

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 FA0210063 - FONDA COLOMBIANA SNELL INC		Site Address 5585 SNELL AV, SAN JOSE, CA 95123		Inspection Date 11/07/2024		Placard Color & Score YELLOW 59		
Program PR0302205 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name JUAN M CHARRY RUIZ		Inspection Time 11:15 - 13:30			
Inspected By JENNIFER RIOS		Inspection Type ROUTINE INSPECTION		Consent By JUAN				FSC Not Available

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		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		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	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	X	
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		
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	X	
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		
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

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: *Shredded cheese in cold holding insert measured 51F. Per PIC, it was brought out from the walk in fridge one hour prior to temperature measurement. Bag was placed in insert and went 6-8 inches above the fill line. [CA] Maintain PHF at 41F or below or 135F or above. Ensure that cold holding inserts are filled to the fill line. [COS] Cheese removed from cold holding insert and placed into under counter refrigeration.*

Follow-up By
11/12/2024

Chicharones and sausage in cold holding insert measured 54F and 47F respectively. Per PIC, they were placed into the unit 1 hour prior from the walk in fridge. [CA] PHFs shall be held at 41°F or below or at 135°F or above. [COS] Items placed on four hour time mark to be discarded at 3pm.

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: *Observed black mold like substance on the interior panels of the ice machine in contact with water and ice. [CA] Clean and sanitize ice machine and maintain in good condition. [COS] Ice was removed from machine and discarded. Machine was cleaned and sanitized.*

Follow-up By
11/12/2024

K18 - 8 Points - Non-compliance with variance/ROP/HACCP Plan; 114057, 114057.1, 114417.6, 114419

Inspector Observations: *Observed multiple cooked items in walk in fridge and freezer that were packed using reduced oxygen packaging. Per PIC, they were all packaged yesterday morning or last night. Did not observe a vacuum sealer on site. Per PIC, it was removed during previous inspection and is brought in to be used when needed. [CA] A food facility that packages potentially hazardous food using a reduced-oxygen packaging method must operate under a HACCP plan which has been approved by the California Department of Public Health. See 114419 (b)(2) for exemption.*

Food facilities may engage in the following only pursuant to a HACCP plan that has been approved by the California Department of Public Health:

- 1. Using acidification or water activity to prevent the growth of Clostridium botulinum.*
- 2. Packaging potentially hazardous food using a reduced-oxygen packaging method as specified in Section 114057.1.*

Follow-up By
11/12/2024

ROP activities at food facility do not require a HACCP plan if ALL the conditions below are satisfied:

-The food is labeled with the production time and date.

-The food is held at 41oF or lower during refrigeration storage.

-The food is removed from its package in the food facility within 48 hours after packaging.

**When facility is using ROP for storing and removing PHF from package within 48 hours will be exempt for HACCP submittal to CDPH but will require to submit standard operating procedures (SOP) to CPD.*

[COS] Per PIC, the bags were prepared the previous day, some in the morning and some in the evening. All bags were cut open.

If reduced oxygen packaging bags have an OTR of 10,000, HACCP and SOP are not required.

Minor Violations

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

Inspector Observations: *Food safety certification and food handler cards were not available at time of inspection. [CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.*

Food handler cards were not available at time of inspection. [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.

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

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Inspector Observations: *Observed chicken cooling on counter in covered container and measured 130F to 137F. Per PIC, it was cooked 30 minutes prior to temperature measurement.*

Follow-up By
11/12/2024

[CA] *After heating or hot holding, Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours. Approved cooling methods include:*

- 1) Placing the food in shallow pans*
- 2) Separating the food into thinner or smaller portions.*
- 3) Using rapid cooling equipment (Ex. blast chiller)*
- 4) Using containers that facilitate heat transfer (ex. stainless steel)*
- 5) Adding ice as an ingredient.*
- 6) Using ice paddles*
- 7) Using an ice bath and stirring frequently*
- 8) Accordance with a HACCP plan.*

Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool.

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

Inspector Observations: *Observed flies in back preparation area. [CA] Maintain facility free of vermin.*

K24 - 2 Points - Person in charge not present and not performing duties; 113945-113945.1, 113984.1, 114075

Inspector Observations: *Upon arrival to facility, there was no designated person in charge. Employee at front counter called manager and did not allow inspector in until manager provided approval. [CA] A "person in charge" who is responsible for operation of facility shall be present at the food facility during all hours of operation.*

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: *Observed raw shelled eggs stored above ready to eat foods, fruits and vegetables. [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.*

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: *Empanada machine inside facility does not have sanitation certification. Also observed a household freezer on front counter of facility that states for household use, did not observe sanitation certification. [CA] 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). Provide sanitation certification specifications to district staff by 11/12/2024 or remove item from facility.*

Follow-up By
11/12/2024

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

Inspector Observations: *Observed bowls used to scoop cooked rice, also observed bowls used in bulk storage containers. [CA] Provide food grade scoops and store the scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.*

Performance-Based Inspection Questions

N/A

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Measured Observations

Item	Location	Measurement	Comments
Hot water	Three comp sink - bar	120.00 Fahrenheit	
Chicken	On counter	130.00 Fahrenheit	130F-137F
Chlorine	Three comp sink	100.00 PPM	
Ribs	Walk in fridge	40.00 Fahrenheit	
Warm water	Handwash	100.00 Fahrenheit	
Chicharone	Cold holding insert	54.00 Fahrenheit	
Warm water	Restroom handwash	100.00 Fahrenheit	
Milk	Under countere reach in	41.00 Fahrenheit	
Rice	Hot holding	154.00 Fahrenheit	
Shrimp	On counter with ice	43.00 Fahrenheit	
Pork ribs	Walk in fridge	41.00 Fahrenheit	
Shredded cheese	Cold holding insert	51.00 Fahrenheit	
Hot water	Three comp sink	120.00 Fahrenheit	
Beef	On flat top	167.00 Fahrenheit	
Fish	On counter with ice	63.00 Fahrenheit	
Sausage	Cold holding insert	47.00 Fahrenheit	
Cooked vegetables	Hot holding	147.00 Fahrenheit	
Rice	On stove	157.00 Fahrenheit	
Chicken	Walk in fridge	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 **11/21/2024**. 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: Juan Charry
Owner
Signed On: November 07, 2024