

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 FA0273390 - PALETERIA Y NEVERIA LA MICHOACANA PREM		Site Address 1668 STORY RD, SAN JOSE, CA 95122		Inspection Date 08/17/2026	
Program PR0413330 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name PEDRO SOLIS		Inspection Time 16:05 - 17:20
Inspected By MARCELA MASRI	Inspection Type ROUTINE INSPECTION	Consent By GUADALUPE HERNANDEZ	FSC MARIA ELENA JIMENEZ 9-26-29		

Placard Color & Score

GREEN
82

RISK FACTORS AND INTERVENTIONS						OUT		COS/SA	N/O	N/A	PBI
						IN	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									S
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	
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		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									X	
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									X	
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: FOUND THE COOKED CORN AT 129F STORED IN THE HOT HOLDING UNIT. [CA] KEEP HOT POTENTIALLY HAZARDOUS FOOD AT 135F OR ABOVE. REHEAT TO 165F AND HOT HOLD AT 135F OR ABOVE. NOTE; THE FOOD HAS BEEN IN THE HOT HOLDING FOOD FOR LESS THAN 4 HRS, PER OPERATOR.

Minor Violations

K14 - 3 Points - Food contact surfaces unclean and unsanitized; 113984(e), 114097, 114099.1, 114099.4, 114099.6, 114101, 114105, 114109, 114111, 114113, 114115(a,b,d), 114117, 14125(b), 114141

Inspector Observations: FOUND A CONTAINER WITH DRY CHEESE AND JALAPENO STORED ON THE DRAIN BOARD OF THE 3 COMPARTMENT SINK. [CA] DO NOT STORE FOOD AT THE 3 COMPARTMENT SINK.

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: FOUND WASTE WATER IN THE MOP BUCKET. [CA] DISCARD THE WASTE WATER IN THE SANITARY SEWER.

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

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

K44 - 2 Points - Premises not clean, not in good repair; No personal/chemical storage; inadequate vermin-proofing; 114067(j), 114123, 114143 (a,b), 114256, 114256.1, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282

Inspector Observations: FOUND A PURSE AND A CELL PHONE STORED ON THE SHELVES NEXT TO FOOD ITEMS IN THE DRY STORAGE ROOM. [CA] STORE PERSONAL ITEMS SEPARATE AND AWAY FROM FOOD OR FOOD RELATED ITEMS.

FOUND THE MOP STORED INSIDE THE MOP BUCKET. [CA] HANG THE MOP TO AIR DRY.

Performance-Based Inspection Questions

Needs Improvement - Proper hot and cold holding temperatures.

Measured Observations

Item	Location	Measurement	Comments
YOGURT	REACH IN REFRIGERATOR	37.00 Fahrenheit	
ICE CREAM	REACH IN FREEZER AT THE FRONT AREA	2.00 Fahrenheit	
PICO DE GALLO	DISPLAY REFRIGERATOR	40.00 Fahrenheit	
POPSICLES	REACH IN FREEZER	9.00 Fahrenheit	
CHOCO BAR	REACH IN FREEZER	1.00 Fahrenheit	
WATER MELON	DISPLAY REFRIGERATOR	41.00 Fahrenheit	
HOT WATER	HAND WASH SINK	100.00 Fahrenheit	
ICE CREAM	REACH DOWN FREEZER	10.00 Fahrenheit	
ICE CREAM	DISPLAY FREEZER	10.00 Fahrenheit	
WHIPPED CREAM	REACH IN FREEZER	-3.00 Fahrenheit	
CREAM	REACH IN REFRIGERATOR	40.00 Fahrenheit	
CORN	HOT HOLDING	129.00 Fahrenheit	
CHAMOI ICE CREAM	DISPLAY FREEZER	3.00 Fahrenheit	
HOT WATER	3 COMPARTMENT SINK	120.00 Fahrenheit	

Overall Comments:

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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 **8/31/2026**. 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.

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: GUADALUPE HERNANDEZ
PIC

Signed On: August 17, 2026