

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 FA0209534 - EL OAXAQUENO		Site Address 451 E JULIAN ST, SAN JOSE, CA 95112		Inspection Date 04/07/2025		Placard Color & Score YELLOW 77		
Program PR0300613 - NO FOOD PREP <5,000 SQ FT - FP06			Owner Name BERTHA ZAVALA PALACIO		Inspection Time 11:00 - 12:00			
Inspected By LAWRENCE DODSON		Inspection Type ROUTINE INSPECTION		Consent By ARIANNA ZARATE				FSC Exempt

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					
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						
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							
K19	Consumer advisory for raw or undercooked foods							
K20	Licensed health care facilities/schools: prohibited foods not being offered							
K21	Hot and cold water available							
K22	Sewage and wastewater properly disposed							
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		
K31	Consumer self service does prevent contamination		
K32	Food properly labeled and honestly presented		X
K33	Nonfood contact surfaces clean		
K34	Warewash facilities: installed/maintained; test strips		
K35	Equipment, utensils: Approved, in good repair, adequate capacity		X
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		

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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: *Lack of liquid hand cleanser and single use paper towels at hand wash sink.*

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

Follow-up By
04/10/2025

K15 - 8 Points - Food not obtained from approved source; 113980, 113982, 114021-114031, 114041

Inspector Observations: *Operator unable to provide invoices/ source documentation for dried shrimp, tamales, pastries, spices, bread and nuts.*

[CA] *Food must be from an approved source or properly documented.*

Follow-up By
04/10/2025

Minor Violations

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

Inspector Observations: *Large amount of dead cockroaches found throughout the facility.*

[CA] *Clean and sanitize area of dead cockroaches or old droppings.*

K32 - 2 Points - Food improperly labeled & not honestly presented: 114087, 114089, 114089.1(a, b), 114090, 114093.1

Inspector Observations: *Various pre-packaged non PHF sold at self service area, are not properly labeled for sale.*

[CA] *Food prepackaged in a food facility shall bear a label with the following: 1) common name of the food, 2) list of ingredients in descending order of predominance by weight, 3) quantity of contents, 4) name and place of business of the manufacturer, packer, or distributor.*

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: *Unapproved cooking found in rear storage room. Unapproved preparation refrigerator found in front service area.*

[CA] *All utensils and equipment shall be approved, installed properly, & meet applicable standards. Remove all unapproved cooking equipment.*

Follow-up By
05/06/2025

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
water	hand wash sink	100.00 Fahrenheit	
water	janitorial sink	120.00 Fahrenheit	

Overall Comments:

Facility is permitted as a risk category 1 facility (pre-packaged food sales). No food preparation is to be conducted on site. All food sold must come from an approved source and documented.

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 **4/21/2025**. 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.

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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: arianna zarate
pic

Signed On: April 07, 2025