

# 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>FA0252763 - PANADERIA ORTIZ                                  |  | <b>Site Address</b><br>3826 SEVEN TREES BL, SAN JOSE, CA 95111 |                                     | <b>Inspection Date</b><br>07/24/2025  |                                         | <b>Placard Color &amp; Score</b><br><div style="background-color: green; color: white; padding: 10px; text-align: center;"> <b>GREEN</b><br/> <b>79</b> </div> |  |                                   |
| <b>Program</b><br>PR0367966 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10 |  |                                                                | <b>Owner Name</b><br>ORTIZ, DAVID G |                                       | <b>Inspection Time</b><br>15:10 - 16:40 |                                                                                                                                                                |  |                                   |
| <b>Inspected By</b><br>MARCELA MASRI                                            |  | <b>Inspection Type</b><br>ROUTINE INSPECTION                   |                                     | <b>Consent By</b><br>FABIOLA MONTANER |                                         |                                                                                                                                                                |  | <b>FSC</b> JORGE ORTIZ<br>2-13-29 |

  

| 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   |     |     |
| K06                            | Adequate handwash facilities supplied, accessible                           | X  |       |       |        |     |     | S   |
| K07                            | Proper hot and cold holding temperatures                                    |    | X     |       | X      |     |     | S   |
| 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  |       |       |        |     |     |     |

  

| 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                                    |     |     |
| 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                    |     |     |
| 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 |     |     |
| K45                   | Floor, walls, ceilings: built, maintained, clean                                    |     |     |
| K46                   | No unapproved private home/living/sleeping quarters                                 |     |     |
| K47                   | Signs posted; last inspection report available                                      | X   |     |

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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 SHELLLED EGGS AT 69F ON THE SHELF NEAR THE 3 COMPARTMENT SINK. [CA] KEEP COLD POTENTIALLY HAZARDOUS FOOD AT 41F OR BELOW. NOTE OPERATOR STATES THAT THE EGGS WERE PLACE THERE A COUPLE OF HOUR AGO.**

### Minor Violations

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

**Inspector Observations: MISSING THE FOOD HANDLER'S CARDS FOR THE FOOD EMPLOYEES. [CA] PROVIDE FOOD HANDLER'S CARDS.**

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: FOUND A LARGE OPEN BAG OF SUGAR AND FLOUR ON THE SHELF. [CA] ONCE OPENED, STORE THEIR CONTENTS IN A FOOD GRADE WASHABLE CONTAINER WITH A LID AND LABEL.**

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

**Inspector Observations: MISSING THE LABELS OF THE PREPACKAGED CAKES IN THE DISPLAY REFRIGERATOR. CA] PROVIDE:**

1. NAME OF THE FOOD
2. CONTENTS OF THE FOOD IE: OZ
3. INGREDIENTS
4. NAME AND ADDRESS OF MANUFACTURER

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: MISSING CHLORINE TEST STRIPS TO MEASURE THE CONCENTRATION OF CHLORINE AT 100 PPM AT THE 3 COMPARTMENT SINK. [CA] PROVIDE TEST STRIPS.**

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

**Inspector Observations: MISSING A THERMOMETER FOR THE SANDWICH SERVICE REFRIGERATOR. [CA] PROVIDE THERMOMETER.**

K47 - 2 Points - Signs not posted; last inspection report not available; 113725.1, 113953.5, 113978, 114381(e)

**Inspector Observations: MISSING THE HAND WASH SIGN IN THE RESTROOM. [CA] PROVIDE SIGN.**

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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## Measured Observations

| Item            | Location                   | Measurement       | Comments |
|-----------------|----------------------------|-------------------|----------|
| BUTTER          | REACH IN REFRIGERATOR      | 39.00 Fahrenheit  |          |
| SHELLED EGGS    | ON THE SHELF IN THE BACK   | 69.00 Fahrenheit  |          |
| HAM             | SERVICE REFRIGERATOR       | 40.00 Fahrenheit  |          |
| JELLO WITH MILK | DISPLAY REFRIGERATOR       | 39.00 Fahrenheit  |          |
| CHEESE CAKE     | DISPLAY REFRIGERATOR       | 40.00 Fahrenheit  |          |
| HOT WATER       | 3 COMPARTMENT SINK         | 120.00 Fahrenheit |          |
| HOT WATER       | HAND WASH SINK             | 100.00 Fahrenheit |          |
| TAMALES         | HOT HOLDING                | 150.00 Fahrenheit |          |
| PASTRIES        | WALK IN FREEZER            | 21.00 Fahrenheit  |          |
| SOUR CREAM      | SERVICE REFRIGERATOR       | 40.00 Fahrenheit  |          |
| MILK            | FRONT SERVICE REFRIGERATOR | 41.00 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 **8/7/2025**. 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 |

*Fabiola M.*

Received By: FABIOLA MONTANER  
PIC  
Signed On: July 24, 2025