

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 FA0214205 - GARCIA'S TAQUERIA		Site Address 738 S FAIR OAKS AV, SUNNYVALE, CA 94086		Inspection Date 02/21/2024		Placard Color & Score <div style="background-color: yellow; padding: 10px; text-align: center;"> YELLOW 56 </div>		
Program PR0306725 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name GARCIA'S TAQUERIA INC.		Inspection Time 11:00 - 13:15			
Inspected By SUHKREET KAUR		Inspection Type ROUTINE INSPECTION		Consent By ANGEL				FSC Juan Hernandez 8/3/2027

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						
K03	No discharge from eyes, nose, mouth	X						S
K04	Proper eating, tasting, drinking, tobacco use	X						
K05	Hands clean, properly washed; gloves used properly	X						
K06	Adequate handwash facilities supplied, accessible		X		X			N
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						
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		
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	X	
K42	Garbage & refuse properly disposed; facilities maintained	X	
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	X	
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

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: *Lack of soap at hand wash sink.*

[CA] *Provide hand wash soap in dispenser at all times.*

[SA] *Soap bottle provided.*

Follow-up By
02/23/2024

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: *Measured beans at 55F in walk in cooler. Per PIC, it was taken out of the walk in cooler for prep 30 minutes ago.*

[CA] *PHFs shall be measured at 41F or below. Use only small portions of food during preparation so that it does not exceed the maximum amount of time allowed for diligent prep.*

[COS] *Container stored near walk in cooler fans for rapid cooling.*

Follow-up By
02/23/2024

Minor Violations

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: *Observed beef in deep metal container at prep table measuring at 110F. Per PIC, it was cooked less than one hour ago.*

Observed beans in deep container on ice bath

[CA] *After heating or hot holding, Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours. Approved cooling methods include:*

- 1) Placing the food in shallow pans*
- 2) Separating the food into thinner or smaller portions.*
- 3) Using rapid cooling equipment (Ex. blast chiller)*
- 4) Using containers that facilitate heat transfer (ex. stainless steel)*
- 5) Adding ice as an ingredient.*
- 6) Using ice paddles 7) Using an ice bath and stirring frequently 8) Accordance with a HACCP plan. Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool.*

[COS] *PIC moved beans into two different containers and stored in ice bath for cooling. Container of beef moved into an ice bath for rapid cooling.*

K19 - 3 Points - Non-compliance with consumer advisory for raw or undercooked foods; 114012, 114093

Inspector Observations: **Repeat violation*

Lack of consumer advisory.

[CA] *Provide consumer warning for the sale of raw or undercooked animal-derived foods using brochures, deli case or menu advisories, label statements, table tents, placards, or other effective written means.*

(1) *"Disclosure" means a written statement that clearly includes either of the following:*

- A description of the animal-derived FOODs, such as "oysters on the half shell (raw oysters)," "raw-EGG Caesar salad," and

"hamburgers (can be cooked to order)."

- Identification of the animal-derived FOODs marked by an asterisk denoting a footnote that states that the items are serve

raw or undercooked, or contain or may contain raw or undercooked ingredients.

(2) *"Reminder" means a written statement that identifies the animal-derived FOODs by an asterisk that denotes a footnote that includes either of the following disclosure statements:*

- Written information regarding the safety of these FOOD items is available upon request.

- Consuming raw or undercooked meats, POULTRY, seafood, shellfish, or EGGs may increase your risk of foodborne illness, especially if you have certain medical conditions.

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

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Inspector Observations: *Lack of hot water at bar warewash sink. Utensils used at bar shall be washed at main warewash area.*

[CA] *Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet throughout facility except at handwash sinks.*

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

Inspector Observations: *Observed dry rodent droppings on floor under shelves located in dry storage room. Observed droppings on food trays stored on rack behind facility. Seal any cracks or gaps if observed throughout the facility to prevent vermin entry. Suggestions on pest control report shall be followed to prevent pest activity. [CA] Clean and sanitize area of old droppings.*

Follow-up By
02/23/2024

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: *Observed a pot of meat stored directly on floor. [CA] Food shall be stored at least 6 inches above the floor to prevent contamination.*

Observed container of radish partially uncovered and exposed to customers stored above prep unit near cashier station. [CA] Food on display shall be protected from contamination by the use of packaging, counter, service line, or sneeze guards that intercept a direct line between the consumer's mouth and the food being displayed, containers with tight-fitting securely attached lids, display cases, mechanical dispensers, or other effective means.

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

Inspector Observations: *Accumulation of dust and dirt on walk in cooler fan guards. [CA] Clean the walk in cooler an guards.*

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

Inspector Observations: *Accumulation of grease on ventilation hood filters and wall next to it. [CA] Clean mechanical exhaust hood and/or filters and wall next to it of grease accumulation.*

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

Inspector Observations: *Observed waste pipes extending into the floor sink located under hand wash sink and in the corner of bar area. [CA] All equipment that discharges liquid waste shall discharge through an airgap of at least on inch or twice the diameter of waste pipe into a floor sink or other approved type of receptor.*

K42 - 2 Points - Garbage and refuse improperly disposed; 114244, 114245, 114245.1, 114245.2, 114245.3, 114245.4, 114245.5, 114245.6, 114245.7, 114245.8

Inspector Observations: *Accumulation of grease/food waste buckets with debris on other waste containers at the back area of the facility. [CA] Outside refuse enclosure shall be kept clean and free of debris.*

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: *Back door located in the kitchen area of the facility is not self closing. [CA] Back door to food prep area shall be self-closing.*

Accumulation of unused equipment at the back of the facility. [CA] The premises of a food facility shall be free of litter and items that are unnecessary to the operation or maintenance of the facility, such as equipment that is nonfunctional or no longer used.

K45 - 2 Points - Floor, walls, ceilings: not built, not maintained, not clean; 114143(d), 114266, 114268, 114268.1, 114271, 114272

Inspector Observations: *Accumulation of food debris, dust and debris on floors under and behind equipment in the facility. [CA] Floors in food preparation area shall be kept clean.*

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

Inspector Observations: Health permit is not posted in the facility.

[CA] The health permit issued by this department shall be posted in a conspicuous place in the food facility.

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

Item	Location	Measurement	Comments
Cheese	On ice	41.00 Fahrenheit	
Shrimp	Walk in cooler	41.00 Fahrenheit	
Beans	Hot holding	140.00 Fahrenheit	
Pico de gallo	Walk in cooler	41.00 Fahrenheit	
Carnitas	Walk in cooler	41.00 Fahrenheit	
Chicken	Hot holding	140.00 Fahrenheit	
Rice	Hot holding	155.00 Fahrenheit	
Water	Hand wash sink	100.00 Fahrenheit	
Sliced tomatoes	Under counter refrigerator	40.00 Fahrenheit	
Beans	Walk in cooler	55.00 Fahrenheit	
Chlorine	Sanitizer	100.00 PPM	
Hot waater	Three compartment sink	120.00 Fahrenheit	
Salsa	Prep unit	41.00 Fahrenheit	

Overall Comments:

Follow-up inspection will be conducted ON 2/23/24 to follow up on major violations. Ensure major violations are corrected and kept in compliance. Failure to comply will result in second re-inspection charged at \$290/hr for a minimum 1 hour charge, billed to facility. Do not remove, discard, cover-up or tamper with yellow placard. Failure to comply will result in enforcement actions. Contact district specialist at (408) 918-3460 to schedule follow-up inspection.

Reviewed pest control report from 2/17/24.

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 **3/6/2024**. 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

Received By: Bertha

Signed On: February 21, 2024