

County of Santa Clara

- No Signature



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 FA0205698 - LA MEXICANA		Site Address 1170 E WILLIAM ST, SAN JOSE, CA 95116		Inspection Date 04/30/2021	
Program PR0307798 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name FERNANDEZ, ANTONIO		Inspection Time 08:00 - 10:00
Inspected By MARCELA MASRI	Inspection Type ROUTINE INSPECTION		Consent By PAMELA	FSC DORA FERNANDEZ 8-5-21	

Placard Color & Score
RED
75

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				
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		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		
K33 Nonfood contact surfaces clean		
K34 Warewash facilities: installed/maintained; test strips	X	X
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		X
K40 Wiping cloths: properly used, stored		X
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

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

Inspector Observations: THE HOT WATER AT THE 3 COMPARTMENT SINK IS 94F. [CA] PROVIDE HOT WATER AT 120F MINIMUM.

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

Inspector Observations: FOUND A LIVE COCKROACH ON THE WALL NEAR THE HAND WASH SINK. [CA] REMOVE ANY COCKROACHES FROM THE PREMISES. NO ACTIVITY OF COCKROACHES MUST BE SEEN IN THE FACILITY. THE FACILITY IS OBTAINING PEST CONTROL EVERY MONTH. RECOMMEND TO GET PEST CONTROL EVERY COUPLE OF WEEKS (MAYBE EVERY 2-3 WEEKS) TO ENSURE THAT THE COCKROACHES GET KILLED BEFORE A FULL CYCLE GETS TO REPRODUCE.

Minor Violations

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

Inspector Observations: FOUND NO PAPER TOWELS IN THE WALL DISPENSER AT THE HAND WASH SINK. [CA] PROVIDE PAPER TOWELS AT THE WALL DISPENSER AT THE HAND WASH SINK. NOTE: THERE IS A SECOND PAPER TOWEL DISPENSER A FEW FEET AWAY FROM THE HAND WASH SINK FULLY STOCKED. YOU MAY MOVE THIS PAPER TOWEL DISPENSER TO THE HAND WASH SINK OR FULLY STOCK THE CURRENT PAPER TOWEL DISPENSER.

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: FOUND NO TEST STRIPS TO MEASURE 100 PPM CHLORINE AT THE 3 COMPARTMENT SINK. [CA] PROVIDE TEST STRIPS.

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

Inspector Observations: MISSING PROBE THERMOMETER TO MEASURE THE INTERNAL TEMPERATURE OF THE FOOD. [CA] PROVIDE A PROBE THERMOMETER.

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

Inspector Observations: FOUND A WIPING CLOTH STORED ON THE FOOD PREPARATION TABLE NEAR THE COOKING EQUIPMENT. [CA] STORE THE WIPING CLOTH IN A SANITIZING SOLUTION WHILE NOT IN USE.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
WHIPPED CREAM	SERVICE REFRIGERATOR	31.00 Fahrenheit	
JELLO WITH MILK	SERVICE REFRIGERATOR	33.00 Fahrenheit	
EGGS	WALK IN COOLER	30.00 Fahrenheit	
CREAM	SERVICE REFRIGERATOR	29.00 Fahrenheit	
HOT WATER	3 COMPARTMENT SINK	120.00 Fahrenheit	

Overall Comments:

SIGNATURE NOT OBTAINED DUE TO COVID-19 AND SOCIAL DISTANCING PARAMETERS. A COPY OF THIS REPORT WILL BE EMAILED TO THE OPERATOR.

THIS FACILITY IS NOW CLOSED DUE TO LACK OF HOT WATER.

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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 **5/14/2021**. 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