

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 FA0207582 - MAMA LUPITA'S		Site Address 2095 N CAPITOL AV D, SAN JOSE, CA 95132		Inspection Date 01/14/2026	
Program PR0305160 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name KG & DL INC		Inspection Time 15:00 - 16:45
Inspected By MAMAYE KEBEDE	Inspection Type ROUTINE INSPECTION	Consent By SOPHIA	FSC		

Placard Color & Score
RED
67

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						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		X			
K06 Adequate handwash facilities supplied, accessible		X		X			
K07 Proper hot and cold holding temperatures			X				S
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		
K34 Warewash facilities: installed/maintained; test strips		
K35 Equipment, utensils: Approved, in good repair, adequate capacity		
K36 Equipment, utensils, linens: Proper storage and use	X	
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	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

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: Employee working back in the kitchen was observed touching unclean surface and handle clean utensils without washing hand.

Follow-up By
01/14/2026

[CA] Employee must be trained to wash hand in between touching unclean surface and ready to eat food products, after cleaning or handling chemicals, after picking up something off of the floor, after handling the register/money, after handling garbage, after touching face, hair or body, after eating, drinking, smoking, and chewing gum, after using the bathroom, and after sneezing, coughing, or using a tissue. The employee was told to wash his hands and change his gloves (COS).

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

Inspector Observations: There was no soap supply on the kitchen's handwash station.

Follow-up By
01/14/2026

[CA] Provide soap supply for the handwash immediately. The person in charge refilled the supplies (COS).

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: Multiple live cockroaches were observed above the wash sinks and above the clean utensil storage shelf.

Follow-up By
01/16/2026

[CA] Eliminate all insects/rodents from the facility by a legal method. Until the live cockroaches are all eliminated and verified by a district inspector, the facility shall be closed. Please contact the district inspector for a follow-up inspection.

During a follow-up inspection, no live or dead vermin, indication of the dropping, gnawing, or rat rub marking should be observed. The owner of the facility must provide a pest control company report which indicates what interventions were conducted and observed violations and recommendations.

The structural issues including the cracks, crevices, and gaps between the wall and the sinks and the preparation tables and the walls must be caulk or sealed. To prevent vermin hiding and breeding and easy cleaning of the floor area, all food products must remove from the floor and stored on shelves or dunnage racks.

Any operational and structural issues that contribute to the vermin infestation must also be addressed.

Minor Violations

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

Inspector Observations: Some potentially hazardous foods stored on the preparation fridge, including diced tomato, cream, and cheese were measured between 45°F and 50 °F.

[CA] All potentially hazardous foods like meat, seafood, poultry, dairy products, cooked vegetables, cooked cereals, greens, and diced tomatoes shall always be held at 41°F or below or at 135°F or above. Please monitor the temperature and use of the refrigeration unit regularly

K36 - 2 Points - Equipment, utensils, linens: Improper storage and use; 114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5

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Inspector Observations: Repeated violation: Compressed gas cylinders used for the soda dispenser were not chained to a secure stand.

[CA] To prevent possible accident from falling compressed gas cylinder, all the cylinders must restrain to a secure stand.

Boxes of single use and other utensils were stored on the floor back in the storage area.

[CA] For easy floor cleaning and to prevent insect/rodent infestation and hiding, store all utensils/equipment at least six inches off the floor on approved shelf/dunnage rack at all the time.

The ice scoop for the ice machine was stored on an unclean surface.

[CA] All reusable utensils including the ice scoop must be stored on clean surface/container in between use.

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

Inspector Observations: Repeated violation: Couple of wet/soiled wiping cloths were stored on the counters.

[CA] Wet/soiled wiping cloths must be stored in a bucket that has standard sanitizer concentration in between use which is 200 ppm quaternary ammonia or 100 ppm chlorine (bleach).

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

Inspector Observations: Excessive water accumulation was observed on the floor below dishwashing, working sinks, and the storage shelves.

[CA] Keep the floor areas neat, clean, and dry all the time.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Guacamole	Preparation fridge	47.00 Fahrenheit	
Hot water	Three compartment sink	125.00 Fahrenheit	
Rice	Steam table	154.00 Fahrenheit	
Chicken	Upright fridge	38.00 Fahrenheit	
Beans	Steam table	165.00 Fahrenheit	
Beef	Upright fridge	38.00 Fahrenheit	
Beef	Steam table	159.00 Fahrenheit	
Cheese	Preparation fridge	48.00 Fahrenheit	

Overall Comments:

Note: 1. Food safety manager certificate: Sofia Hernandez - 6/30/2030

2. The restaurant is closed for vermin infestation, and shall remain closed until an inspector from the County's Environmental Health Department shall removed it. The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered up, relocated, tampered, or copied. Failure to comply may result in enforcement actions per County Ordinance Code Section B11-55.

A facility found to be in continued operation without a permit may incur a penalty of three (3) times the operating permit fee, and fee(s) for re-inspection(s) charged at the current hourly rate approved by the Santa Clara County Board of Supervisors. Penalties and fees incurred due to enforcement activities must be paid in full prior to the issuance of an operating permit.

The first follow-up inspection shall be conducted free of charge. However, any subsequent follow-up inspection after first follow-up shall be billed \$298/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$645 for the first 2 hours, thereafter \$298 each additional hour, during non-business hours, and upon inspector availability.

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CLOSURE / PERMIT SUSPENSION NOTICE

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 1/28/2026. 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.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

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: MIGUEL ZEPEDO
Manager
Signed On: January 14, 2026