

# 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

|                                                                                 |  |                                                                 |                                        |                                      |                                         |                                                                                                                                                                |  |            |
|---------------------------------------------------------------------------------|--|-----------------------------------------------------------------|----------------------------------------|--------------------------------------|-----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------|
| <b>Facility</b><br>FA0200156 - LA BENEDICION                                    |  | <b>Site Address</b><br>1712 S WINCHESTER BL, CAMPBELL, CA 95008 |                                        | <b>Inspection Date</b><br>01/06/2025 |                                         | <b>Placard Color &amp; Score</b><br><div style="background-color: black; color: white; padding: 10px; text-align: center;"> <b>GREEN</b><br/> <b>72</b> </div> |  |            |
| <b>Program</b><br>PR0301393 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10 |  |                                                                 | <b>Owner Name</b><br>EDILSON FIGUEREDO |                                      | <b>Inspection Time</b><br>12:00 - 13:40 |                                                                                                                                                                |  |            |
| <b>Inspected By</b><br>PRINCESS LAGANA                                          |  | <b>Inspection Type</b><br>ROUTINE INSPECTION                    |                                        | <b>Consent By</b><br>EDILSON         |                                         |                                                                                                                                                                |  | <b>FSC</b> |

  

| 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     | X      |     |     | N   |
| K05                            | Hands clean, properly washed; gloves used properly                          | X  |       |       |        |     |     |     |
| K06                            | Adequate handwash facilities supplied, accessible                           | X  |       |       |        |     |     |     |
| K07                            | Proper hot and cold holding temperatures                                    | X  |       |       |        |     |     | N   |
| 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     |       | 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  |       |       |        |     |     |     |
| 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                                                        | X   |     |
| K28                   | Fruits and vegetables washed                                                        |     |     |
| K29                   | Toxic substances properly identified, stored, used                                  |     |     |
| K30                   | Food storage: food storage containers identified                                    | X   |     |
| 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                              | X   |     |
| 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                                                | 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                          | X   |     |
| 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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| Program<br>PR0301393 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10 | Owner Name<br>EDILSON FIGUEREDO                          | Inspection Time<br>12:00 - 13:40 |
| K48                                                                      | Plan review                                              |                                  |
| K49                                                                      | Permits available                                        |                                  |
| K58                                                                      | Placard properly displayed/posted                        |                                  |

## Comments and Observations

### Major Violations

K13 - 8 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

**Inspector Observations:** *Mold-like debris observed on empanadas inside the walk in cooler by the reach in door.*

**[CA]:** *Food shall be maintained in good condition at all times.*

**[COS]:** *Owner voluntarily discarded empanadas.*

### Minor Violations

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

**Inspector Observations:** *Food handlers not provided.*

**[CA]:** *Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.*

K04 - 3 Points - Improper eating, tasting, drinking or tobacco use in food preparation area; 113977

**Inspector Observations:** *Employee actively eating at the prep area with personal plated food placed on prep line top. No direct contamination observed.*

**[CA]:** *Employees shall only eat or drink only in designated areas where contamination of non-prepackaged food; clean equipment, utensils, and linens; unwrapped single-use articles; or other items needing protection cannot result.*

**[COS]:** *Employee relocated personal food out of food prep area.*

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)

**Inspector Observations:** *Raw chicken stored above ready to eat food in the walk in cooler 1.*

**[CA]:** *Properly store raw meat beneath and separate from ready to eat food.*

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

**Inspector Observations:** *1. Uncovered mashed potatoes in the walk in cooler.*

**[CA]:** *Unpackaged food shall be protected from contamination (overhead and general) during preparation, storage or display by use of lids, labeled containers, display cases, plastic wrap or dispensers.*

**2. Multiple open bags of food in the dry storage area.**

**[CA]:** *All open bags of dry food shall be transferred or stored in food grade containers and covered with a fitted lid.*

**3. Multiple food containers stored directly on the floor in the back walk in cooler.**

**[CA]:** *Food items must stored at least six (6) inches elevated from the floor to prevent contamination.*

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

**Inspector Observations:** *Unlabeled compostres.*

**[CA]:** *All prepackaged food items shall be properly labeled. Label information shall include the following:*

*(1) The common name of the food, or absent a common name, an adequately descriptive identity statement.*

*(2) If made from two or more ingredients, a list of ingredients in descending order of predominance by weight, including a declaration of artificial color or flavor and chemical preservatives, if contained in the food.*

*(3) An accurate declaration of the quantity of contents.*

*(4) The name and place of business of the manufacturer, packer, or distributor.*

*(5) Except as exempted in the Federal Food, Drug, and Cosmetic Act (Section 403(Q)(3)–(5) (21 U.S.C. Sec. 343(q) (3)–(5), incl.)), nutrition labeling as specified in 21 C.F.R. 101-Food Labeling and 9 C.F.R. 317 Subpart B Nutrition Labeling.*

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

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**Inspector Observations: Method to test sanitizer solution for ware-washing not provided. Facility uses Chlorine and Quat Ammonium as sanitizer.**

**[CA]: Manual sanitization shall be accomplished in the final sanitizing rinse by contacting a chlorine solution of 100 PPM concentration for at least 30 seconds or by contacting a quaternary ammonium solution of 200 PPM concentration for at least 60 seconds.**

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 bowls used as scoops.**

**[CA]: Discontinue storage of handle-less food equipment not approved for use as scoops. Provide food-grade scoops with handles for scooping.**

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

**Inspector Observations: Soiled wet wiping cloths stored on prep line top without being placed back into the sanitizer bucket in between uses.**

**[CA]: Wiping cloths used for sanitizing work surfaces must be stored inside their sanitizer buckets containing at least 100ppm chlorine of 200 PPM of Quat Ammonium when not actively being used.**

K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

**Inspector Observations: Restroom door is not self-closing.**

**[CA]: Restroom door shall be self-closing.**

## Performance-Based Inspection Questions

Needs Improvement - Proper eating, tasting, drinking, tobacco use.

Needs Improvement - Food contact surfaces clean, sanitized.

Needs Improvement - Proper hot and cold holding temperatures.

## Measured Observations

| Item                            | Location                                 | Measurement       | Comments                                             |
|---------------------------------|------------------------------------------|-------------------|------------------------------------------------------|
| ambient temp                    | chest freezer                            | -1.00 Fahrenheit  |                                                      |
| water                           | hand sink at prep area                   | 106.00 Fahrenheit |                                                      |
| rice                            | rice cooker                              | 145.00 Fahrenheit |                                                      |
| frijoles #1                     | back walk in cooler                      | 40.00 Fahrenheit  |                                                      |
| water                           | 3 comp sink                              | 140.00 Fahrenheit |                                                      |
| ambient temp                    | chest freezer                            | 0.00 Fahrenheit   |                                                      |
| beef                            | hot holding on stove top                 | 159.00 Fahrenheit |                                                      |
| chorizo, raw beef, cut tomatoes | prep line cooler                         | 39.00 Fahrenheit  | 39F - 41F                                            |
| rice                            | rice cooker at the back                  | 169.00 Fahrenheit |                                                      |
| milk                            | 3 door cooler                            | 41.00 Fahrenheit  |                                                      |
| raw fish, chicken empanada      | front walk in cooler                     | 41.00 Fahrenheit  |                                                      |
| compostres (with milk)          | merchandiser                             | 37.00 Fahrenheit  |                                                      |
| frijoles #2                     | back walk in cooler                      | 40.00 Fahrenheit  |                                                      |
| ambient temp                    | beverage reach in                        | 41.00 Fahrenheit  |                                                      |
| sopa                            | at prep area without temperature control | 164.00 Fahrenheit | sopa was relocated to stove top to properly hot hold |
| water                           | prep sink                                | 126.00 Fahrenheit |                                                      |
| water                           | mop sink                                 | 120.00 Fahrenheit |                                                      |
| ambient temp                    | 1 door freezer                           | -2.30 Fahrenheit  |                                                      |

## Overall Comments:

**Provided the following:**

**-cold holding stickers**

**-list of approved food safety manager and food handler courses**

**-proper refrigeration storage stickers**

**Discussed that food safety manager certificate shall be obtained within 60 days of operation.**

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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 **1/20/2025**. 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.

## 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 |



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**Received By:** EDILSON FIGUEREDO  
OWNER  
**Signed On:** January 06, 2025