

**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> FA0206594 - PUPUSERIA Y RESTAURANT EL AGUILA		<b>Site Address</b> 1609 MCKEE RD, SAN JOSE, CA 95116		<b>Inspection Date</b> 04/29/2025	
<b>Program</b> PR0304868 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			<b>Owner Name</b> RESTAURANT Y PUPUSERIA		<b>Inspection Time</b> 10:00 - 11:30
<b>Inspected By</b> YUEN IP	<b>Inspection Type</b> ROUTINE INSPECTION	<b>Consent By</b> AARON/ RENE	<b>FSC Exempt</b>		

**Placard Color & Score**  
**GREEN**  
**87**

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						N
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						N
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						S
K22	Sewage and wastewater properly disposed	X						
K23	No rodents, insects, birds, or animals			X				N

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	X	
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	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		
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

No major violations were observed during this inspection.

### Minor Violations

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

**Inspector Observations: 3 dead cockroaches observed on the floor under 3 compartment sink. No live cockroach observed at the time of inspection. Per PIC, pest control company provided services twice a month. Next service is tomorrow.**  
**[CA] Clean and sanitize area of dead cockroaches.**

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

**Inspector Observations: One of the restroom is converted to a dry storage room.**  
**[CA] Adequate and suitable space shall be provided for the storage of food, maintain storage area clean and dry to prevent contamination.**

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: Missing test strip for testing chlorine sanitizer.**  
**[CA] Testing equipment and materials shall be provided to adequately measure the applicable sanitization method used during manual or mechanical warewashing.**

**Missing stopper for 3 compartment sink. Plastic wrap was used to hold water.**  
**[CA] Plugs/stoppers shall be available to fill up the warewashing sink.**

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: Hamilton beach garage fridge observed for cooling soup in dry storage area.**  
**[CA] New and/or replacement food equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation).**

**1 compartment food prep sink without drainboard.**  
**[CA] The food preparation sink shall have a minimum dimension of 18"x18" and 12" deep with an integral drainboard or adjacent table at least 18"x18."**

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

**Inspector Observations: Inoperative light for walk-in fridge.**  
**[CA] Repair or replace light in walk-in fridge.**

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: Gaps observed on screen door at the back door.**  
**[CA] Eliminate gap greater than 1/4" to prevent the entrance and harborage of vermin.**

### Performance-Based Inspection Questions

- Needs Improvement - Food contact surfaces clean, sanitized.
- Needs Improvement - No rodents, insects, birds, or animals.
- Needs Improvement - Proper hot and cold holding temperatures.

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## Measured Observations

Item	Location	Measurement	Comments
Shelled eggs	Reach-in fridge	36.00 Fahrenheit	
Water	3 compartment sink	120.00 Fahrenheit	
Water	Hand wash sink restroom	100.00 Fahrenheit	
Meat	Counter	50.00 Fahrenheit	TPHC discard at 1pm.
Soup	Hamilton reach-in fridge	54.00 Fahrenheit	Per PIC, cooked 2 hours ago and cooling.
Cut tomato	Open top fridge	40.00 Fahrenheit	
Water	1 compartment sink	100.00 Fahrenheit	
Soup	Walk-in fridge	38.00 Fahrenheit	
Cooked chicken	Off from grill	178.00 Fahrenheit	
Chlorine	Dishmachine	50.00 PPM	
Water	Hand wash sink	100.00 Fahrenheit	

## Overall Comments:

### **OWNERSHIP CHANGE INFORMATION**

**NEW FACILITY NAME: PUPUSERIA Y RESTAURANT EL AGUILA**

**NEW OWNER: RESTAURANT Y PUPUSERIA EL AGUILA INC**

*The applicant has completed the facility evaluation application process for an Environmental Health Permit.*

*The permit category for this facility is FP 14. An invoice for the permit fee in the amount of \$1,723.00 will be mailed to the billing address on the application. Payment must be submitted within 10 days of receipt of the invoice. The owner is responsible for contacting our department if an invoice is not received and remit payment within 30 days.*

*The Environmental Health Permit will be effective: 05/01/25 - 04/30/26 This report serves as a temporary permit. However, the permit will be deemed invalid if the permit fee is not paid in full within 30 days from the date of this report. Okay to Operate.*

*An official permit will be mailed to the address on file and shall be posted in public view upon receipt.*

*\*Structural Review inspection conducted on 04/29/25*

*\*Permit condition: N/A*

*\*Obtain food safety manager certificate within 60 days. All other food employees must have valid food handler cards within 30 days from hire date.*

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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 **5/13/2025**. 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.

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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



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**Received By:** Rene  
Owner

**Signed On:** April 29, 2025