

# 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>FA0201277 - CARDENAS #220 - DELI                             |  | <b>Site Address</b><br>727 N 1ST ST, GILROY, CA 95020 |                                           | <b>Inspection Date</b><br>12/16/2024 |                                         | <b>Placard Color &amp; Score</b><br><div style="font-size: 2em; font-weight: bold; text-align: center;">GREEN</div> <div style="font-size: 3em; font-weight: bold; text-align: center;">84</div> |  |                          |
| <b>Program</b><br>PR0395144 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11 |  |                                                       | <b>Owner Name</b><br>MI PUEBLO NEWCO, LLC |                                      | <b>Inspection Time</b><br>13:00 - 14:15 |                                                                                                                                                                                                  |  |                          |
| <b>Inspected By</b><br>GUILLERMO VAZQUEZ                                        |  | <b>Inspection Type</b><br>ROUTINE INSPECTION          |                                           | <b>Consent By</b><br>SANDY REYES     |                                         |                                                                                                                                                                                                  |  | <b>FSC</b> Not Available |

  

| RISK FACTORS AND INTERVENTIONS |                                                                             | IN | OUT   |       | COS/SA | N/O | N/A | PBI |
|--------------------------------|-----------------------------------------------------------------------------|----|-------|-------|--------|-----|-----|-----|
|                                |                                                                             |    | Major | Minor |        |     |     |     |
| K01                            | Demonstration of knowledge; food safety certification                       |    |       | X     |        |     |     | N   |
| 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  |       |       |        |     |     |     |
| K06                            | Adequate handwash facilities supplied, accessible                           | X  |       |       |        |     |     | S   |
| K07                            | Proper hot and cold holding temperatures                                    | X  |       |       |        |     |     |     |
| K08                            | Time as a public health control; procedures & records                       |    |       |       |        |     | X   |     |
| K09                            | Proper cooling methods                                                      |    |       |       |        | X   |     |     |
| K10                            | Proper cooking time & temperatures                                          | X  |       |       |        |     |     | S   |
| 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     |       |        |     |     | 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                                                        |     |     |
| 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                                                      |     | X   |
| 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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| Program<br>PR0395144 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11 | Owner Name<br>MI PUEBLO NEWCO, LLC             | Inspection Time<br>13:00 - 14:15 |
| K48                                                                      | Plan review                                    |                                  |
| K49                                                                      | Permits available                              |                                  |
| K58                                                                      | Placard properly displayed/posted              |                                  |

## Comments and Observations

### Major Violations

K14 - 8 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: Observed employee wash equipment without sanitizing as the last step.**

**[CA] Manual warewashing shall be accomplished by using a three-compartment sink where the utensils are first precleaned, washed with hot soapy water, rinsed with hot water, sanitized with an approved method, and air dried. Use 1 TBS of bleach (5.25%) per 1 gal. of water for chlorine solution (100 PPM). Use 1 tbs of quaternary ammonium (10%) per 2 gal. of water for quaternary ammonium (200 PPM).**

**[SA] Employee moved equipment to be re-washed and used a different piece of equipment.**

### Minor Violations

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

**Inspector Observations: Unable to provide a current food manger certification at the time of inspection.**

**[CA] Obtain a new food manger certification within 60-days.**

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

**Inspector Observations: Drain under the prep sink is clogged at the time of inspection.**

**[CA] Make repairs at the drain.**

**[SA] Facility will be using the prep sink within the bakery department if needed. A contractor is on site to address issue.**

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

**Inspector Observations: Heavy dust build up on the fan guards within the walk in.**

**[CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.**

### Performance-Based Inspection Questions

Needs Improvement - Demonstration of knowledge; food manager certification.

Needs Improvement - Food contact surfaces clean, sanitized.

### Measured Observations

| Item                | Location                               | Measurement       | Comments                |
|---------------------|----------------------------------------|-------------------|-------------------------|
| Hot water           | 3-Compartment/prep/mop sinks           | 120.00 Fahrenheit |                         |
| Posole              | Cook line                              | 198.00 Fahrenheit | Final cook temperature. |
| Cooked chicken      | Hot holding (Display warmer)           | 143.00 Fahrenheit |                         |
| Pico de gallo       | Prep table                             | 39.00 Fahrenheit  |                         |
| Sanitizer (Quats)   | Sanitizer bucket                       | 200.00 PPM        |                         |
| Mac salad           | Prep table                             | 39.00 Fahrenheit  |                         |
| Chicken             | Hot holding (steam table/taco station) | 149.00 Fahrenheit |                         |
| Warm water          | Hand wash/restroom                     | 100.00 Fahrenheit |                         |
| Cut tomato          | Prep table #2 (taco station)           | 39.00 Fahrenheit  |                         |
| Salsa (tomato base) | Prep table #2 (taco station)           | 39.00 Fahrenheit  |                         |
| Milk                | Walk in                                | 38.00 Fahrenheit  |                         |
| Rice                | Hot holding (steam table)              | 155.00 Fahrenheit |                         |
| Chile verde         | Hot holding (steam table)              | 158.00 Fahrenheit |                         |
| Cooked pork         | Hot holding (warmer)                   | 144.00 Fahrenheit |                         |
| Cooked chicken      | Walk in                                | 38.00 Fahrenheit  |                         |
| Carnitas            | Hot holding (Display warmer)           | 146.00 Fahrenheit |                         |
| Sanitizer (Quats)   | 3-Compartment                          | 200.00 PPM        |                         |
| Cooked steak        | Hot holding (steam table/taco station) | 148.00 Fahrenheit |                         |

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## 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 **12/30/2024**. 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 |



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**Received By:** Luis Silva  
Assistant Manger

**Signed On:** December 16, 2024