

# 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> FA0287008 - TEMPO KITCHEN & BAR		<b>Site Address</b> 7560 MONTEREY RD 100, GILROY, CA 95020		<b>Inspection Date</b> 07/24/2025	
<b>Program</b> PR0430491 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 2 - FP13			<b>Owner Name</b> MOUNTAIN EMPIRE ENTERP		<b>Inspection Time</b> 16:00 - 17:00
<b>Inspected By</b> GUILLERMO VAZQUEZ	<b>Inspection Type</b> ROUTINE INSPECTION	<b>Consent By</b> DANIEL NELSON	<b>FSC</b>		

<b>Placard Color &amp; Score</b>
<b>GREEN</b>
<b>78</b>

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						
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		
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		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		
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	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		
K40 Wiping cloths: properly used, stored		
K41 Plumbing approved, installed, in good repair; proper backflow devices		
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		
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available		

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K48 Plan review		X
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: Both dish washers one in the back and other in the bar is not giving out sanitizer at the time of inspection. Some dishes have been washed at bar dish washer.**

**[CA] Maintain chlorine in mechanical ware-wash machine at 50 PPM.**

**[SA] 3-Compartment sinks in both locations were set up at the time of inspection. Dish washers will not be used until a contractor arrives on site.**

### Minor Violations

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

**Inspector Observations: Two hand wash stations in the back of the facility are missing soap inside of dispenser at the time of inspection.**

**[CA] Provide hand washing cleanser in dispenser at hand wash stations at all times.**

**[SA] Hand pump soaps are next to hand wash and additional hand wash is fully stocked and operational.**

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

**Inspector Observations: Multiple flies noted within the following areas at the time of inspection:**

- Bar area
- Garage/dumpster room
- Kitchen area

**[CA] Food facility shall be kept free of non-disease carrying insects, weevils, ants, gnats, and fruit flies.**

**Recommend having pest control set up fly traps around the facility.**

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: No rubber stoppers for the 3-compartment sink within the bar area.**

**[CA] Plugs/stoppers shall be available to fill up the ware-washing sink.**

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: Facility has recently had a dumpster issue arise and garbage is being stored within the garage area of the building. Garage area is a separate room and does have fly issues at the time of inspection.**

**[CA] Indoor storage area for refuse, recyclables, and returnables shall meet the requirements for floors, walls, ceilings, and vermin exclusion. New dumpsters will be arriving to the facility within 2-days.**

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: Multiple pieces of equipment in the back of the facility and garage area are no longer in use or part of the operation.**

**[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.**

K48 - 2 Points - Plan review unapproved; 114380

**Inspector Observations: Facility has installed a new convention oven in the hood system that is not approved by this department. Unable to tell the brand of the equipment.**

**[CA] A person proposing to build or remodel a food facility shall submit plans and specifications for review and shall receive plan approval prior to starting any new construction or remodeling. Contact DEH at 408-918-3400 or at [www.ehinfo.org](http://www.ehinfo.org) to obtain plan check requirements.**

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## Performance-Based Inspection Questions

N/A

## Measured Observations

Item	Location	Measurement	Comments
Cheese	Prep table	40.00 Fahrenheit	
Ice cream	Reach in freezer	5.00 Fahrenheit	
Ambient	Walk in freezer	5.00 Fahrenheit	
Pepperoni	Reach in #2	39.00 Fahrenheit	
Raw steak	Reach in	39.00 Fahrenheit	
Sanitizer (Chlorine)	Dish washer (bar)	0.00 PPM	Adjust to 50PPM.
Cut tomato	Prep table	40.00 Fahrenheit	
Hot water	3-Compartment/prep/mop sinks	120.00 Fahrenheit	
Sanitizer (Chlorine)	Dish washer	0.00 PPM	Adjust to 50PPM.
Cheese	Prep table #2	39.00 Fahrenheit	
Warm water	Hand wash/restroom	100.00 Fahrenheit	
Mayo	Reach in	39.00 Fahrenheit	
Ambient	Under counter refrigeration (bar) 2x	40.00 Fahrenheit	
Cut tomato	Prep table #2	39.00 Fahrenheit	
Raw chicken	Walk in	40.00 Fahrenheit	
Shelled eggs	Walk in	39.00 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



Received By: Daniel Nelson  
President

Signed On: July 24, 2025