

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 FA0206909 - LOS ARCOS		Site Address 1705 TULLY RD, SAN JOSE, CA 95122		Inspection Date 01/08/2025	
Program PR0302401 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name LUIS GONZALEZ RODRIGUE		Inspection Time 14:05 - 15:45
Inspected By HENRY LUU	Inspection Type ROUTINE INSPECTION	Consent By LUIS	FSC Lucas M Alonzo 10/10/2029		

Placard Color & Score
RED
55

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						
K03 No discharge from eyes, nose, mouth	X						
K04 Proper eating, tasting, drinking, tobacco use	X						N
K05 Hands clean, properly washed; gloves used properly	X						
K06 Adequate handwash facilities supplied, accessible		X		X			N
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		X			
K14 Food contact surfaces clean, sanitized		X		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						
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	X	
K28 Fruits and vegetables washed		
K29 Toxic substances properly identified, stored, used	X	
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		
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		

OFFICIAL INSPECTION REPORT

Facility FA0206909 - LOS ARCOS	Site Address 1705 TULLY RD, SAN JOSE, CA 95122	Inspection Date 01/08/2025
Program PR0302401 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11	Owner Name LUIS GONZALEZ RODRIGUEZ	Inspection Time 14:05 - 15:45
K48 Plan review		X
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: The only hand washing station in the kitchen lacked paper towels at time of inspection.

Follow-up By
01/13/2025

Hand soap dispensers in two of the three newly installed restrooms in the dining area were inoperable. No alternative hand soap was provided.

[CA] Handwashing facilities shall be equipped with handwashing cleanser and single-use sanitary towels in dispensers. Hand soap and paper towels shall be easily accessible and readily available at all times.

[COS] Paper towels were provided at the kitchen hand wash station.

K13 - 8 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

Inspector Observations: The following items maintained on storage racks in the downstairs storage area observed contaminated and/or adulterated:

Follow-up By
01/13/2025

- Bag of powdered wasabi with gnaw mark.
- Bag of powdered garlic and chili flakes with rodent droppings on top.
- Box with bag of dried herb and dried chili peppers observed with gnaw marks and rodent droppings inside.

[CA] Food is adulterated if it bears or contains any poisonous or deleterious substance that may render it impure or injurious to health and shall be discarded immediately.

[COS] Instructed owner to VC&D adulterated food.

K14 - 8 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: Active ware washing was being conducted at mechanical dish machine at time of inspection. Sanitizer concentration measured at 0 PPM.

Follow-up By
01/13/2025

[CA] Maintain chlorine in mechanical warewash machine at 50 PPM.

[SA] Temporarily discontinue use of the mechanical dish machine. Utilize two-compartment sink to conduct manual ware washing.

Manual warewashing shall be accomplished by using a three-compartment sink where the utensils are first precleaned, washed with hot soapy water, rinsed with hot water, sanitized with an approved method, and air dried. Use 1 TBS of bleach (5.25%) per 1 gal. of water for chlorine solution (100 PPM). Use 1 tbs of quaternary ammonium (10%) per 2 gal. of water for quaternary ammonium (200 PPM).

*** Note: since facility only has two-compartment sink. Precleaning and rinse shall be conducted in one compartment while sanitization shall be conducted on the next.**

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

Inspector Observations: Rodent droppings observed in the following areas:

Follow-up By
01/13/2025

- 2+ on bottom ledge behind the point of sale behind bulk ingredient bins.
- 10+ inside the burner's oven where molcajete bowls are stored. Owner stated that oven is inoperable and used, however, stop on top is functioning.
- 10+ in the following areas in the downstairs storage area:
 - Top of boxes of napkins.
 - Inside box of dried chili and herbs.
 - On top of bulk bags of ingredients.
 - On floor underneath storage racks.

Owner stated that facility is serviced monthly unless there is activity observed. Owner also stated that pest

OFFICIAL INSPECTION REPORT

Facility FA0206909 - LOS ARCOS	Site Address 1705 TULLY RD, SAN JOSE, CA 95122	Inspection Date 01/08/2025
Program PR0302401 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11	Owner Name LUIS GONZALEZ RODRIGUEZ	Inspection Time 14:05 - 15:45

control advised facility to purchase domestic rodenticides to use through the facility. Pest control reports were unavailable for review.

[CA] The premises of each food facility shall be kept free of vermin. A food facility shall not operate when there is a vermin infestation that has resulted in the contamination of food contact surfaces, food packaging, utensils, food equipment, or adulteration of food(s). The food facility shall cease operation of the food facility immediately. The food facility shall remain closed until: there is no longer evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved.

- Clean and sanitize area of rodent droppings.
- Seal all holes, gaps, cracks, and/or crevices to prevent harborage.

Observed heavy presence of fruit flies in the kitchen area.

[CA] Food facility shall be kept free of non-disease carrying insects, weevils, ants, gnats, and fruit flies.

Minor Violations

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

Inspector Observations: One kitchen employee lacked food handler cards.

[CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

K27 - 2 Points - Food not separated and unprotected; 113984(a-d,f), 113986, 114060, 114067(a,d,e,j), 114069(a,b), 114077, 114089.1(c), 114143(c)

Inspector Observations: Raw foods observed stored above ready-to-eat food items inside the walk-in refrigerator.

[CA] All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items.

K29 - 2 Points - Toxic substances improperly identified, stored, used; 114254, 114254.1, 114254.2

Inspector Observations: Observed TomCat rat and mouse bait used throughout the facility. Owner stated that pest control company advised the facility to purchase rodenticide to be used.

[CA] Only those insecticides, rodenticides, and other pesticides that are necessary and specifically approved for use in a food facility may be used.

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

Inspector Observations: Ventilation hood on the side where the stock pot burners are located was inoperable. Owner stated that stock pots are not used and that no cooking is conducted on that side because the ventilation hoods are inoperable. At time of inspection, however, fire still lit on the stock pots as well as cooked carnitas maintained on the stock pot.

[CA] Provide approved exhaust hood ventilation over all cooking equipment as required to effectively remove cooking odors, smoke, steam, grease, heat, and vapors. Mechanical exhaust ventilation shall be on while cooking is taking place.

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: Observed downstairs storage area heavily cluttered with items unnecessary for the operation of the facility. Owner stated that majority of the items were from the previous owners of the facility.

[CA] The premises of a food facility shall be free of litter and items that are unnecessary to the operation or maintenance of the facility, such as equipment that is nonfunctional or no longer used.

Janitorial sink in the back storage area is completely obstructed with old food service equipment.

[CA] At least one curbed cleaning facility or janitorial sink equipped with hot and cold water and drain shall be provided.

Observed large gaps below doors in the unpermitted storage area.

[CA] Eliminate gap greater than 1/4" to prevent the entrance and harborage of vermin.

OFFICIAL INSPECTION REPORT

Facility FA0206909 - LOS ARCOS	Site Address 1705 TULLY RD, SAN JOSE, CA 95122	Inspection Date 01/08/2025
Program PR0302401 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11	Owner Name LUIS GONZALEZ RODRIGUEZ	Inspection Time 14:05 - 15:45

K48 - 2 Points - Plan review unapproved; 114380

Inspector Observations: Facility has constructed an extension of the facility to include:

- Storage space around a tree.
- Three additional restrooms in the dining area.

Follow-up By
01/13/2025

Plans were submitted to this Division on 5/3/2024, with a revision request from the department on 5/30/2024.

Previously submitted plans from facility has expired. Owner stated that plans were recently submitted to the city for approval.

[CA] A person proposing to build or remodel a food facility shall submit plans and specifications for review and shall receive plan approval prior to starting any new construction or remodeling. Contact DEH at 408-918-3400 or at www.ehinfo.org to obtain plan check requirements.

*** Facility was notified to submit plans on 7/11/2023, 3/12/2024, and again on 10/9/2024. Failure to submit plans by comply-by date will result in further enforcement action.**

Performance-Based Inspection Questions

- Needs Improvement - Food contact surfaces clean, sanitized.
- Needs Improvement - Adequate handwash facilities: supplied or accessible.
- Needs Improvement - Proper eating, tasting, drinking, tobacco use.

Measured Observations

Item	Location	Measurement	Comments
Beans	Steam table	158.00 Fahrenheit	
Cooked rice	Steam table	149.00 Fahrenheit	
Beef soup	Walk-in refrigerator	40.00 Fahrenheit	
Cooked al pastor	Food preparation refrigerator	40.00 Fahrenheit	
Cooked carnitas	Stock pot	194.00 Fahrenheit	
Cooked chicken	Walk-in refrigerator	39.00 Fahrenheit	
Cooked rice	Two-door merchandiser refrigerator	41.00 Fahrenheit	
Hot water	Two-compartment ware wash sink	121.00 Fahrenheit	
Cooked shrimp	Food Preparation refrigerator	41.00 Fahrenheit	

Overall Comments:

- Facility is hereby closed due to evidence of a vermin infestation.
 - See violation above.
- Facility is to remain closed until authorization is provided by this Division.
- 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/hour, minimum two hours, during non-business hours, and upon inspector availability.
- 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.

OFFICIAL INSPECTION REPORT

Facility FA0206909 - LOS ARCOS	Site Address 1705 TULLY RD, SAN JOSE, CA 95122	Inspection Date 01/08/2025
Program PR0302401 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11	Owner Name LUIS GONZALEZ RODRIGUEZ	Inspection Time 14:05 - 15:45

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 **1/22/2025**. 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.

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: Luis
Owner
Signed On: January 08, 2025