

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 FA0275435 - 3124 - TORTAS		Site Address 4900 MARIE P DEBARTOLO WY, SANTA CLARA, CA		Inspection Date 06/22/2026		Placard Color & Score GREEN 89		
Program PR0416231 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			Owner Name LEVY PREMIUM FOODSERVI		Inspection Time 17:20 - 17:45			
Inspected By THAO HA		Inspection Type ROUTINE INSPECTION		Consent By LAURENA JOHNSON				FSC Laurena Johnson 08/25/2027

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						
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	X			
K06	Adequate handwash facilities supplied, accessible	X						
K07	Proper hot and cold holding temperatures		X		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						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		
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		
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: *Nacho cheese stored in dispenser in back of kitchen measured to be 77F. [CA] Keep PHFs at 135F and above for hot holding. [COS] Per employee cheese has only been in dispenser for about 30 minutes. Cheese was reheated in steamer to 165F and placed in hot box. Hot box measured to have PHFs over 135F (see measured observations).*

Minor Violations

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: *Employee used mouth to don gloves. [CA] Keep hands and gloves clean. After touching mouth or face employee must wash hands with soap and warm water prior to donning new gloves. [CA] Employee removed gloves; washed hands; and donned new gloves.*

Performance-Based Inspection Questions

N/A

Measured Observations

Item	Location	Measurement	Comments
Pico de gallo	Walk in cooler	29.00 Fahrenheit	
Chicken	Hot box	168.00 Fahrenheit	
Crab Sandwich	Walk in cooler	32.00 Fahrenheit	
Chili	Walk in cooler	26.00 Fahrenheit	
Warm water	handwash sink	100.00 Fahrenheit	
Chicken	Walk in cooler	29.00 Fahrenheit	
Hot dog	Steam table	135.00 Fahrenheit	
Hot water	3-comp sink	120.00 Fahrenheit	
Quat ammonia	3-comp sink	200.00 Fahrenheit	
Cheese	Nacho cheese dispenser in back	77.00 Fahrenheit	

Overall Comments:

Routine inspection was conducted on site and report was written off site. An exit interview was conducted with the operator to address the inspection findings. The OIR was issued to e-mail address that was verified onsite.
Joint inspection with Jennifer R. and Kaya A.

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 **7/6/2026**. 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: No Signature Obtained
Report Written Off Site

Signed On: June 23, 2026