

# 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> FA0209217 - EL MEJOR MEXICAN DELI		<b>Site Address</b> 3859 SEVEN TREES BL, SAN JOSE, CA 95111		<b>Inspection Date</b> 05/17/2023	
<b>Program</b> PR0302204 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			<b>Owner Name</b> YANEZ, FRANK		<b>Inspection Time</b> 11:30 - 13:00
<b>Inspected By</b> CHRISTINA RODRIGUEZ	<b>Inspection Type</b> ROUTINE INSPECTION	<b>Consent By</b> MARIA ISLAS	<b>FSC</b> Maria Islas June 2027		

<b>Placard Color &amp; Score</b> <span style="font-size: 2em; font-weight: bold;">YELLOW</span> <span style="font-size: 3em; font-weight: bold;">78</span>
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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						
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		
K35 Equipment, utensils: Approved, in good repair, adequate capacity	X	
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	X	
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

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

**Inspector Observations: Observed the only sink to be the 3 compartment sink. The hand sink has been removed. [CA] Replace the hand sink. The wall mounted soap and paper towel dispensers are still on the wall where it seems the hand sink was.**

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

**Inspector Observations: There is cut onion and shredded cheese, etc in containers on ice. They are not 41 degrees and below. [CA] The temperature is to be 41 degrees and below throughout the entire container of food. This is not achieved by placing on the ice. The ice needs to be around the container also so that the entire portion of food is 41 degrees and below. [COS] The employee added ice around the containers.**

### Minor Violations

K35 - 2 Points - Equipment, utensils - Unapproved, unclean, not in good repair, inadequate capacity; 114130, 114130.1, 114130.2, 114130.3, 114130.4, 114130.5, 114132, 114133, 114137, 114139, 114153, 114155, 114163, 114165, 114167, 114169, 114175, 114177, 114180, 114182

**Inspector Observations: Observed the main large storage shelf to have debris accumulation and deteriorating. [CA] This shelf is to be replaced with approved type shelving. The current shelf is soiled, deteriorating and not approved type shelving.**

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

**Inspector Observations: observed the hood vents to have dust and debris accumulated on them. [CA] Clean the vents. Observed the light to be out in the small storage room and above the dish sink. [CA] Replace the bulbs so that they are all working.**

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

**Inspector Observations: The chlorine sanitizer for the wiping towels is over 200ppm. [CA] The level is to be at 100ppm chlorine. Please use the test strips to check concentrations after making it.**

### Performance-Based Inspection Questions

N/A

### Measured Observations

Item	Location	Measurement	Comments
cut onion	small refrigerator	39.00 Fahrenheit	
chlorine sanitizer	towel bucket	200.00 PPM	
cheese	walk in	39.00 Fahrenheit	
chicken	warmer	135.00 Fahrenheit	
water	dish sink	120.00 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 **5/31/2023**. 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.

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**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

*Maria TSI*

Received By: \_\_\_\_\_

Signed On: May 17, 2023