

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 FA0209217 - EL MEJOR MEXICAN DELI		Site Address 3859 SEVEN TREES BL, SAN JOSE, CA 95111		Inspection Date 10/04/2023	
Program PR0302204 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name YANEZ, FRANK		Inspection Time 13:00 - 14:30
Inspected By MARCELA MASRI	Inspection Type ROUTINE INSPECTION		Consent By MARIA ISLAS	FSC MARIA ISLAS 6-28-27	

Placard Color & Score
GREEN
92

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						
K06 Adequate handwash facilities supplied, accessible	X						S
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	X	
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	X	
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		
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

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

Inspector Observations: FOUND A SPRAY BOTTLE WITHOUT A LABEL. [CA] LABEL THE SPRAY BOTTLE.

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

Inspector Observations: FOUND A COUPLE OF CONTAINERS WITH MENUDO TRIPE STORED ON THE FLOOR IN THE WALK IN COOLER. [CA] STORE FOOD 6 INCHES ABOVE THE FLOOR.

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

Inspector Observations: FOUND THE SHELF IN THE FOOD PREPARATION AREA WITH ENCRUSTED GREASE. [CA] CLEAN THIS SHELF MORE OFTEN.

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: FOUND A COUPLE OF CONTAINERS WITH MENUDO TRIPE THAT ARE NOT FOOD GRADE. [CA] PROVIDE FOOD GRADE NSF APPROVED FOOD CONTAINERS.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
MENUDO	HOT HOLDING	145.00 Fahrenheit	
BUTTER	REACH IN REFRIGERATOR	40.00 Fahrenheit	
GREAN SAUCE WITH PORK	HOT HOLDING	140.00 Fahrenheit	
SOUR CREAM	REACH IN REFRIGERATOR	38.00 Fahrenheit	
BEANS	WALK IN COOLER	40.00 Fahrenheit	
MEAT	REACH IN REFRIGERATOR	36.00 Fahrenheit	
HOT WATER	HAND WASH SINK	100.00 Fahrenheit	
CARNITAS	HOT HOLDING	145.00 Fahrenheit	
CUT TOMATO	COLD HOLDING IN ICE	40.00 Fahrenheit	
SALSA	REACH IN REFRIGERATOR	38.00 Fahrenheit	
HOT WATER	3 COMPARTMENT SINK	120.00 Fahrenheit	
CHICKEN	REACH IN FREEZER	15.00 Fahrenheit	
PORK	REACH IN FREEZER	15.00 Fahrenheit	
MEAT	REACH IN FREEZER	10.00 Fahrenheit	
EGGS	WALK IN COOLER	41.00 Fahrenheit	

Overall Comments:

CONTINUE WORKING ON THE BROKEN WALK IN COOLER DOOR.

DISCUSSED WITH OPERATOR THE METHODS TO COOL FOOD.

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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 **10/18/2023**. 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

Maria Islas *S/KS*

Received By: MARIA ISLAS
PIC
Signed On: October 04, 2023