

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 FA0209385 - LA COSTA		Site Address 4152 MONTEREY RD, SAN JOSE, CA 95129		Inspection Date 01/04/2023	
Program PR0300849 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name MARLIN CORPORATION		Inspection Time 12:25 - 14:00
Inspected By GUILLERMO VAZQUEZ	Inspection Type ROUTINE INSPECTION	Consent By PEDRO G.	FSC Pedro V. 6/7/24		

Placard Color & Score
GREEN
76

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification			X				S
K02 Communicable disease; reporting/restriction/exclusion	X						S
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		X			S
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				S
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	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		
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: Only hand wash station within prep area was missing paper towels at the time of inspection.

[CA] Have hand wash station fully stocked at all times.

[COS] PIC added more paper towels into dispenser.

Minor Violations

K01 - 3 Points - Inadequate demonstration of knowledge; food manager certification

Inspector Observations: Two food handler cards have expired.

[CA] Obtain new food handler cards for employees within 30-days.

K14 - 3 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: Ice machine has a mold like substance on it. Mold like substance is not touching ice directly.

[CA] Clean/sanitize the area frequently.

[COS] PIC cleaned ice machine at the time of inspection.

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

Inspector Observations: No consumer advisory for the raw oysters within menu or around menu.

[CA] Provide consumer warning for the sale of raw or undercooked animal-derived foods.

REPEAT VIOLATION. Failure to comply may result in enforcement action.

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 valve at only hand wash station was turned off at the time of inspection. Per PIC, contractor was on site trying to repair the leak.

[CA] Handwashing facilities shall be equipped to provide minimum 100°F water under pressure for a minimum of 15 seconds.

[COS] PIC turned on hot water valve and measured at 100°F.

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

Inspector Observations: Silicon at stainless steel table has a mold like substance.

[CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.

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

Inspector Observations: Sanitizer bucket of chlorine next to steam table was measured at 0PPM at the time of inspection.

[CA] Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium).

[COS] PIC changed sanitizer bucket; remeasured at 100PPM.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Rice	Hot holding	163.00 Fahrenheit	
Cut tomatoes	Prep table	39.00 Fahrenheit	
Hot water	3-Compartment	120.00 Fahrenheit	
Warm water	Restroom	100.00 Fahrenheit	
Ambient	Walk in freezer	5.00 Fahrenheit	
Warm water	Hand wash	100.00 Fahrenheit	
Oysters	Ice bath	39.00 Fahrenheit	
Sanitizer (Chlorine)	Sanitizer bucket	0.00 PPM	Adjust to 100PPM. COS.
Raw steak	Walk in	41.00 Fahrenheit	
Cooked shrimp	Prep table #2	43.00 Fahrenheit	Adjust to 41°F below.
Raw shrimp	Under counter refrigeration	39.00 Fahrenheit	
Carnitas	Hot holding	166.00 Fahrenheit	
Ceviche	Prep table #2	43.00 Fahrenheit	Adjust to 41°F below.
Rice	Metal tray	125.00 Fahrenheit	Cooling. Less then 15mins.
Sour cream	Walk in	41.00 Fahrenheit	
Carnitas	Metal tray	121.00 Fahrenheit	Cooling less then 15mins.
Cooked steak	Hot holding	165.00 Fahrenheit	
Cheese	Prep table	40.00 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 **1/18/2023**. 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.

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

p.g.w.

Received By: Pedro G.
Manager

Signed On: January 04, 2023