

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 FA0211052 - MARISCOS COSTA ALEGRE		Site Address 855 N 13TH ST, SAN JOSE, CA 95112		Inspection Date 07/22/2024		Placard Color & Score <div style="background-color: green; color: white; padding: 10px; text-align: center;"> <h1 style="margin: 0;">GREEN</h1> <h2 style="margin: 0;">82</h2> </div>		
Program PR0301275 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name HERNANDEZ, MARCO		Inspection Time 11:30 - 13:00			
Inspected By MINDY NGUYEN		Inspection Type ROUTINE INSPECTION		Consent By MARCO				FSC ROGER CHAN 02/12/2025

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						
K07	Proper hot and cold holding temperatures	X						S
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		
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		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

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

Inspector Observations: *Inside reach-under prep unit: measured internal temperature of cocktail sauce to 53F. Per employees, sauce had been cooked the day before and cooled. (note: other PHFs in the unit measured 41F and below).*

[CA] *Whenever food has been prepared or heated so that it becomes PHF, it shall be rapidly cooled:*

- From 135°F to 70°F in 2 hours, AND*
- From 70°F to 41°F in 4 hours*

Potentially hazardous foods must be rapidly cooled using one or more of the following methods:

- Placing the food in shallow pans*
- Separating the food into smaller or thinner portions*
- Using rapid cooling equipment*
- Using containers that facilitate heat transfer*
- Adding ice as an ingredient*
- Using ice paddles*
- Inserting appropriately designed containers in an ice bath and stirring frequently*

[COS] *Sauce was discarded. See VC&D form.*

Minor Violations

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

Inspector Observations: *Some food handler cards were expired.*

[CA] *Obtain valid food handler cards.*

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: *Observed several flies in the kitchen.*

[CA] *Keep facility clear of flies.*

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

Inspector Observations: *Observed accumulation of grease/food debris on sides of cooking equipment.*

[CA] *Keep equipment clean.*

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

Inspector Observations: *Observed accumulation of grease on hood in cooking area.*

[CA] *Keep hood clean.*

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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Measured Observations

Item	Location	Measurement	Comments
WARM WATER	HANDWASH SINKS, KITCHEN AND RESTROOM	100.00 Fahrenheit	
COOKED OCTOPUS	PREP INSERT	56.00 Fahrenheit	HELD FOR 40 MINUTES AFTER THAWING FOR LESS THAN 2 HOURS
MILK, CREAM, CHEESE	UPRIGHT REFRIGERATOR	41.00 Fahrenheit	
SUSHI RICE	PREP COUNTER	165.00 Fahrenheit	
HOT WATER	3-COMPARTMENT SINK, PREP SINK	120.00 Fahrenheit	
COCKTAIL SAUCE	REACH-UNDER PREP UNIT	53.00 Fahrenheit	COOLING SINCE YESTERDAY
SHRIMP, STEAK, COOKED CHICKEN	PREP INSERTS	41.00 Fahrenheit	
CHLORINE	3-COMPARTMENT SINK	100.00 PPM	
COOKED OCTOPUS	SUSHI PREP UNIT	39.00 Fahrenheit	
RAW SCALLOP	PREP INSERT	49.00 Fahrenheit	HELD FOR 40 MINUTES AFTER THAWING FOR LESS THAN 2 HOURS

Overall Comments:

Routine inspection.

Note: if using Time as a Public Health Control for cooked sushi rice, the rice must be immediately time-marked as soon as it leaves temperature control.

Frozen potentially hazardous food shall be thawed using one of the following methods:

- 1) **Under refrigeration**
- 2) **Completely submerged under COLD running water of sufficient velocity to flush loose particles**
- 3) **In a microwave oven**
- 4) **During the cooking process**

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 **8/5/2024**. 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

KH

Received By: Ricardo Hernandez
Manager

Signed On: July 22, 2024