

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 FA0203147 - BETTO'S BISTRO INC		Site Address 17385 MONTEREY RD, MORGAN HILL, CA 95037		Inspection Date 10/23/2024	
Program PR0305439 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name CRUZ, JENNY M ORTIZ		Inspection Time 16:00 - 17:00
Inspected By GINA STIEHR	Inspection Type ROUTINE INSPECTION	Consent By ROMAN BERNAL	FSC Celina Flores 06/18/2025		

Placard Color & Score
YELLOW
62

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		X			N
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		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						

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	X	
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	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		
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

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: *Observed owner to go back and forth between handling raw and cooked food, and handling clean dishes. Observed owner to handle raw chicken and then go back to cooking food without washing hands. [CA] Properly wash hands with soap, warm water and dry using single use paper towels as required. Wash hands in between tasks that could potentially cause contamination. [COS] PIC was instructed to wash hands on 2 separate occasions.*

Follow-up By
10/25/2024

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

Inspector Observations: *Handwash station was completely blocked and covered with equipment. No other handwash station in back kitchen available for handwashing. [CA] Ensure handwash stations are clear and accessible for handwashing. [COS] PIC moved equipment from handwash station.*

Follow-up By
10/25/2024

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

Inspector Observations: *Observed potentially hazardous foods located on the cooling rack (raw chicken 56F), in the food prep cold hold units, in the reach-in cooler, on food prep surfaces, and in the steam table that measured in the temperature danger zone. [CA] Ensure PHFs are properly cold held at 41F or below OR hot held at 135F or above. Repair, adjust or replace units if necessary. [COS] PIC voluntarily discarded compromised PHFs.*

Follow-up By
10/25/2024

K09 - 8 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: *Observed potentially hazardous foods that were improperly cooled located on a cooling rack (cooked potatoes measured at 72F) and were cooked 4 hours prior. [CA] After heating or hot holding, Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours. Approved cooling methods include: 1) Placing the food in shallow pans 2) Separating the food into thinner or smaller portions. 3) Using rapid cooling equipment (Ex. blast chiller) 4) Using containers that facilitate heat transfer (ex. stainless steel) 5) Adding ice as an ingredient. 6) Using ice paddles 7) Using an ice bath and stirring frequently 8) Accordance with a HACCP plan. Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool. [COS] PIC voluntarily discarded PHFs.*

Follow-up By
10/25/2024

Minor Violations

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

Inspector Observations: *Observed raw chicken thawing in a container on the cooling rack. PIC did not know what time the morning employees started the thawing process. [CA] Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.*

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: *Observed food prep sink being used to sanitize dishes. [CA] Use food prep sink for food preparation only, use warewash sink for warewashing only.*

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

Inspector Observations: *Observed cooking equipment without any hood overhang (equipment lined up with edge of hood). [CA] There shall be a minimum of 6 inches overhang of ventilation hood over cooking equipment.*

Performance-Based Inspection Questions

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Needs Improvement - Adequate handwash facilities: supplied or accessible.
 Needs Improvement - Proper hot and cold holding temperatures.
 Needs Improvement - Hands clean/properly washed/gloves used properly.

Measured Observations

Item	Location	Measurement	Comments
tomatoes	food prep cold hold	47.00 Fahrenheit	
cooked potato	food prep surface	72.00 Fahrenheit	
ambient temp	reach-in cooler	53.00 Fahrenheit	
chicken	cookline	170.00 Fahrenheit	
ribs	walk-in cooler	40.00 Fahrenheit	
crab	walk-in freezer	5.00 Fahrenheit	
green beans	food prep cold hold	48.00 Fahrenheit	
hot water	handwash sink	100.00 Fahrenheit	
cream	food prep cold hold	62.00 Fahrenheit	
tomato sauce	steam table	120.00 Fahrenheit	
hot water	bar 3 comp sink	120.00 Fahrenheit	
calamari	food prep cold hold	43.00 Fahrenheit	
fish	food prep cold hold	43.00 Fahrenheit	
grilled onion	reach-in cooler	45.00 Fahrenheit	
cooked potatoes	cooling rack	72.00 Fahrenheit	
meat sauce	steam table	118.00 Fahrenheit	
anchovies	reach-in cooler	49.00 Fahrenheit	
aioli	food prep old hold	42.00 Fahrenheit	
chicken	walk-in cooler	41.00 Fahrenheit	
chlorine	warewash machine (kitchen)	50.00 PPM	
diced tomatoes	food prep cold hold	42.00 Fahrenheit	
chlorine	warewash machine (bar)	50.00 PPM	
raw chicken	cooling rack	56.00 Fahrenheit	
mashed potatoes	steam table	127.00 Fahrenheit	
hot water	food prep sink	120.00 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 **11/6/2024**. 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: Norberto Hernandez
 Owner
Signed On: October 23, 2024