

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 FA0286057 - EL AGUACHILE		Site Address 35 S JACKSON AV, SAN JOSE, CA 95116		Inspection Date 08/07/2025		Placard Color & Score GREEN 83		
Program PR0428899 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name ADRIAN GALINDO AND RAUL		Inspection Time 11:50 - 12:50			
Inspected By JENNIE PENALOZA		Inspection Type ROUTINE INSPECTION		Consent By MARIA VELASQUEZ				FSC Raul Galindo 10/11/2025

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	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							
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	X	X
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	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		
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		X
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

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

Inspector Observations: Cooked shrimp is 44F and 45F inside the 4 door unit; per employee unit is frequently being opened.

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

[SA] Specialist directed staff to create an ice bath for the shrimp.

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: Slimy yellow/brown organic growth observed in ice machine interior panel; no contamination of ice observed.

**[CA] wash, rinse and sanitize ice machine; discard all ice during cleaning process.
follow manufactures cleaning instructions.**

K18 - 3 Points - Non-compliance with variance/ROP/HACCP Plan; 114057, 114057.1, 114417.6, 114419

Inspector Observations: Observed raw fish in vacuum packaging at 32F in food prep sink.

[CA] Remove fish from vacuum packaging or vent packaging when thawing to prevent bacteria growth.

[COS] employee opened packaging and relocated fish to refrigeration unit.

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

Inspector Observations: Observed raw fish thawing submerged in non running water at food prep sink.

[CA] Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.

[COS] fish was relocated to the refrigeration unit.

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

Inspector Observations: Working containers of white powered food is missing a label.

[CA] Working containers holding food or food ingredients that are removed from their original packages shall be identified with the common name of the food if not easily recognizable.

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

K45 - 2 Points - Floor, walls, ceilings: not built, not maintained, not clean; 114143(d), 114266, 114268, 114268.1, 114271, 114272

Inspector Observations: Accumulation of dust and debris observed on floor in small room by kitchen.

[CA] Walls and/or floors in food preparation area shall be kept clean.

Performance-Based Inspection Questions

N/A

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Measured Observations

Item	Location	Measurement	Comments
cooked octopus	4 door	38.00 Fahrenheit	
sanitizer - chlorine	3 comp sink	100.00 PPM	
raw octopus	2 door unit	41.00 Fahrenheit	
diced tomaatoes	top well	40.00 Fahrenheit	
cooked shrimp	4 door unit	44.00 Fahrenheit	per employee, unit door are frequently opened; exterior of unit is 38F
milk	reach in	40.00 Fahrenheit	
water	hand sink	100.00 Fahrenheit	
cooked shrimp	4 door unit	45.00 Fahrenheit	per employee, unit door are frequently opened; exterior of unit is 38F
water	3 comp sink	120.00 Fahrenheit	
bowl of ceviche	prep unit	46.00 Fahrenheit	working container
raw shell eggs	reach in	40.00 Fahrenheit	

Overall Comments:

Specialist provided Spanish translation services during this inspection.
Specialist reviewed report with over via phone during inspection

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 **8/21/2025**. 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: Maria Velasquez
 Cashier
Signed On: August 07, 2025