

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 FA0208282 - EL CIELO BAR & GRILL		Site Address 2650 ALUM ROCK AV, SAN JOSE, CA 95116		Inspection Date 05/15/2023	
Program PR0307613 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name MARTINEZ POLANIAS, MART		Inspection Time 14:30 - 16:00
Inspected By HELEN DINH	Inspection Type ROUTINE INSPECTION	Consent By VIVIAN (O), DORIAN (O) & CARLA (S)	FSC Dorian Ospina 11/13/27		

Placard Color & Score
GREEN
76

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						
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	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		
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

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

Inspector Observations: 1. Measured tray of shell eggs holding at 80F on dry storage shelf for more than 4 hours.
 2. Measured a bowl of raw chicken holding at 52F in 2 door reach in at cooks line for less than 4 hours.
 [CA] Maintain all PHFs cold held at or below 41F. [COS] Operator directed to relocate cold PHFs to another refrigeration unit and operator voluntarily discarded raw shell eggs in trash.

Minor Violations

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

Inspector Observations: Lacking food handlers card on site. [CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

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

Inspector Observations: Found paper towel store outside of mounted dispenser at hand wash station. [CA] Single-use sanitary towels shall be provided in dispensers; heated-air hand drying device may be substituted for single-use towels.

K14 - 3 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: 1. Found brown-like substance on white interior panel of ice machine. [CA] Routinely clean.
 2. Measured 0ppm chlorine for dish machine. Note: At time of inspection, operator did not use dish machine. [CA] Ensure dish machine is able to maintain chlorine concentration at 50ppm. [SA] Operator directed to use warewash sink for warewashing purposes until repair is main to dish machine.
 3. Observed an employee dropped a knife onto the floor. Observed another employee washing and rinsing knife at warewash sink but skipped the last step of sanitizing. [CA] Manual warewashing shall be accomplished by using a three-compartment sink where the utensils are first precleaned, washed with hot soapy water, rinsed with hot water, sanitized with an approved method, and air dried. Use 1 TBS of bleach (5.25%) per 1 gal. of water for chlorine solution (100 PPM). Use 1 tbs of quaternary ammonium (10%) per 2 gal. of water for quaternary ammonium (200 PPM). [COS] Operator was directed to stop what they were doing and sanitize the knife prior to usage.

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: Found a few flies in food facility. [CA] Each food facility shall be free of pest such as flies. Provide approved pest control services.

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

Inspector Observations: Found bags and container of food stored on floor throughout facility. [CA] Food shall be stored a minimum of 6 inches off floor.

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: Found leaking water knob at warewash sink when water is on. [CA] Secure leak.

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.
 Needs Improvement - Proper hot and cold holding temperatures.

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Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
soup	stove top	207.00 Fahrenheit	
raw shell eggs	shelf	80.00 Fahrenheit	for more than 4 hours. [COS] - discard
hot water	warewash/1-comp/mop	120.00 Fahrenheit	
cooked rice	3 door upright	41.00 Fahrenheit	
beverage	2 door sliding (bar)	38.00 Fahrenheit	
hot dog	2 door reach in (cooks line)	41.00 Fahrenheit	
shredded cheese	2 door cold top	41.00 Fahrenheit	
beverage	2 door reach in (bar)	40.00 Fahrenheit	
chlorine	dish machine	0.00 PPM	not in use at time of inspection.
cooked shrimp	2 door cold top	38.00 Fahrenheit	
chlorine	sani bucket	100.00 Fahrenheit	
meat	upright freezer	19.10 Fahrenheit	
cooked pork	3 door upright	40.00 Fahrenheit	
hot dogs	2 door reach in	41.00 Fahrenheit	
beverage	2 door upright (bar)	41.00 Fahrenheit	
raw chicken	2 door reach in (cooks line)	52.00 Fahrenheit	for less than 4 hours. COS-relocate
beverage	3 door sldiing	41.00 Fahrenheit	
warm water	handsink (prep & 2RR)	100.00 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 **5/29/2023**. 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: Dorian Ospina
Owner

Signed On: May 15, 2023