a copy of the pest control report from a licensed provider.***

***No pest control reports available for review. Per PIC, facility received services 3 weeks ago.***

***- The first follow-up inspection is free of charge. Subsequent follow-up inspections after the first follow-up shall be billed at $298/hour during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and $645/hour during non-business hours, and upon inspector availability.***

***- The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered, or copied. Failure to comply may result in enforcement actions per County Ordinance Code Section B11-55.***

***- A facility found to be in continued operation without a permit may incur a penalty of three (3) times the operating permit fee, and fee(s) for re-inspection(s) charged at the current hourly rate approved by the Santa Clara County Board of Supervisors. Penalties and fees incurred due to enforcement activities must be paid in full prior to the issuance of an operating permit.***

## CLOSURE / PERMIT SUSPENSION NOTICE

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 **8/27/2025**.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.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

**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:** Teresa Defreitas
Owner

**Signed On:** August 13, 2025