

# 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> FA0211223 - EL CHALATECO		<b>Site Address</b> 955 SARATOGA AV, SAN JOSE, CA 95129		<b>Inspection Date</b> 05/21/2024		<b>Placard Color &amp; Score</b> <div style="background-color: green; color: white; padding: 10px; text-align: center;"> <b>GREEN</b>  <b>74</b> </div>		
<b>Program</b> PR0305432 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			<b>Owner Name</b> RIVIERA NAYARITA INC		<b>Inspection Time</b> 10:00 - 11:25			
<b>Inspected By</b> DENNIS LY		<b>Inspection Type</b> ROUTINE INSPECTION		<b>Consent By</b> MIGUEL				<b>FSC</b> Miguel Cabrera 2/8/27

  

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						
K04	Proper eating, tasting, drinking, tobacco use	X						
K05	Hands clean, properly washed; gloves used properly			X				N
K06	Adequate handwash facilities supplied, accessible	X						
K07	Proper hot and cold holding temperatures			X				
K08	Time as a public health control; procedures & records					X		
K09	Proper cooling methods		X					N
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		
K34	Warewash facilities: installed/maintained; test strips		
K35	Equipment, utensils: Approved, in good repair, adequate capacity		
K36	Equipment, utensils, linens: Proper storage and use	X	
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	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

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

**Inspector Observations:** Cooked beans with pork in the walk-in cooler was measured at 62F. Per employee the mixture was cooked the night before and stored in the walk-in to cool. [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] Employee discarded the food.

### Minor Violations

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

**Inspector Observations:** Employees observed putting on disposable gloves to handle food without first washing their hands. [CA] Employees shall properly wash hands with water, soap, and single-use paper towels prior to putting on gloves.

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

**Inspector Observations:** Potentially hazardous foods inside the walk-in cooler was measured at improper cold holding temperatures. Raw beef (48F), cheese (47F), raw fish (45F). [CA] Potentially hazardous foods when cold holding shall be held at or below 41F.

K16 - 3 Points - Not in compliance with shell stock tags, condition; 114039-114039.5

**Inspector Observations:** Shell stock tags for oysters are not maintained for 90 days. [CA] Shellstock tags shall remain attached to the container in which the shellstock are received until the container is empty and shall be maintained for 90 calendar days from date of harvest.

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

**Inspector Observations:** Hot water for the handwash sink was measured at 94F. Hot water for the three compartment sink was initially measured at 112F but drops to 100F within a minute. [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 where it shall reach a minimum of 100F.

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:** Inside the walk-in cooler, raw food items (eggs, raw fish) are stored on shelf above cooked foods. [CA] Store raw food items separate or below cooked and ready-to-eat foods to prevent cross contamination.

K36 - 2 Points - Equipment, utensils, linens: Improper storage and use; 114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5

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**Inspector Observations: 1) Cardboard is reused to line shelves in the dry storage area. [CA] Discontinue the reuse of cardboard to line shelves and instead use material that is smooth, durable, nonabsorbent, and easily cleanable.**

**2) Bowls are used as scoops and stored inside bulk food containers. [CA] Use utensils with a handle for bulk foods and store in a manner where the handle does not come into contact with the food.**

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: At time of inspection, the back door of the kitchen is kept propped opened. [CA] Keep back door closed when not in use to prevent the entrance of vermin.**

## Performance-Based Inspection Questions

Needs Improvement - Hands clean/properly washed/gloves used properly.

Needs Improvement - Proper cooling methods.

## Measured Observations

Item	Location	Measurement	Comments
Cut tomatoes	Food prep unit insert	38.00 Fahrenheit	
beans	Reheat	170.00 Fahrenheit	
Raw fish	Walk-in cooler	45.00 Fahrenheit	
Ham	Food prep unit insert	40.00 Fahrenheit	
Hot water	Handwash sink	94.00 Fahrenheit	
Raw chicken	Walk-in cooler	41.00 Fahrenheit	
Cheese	Food prep unit insert	41.00 Fahrenheit	
Raw beef	Walk-in cooler	48.00 Fahrenheit	
Rice	Walk-in cooler	41.00 Fahrenheit	
Chicken nuggets	Food prep unit	40.00 Fahrenheit	
Hot water	three compartment sink	100.00 Fahrenheit	
oysters	walk-in cooler	37.00 Fahrenheit	
Beans and pork	Walk-in cooler	62.00 Fahrenheit	
Cheese	Walk-in cooler	47.00 Fahrenheit	

## Overall Comments:

**Provided handout for proper refrigeration storage.**

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 **6/4/2024**. 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: Miguel  
Manager  
Signed On: May 21, 2024