

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 FA0206652 - EL RANCHO DE LAS CERVEZAS | | Site Address 163 W ALMA AV, SAN JOSE, CA 95110 | | Inspection Date 01/13/2020 | |
| Program PR0305075 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11 | | | Owner Name GALLON ENTERTAINMENT | | Inspection Time 11:45 - 14:40 |
| Inspected By OBDULIA DUQUE-TURCIOS | Inspection Type ROUTINE INSPECTION | | Consent By ELENA FARARO | FSC Not Available | |

| |
|---|
| Placard Color & Score RED 47 |
|---|

| RISK FACTORS AND INTERVENTIO | IN | OUT | | COS/SA | N/O | N/A | PBI |
|---|----|-------|-------|--------|-----|-----|-----|
| | | Major | Minor | | | | |
| K01 Demonstration of knowledge; food safety certification | | | X | | | | N |
| 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 | | | | | | N |
| K05 Hands clean, properly washed; gloves used properly | X | | | | | | |
| K06 Adequate handwash facilities supplied, accessible | | 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 | | | | | N |
| 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 | | | | | N |
| K22 Sewage and wastewater properly disposed | | X | | | | | |
| K23 No rodents, insects, birds, or animals | | | | | | | |

| GOOD RETAIL PRACTICE | 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 | X | |
| K35 Equipment, utensils: Approved, in good repair, adequate capacity | X | |
| K36 Equipment, utensils, linens: Proper storage and use | X | |
| 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 | X | |
| K45 Floor, walls, ceilings: built, maintained, clean | X | |
| K46 No unapproved private home/living/sleeping quarters | | |
| K47 Signs posted; last inspection report available | | |
| K48 Plan review | | |
| K49 Permits available | X | |
| K58 Placard properly displayed/posted | | |

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Comments and Observations

Major Violations

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: 3-compartment sink is also used as a handwashing facility in the preparation area; however, no soap and paper-towels were available during the time of the inspection. [CA] Provide soap, and paper-towels in dispenser at all times; this will discourage employees to dry their hands with an unapproved cloth towel or uniform, and this could lead to cross-contamination from employee---to--food. Employees must properly wash and dry their hands before returning to any food handling, and clean equipment areas.

Follow-up By
01/16/2020

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: Employee skips sanitization step during manual dishwashing in the warewashing area. In addition, employee stated that no bleach or any type of sanitizer was available in the food facility. [CA] Manual warewashing shall be accomplished by using a 3-compartment sink where the utensils are first precleaned, then washed, rinsed, and sanitized, and air dried. [COS] Inspector educate employee on how to properly wash, rinse, and sanitize utensils and dishes.

Follow-up By
01/16/2020

Ice machine interior walls are observed with brown mold like residue in the dry storage area. [CA] Ensure to clean and sanitize ice machine regularly to prevent accumulation.

In the preparation/kitchen area, all refrigeration units, cold holding unit, preparation table, stove, and flat griddle are observed with soil and grease residues. [CA] All food contact surfaces shall be properly cleaned and sanitized regularly to prevent cross-contamination from equipment to food.

K21 - 8 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: Hot water is not available in the food facility during the time of the inspection. [CA] an adequate, protected, pressurized, potable supply of hot water and COLD WATER shall be provided. Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet. Handwashing facilities shall be equipped to provide warm water (100F) under pressure for a minimum of 15 seconds through a mixing valve or combination faucet. The temperature of the water shall be at least 100F but not greater than 108F.

Hot water temperature must be at 120F, and cold running water through a mixing valve. Hot water temperature once it reaches maximum must REMAIN at the required temperature.

Food facility is closed by the enforcement officer, and such facility shall not re-open until correction is made, and upon specific written approval of the enforcement officer.

K22 - 8 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: Toilet stall in the men restroom is observed clogged during the time of the inspection. [CA] Restrooms shall be in good repair and working properly at all times. Unclog the toilet stall as soon as possible.

Follow-up By
01/16/2020

Minor Violations

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

Inspector Observations: Food safety certificate is not available upon request by the enforcement officer during the time of the inspection. [CA] Any food facility that prepares potentially hazardous foods (PHFs) must have an employee who has successfully passed an approved and accredited Food Safety Certification Examination. Comply by 03/13/2020.

Employees food handler cards are not available upon request by the enforcement officer during the time of the inspection. [CA] Each food facility that employs a food handler shall maintain records documenting that each food handler employed by the food facility possesses a valid food handler card and shall provide those records to the local enforcement officer upon request. A food handler who is hired shall obtain a food handler card within 30 days after the date of hire. Comply by 02/13/2020.

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)

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Inspector Observations: Rice bag is observed open and stored on the dry storage shelf. [CA] Once opened, store all dry goods in an approved food rigid container with tight fitting lids. Label all food containers as to contents.

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: Test strips to check sanitizing solution are not available in the food facility. [CA] Test strips accurately measure the concentration in part per million (mg/L) of the sanitizing solution and shall be available to record the proper mixing and strength of sanitizer solutions. Provide test strips to check Chlorine sanitizing solution in the 3-compartment sink and wiping bucket. Concentration must be at 100ppm, and Quaternary ammonium at 200ppm at all times.

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: Plastic grocery bags are used to stored food on the hot holding unit.[CA] Immediately discontinue the use of grocery bags and transfer food in an approved food rigid container with tight fitting lids or approved food storage bags.

Ice machine cover/lid is broken and detach from the ice machine in the dry storage area. [CA] Repair or replace ice machine lid/cover,

K36 - 2 Points - Equipment, utensils, linens: Improper storage and use; 114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5

Inspector Observations: Ice scoop is stored on top of ice machine in the dry storage area. [CA] Ice scoop must be stored inside a cleaned and sanitized container or inside ice as long as scoop handle is above the food.

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

Inspector Observations: Three ventilation hood filters are missing, and two filters on the ventilation systems are observed with grease and dust accumulation in the kitchen area. [CA] Ensure to remove all the grease and dust accumulation, and ensure to maintain regularly.

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: 3-compartment sink is leaking. [CA] Repair the leaking.

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: Kitchen back door is observed open during the time of the inspection. [CA] Front and back doors shall always be kept closed to prevent the harborage and entrance of vermin, flying insects, and flies.

K45 - 2 Points - Floor, walls, ceilings: not built, not maintained, not clean; 114143(d), 114266, 114268, 114268.1, 114271, 114272

Inspector Observations: Floors of kitchen/preparation area, dry storage area, bar area, and dining area are observed with soil residues. [CA][Ensure to regularly clean facility floors to prevent vermin infestation.

K49 - 2 Points - Permits not available; 114067(b,c), 114381(a), 114387

Inspector Observations: Environmental Health Permit is expired. Future owner stated that he is currently working with the owner on how to transfer the business. [CA] A food facility shall not be open for business without a VALID permit. Permit shall always be posted in plain public view in the food facility.

Please be advised that the environmental health permit is not transferable. Once the new owner takes over the business, the current permit is no longer valid.

Performance-Based Inspection Questions

- Needs Improvement - Adequate handwash facilities: supplied or accessible.
- Needs Improvement - Food contact surfaces clean, sanitized.
- Needs Improvement - Demonstration of knowledge; food manager certification.
- Needs Improvement - Hot and cold water available.
- Needs Improvement - Proper eating, tasting, drinking, tobacco use.

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Measured Observations

| Item | Location | Measurement | Comments |
|----------------|-------------------|-------------------|----------|
| beans | hot holding unit | 175.00 Fahrenheit | |
| rice | hot holding unit | 156.00 Fahrenheit | |
| slice tomatoes | cold holding unit | 36.00 Fahrenheit | |
| fish | cold holding unit | 38.00 Fahrenheit | |
| shrimp | cold holding unit | 38.00 Fahrenheit | |
| white rice | hot holding unit | 167.00 Fahrenheit | |

Overall Comments:

Hot water not available in the food facility.

Food facility is closed by the enforcement officer, and such facility shall not re-open until correction is made, and upon specific written approval of the enforcement officer.

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 **1/27/2020**. 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: David Sanchez
Bartender
Signed On: January 13, 2020