

# 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 FA0207368 - CHALATECO RESTAURANTE		Site Address 2 N JACKSON AV, SAN JOSE, CA 95116		Inspection Date 07/25/2023	
Program PR0303002 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name ZAVALA, MARIA		Inspection Time 12:15 - 13:45
Inspected By HELEN DINH	Inspection Type ROUTINE INSPECTION		Consent By CECILIA (M)	FSC Cecilia Martinez 11/18/26	

Placard Color & Score
<b>GREEN</b>
<b>80</b>

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		X			N
K08 Time as a public health control; procedures & records			X	X			N
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							
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	X	
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		
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	X	
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: Major: Measured the following PHFs holding between 123F - 125F in warmer unit for less than 4 hours near cooks line: refried beans and rice. Observed warmer unit not on and in disrepair. [CA] Maintain all PHFs hot held at or above 135F. [COS] Operator directed to reheat PHFs to 165F and place hot PHFs in other working warmer unit.**

**Minor:**

1. Measured the following PHFs holding between 45F - 49F in 3 door reach in for less than 4 hours: raw fish, raw shrimp and bacon. [CA] Maintain all PHFs cold held at or below 41F. [COS] Operator directed to place ice in unit.
2. Measured container of bean and cheese holding at 46F in 1 door reach in for less than 4 hours. [CA] Maintain all PHFs cold held at or below 41F.

### Minor Violations

K08 - 3 Points - Improperly using time as a public health control procedures & records; 114000

**Inspector Observations: Observed 2 containers of potato/cheese sitting on counter top without time marks. Per operator, facility is using time as a public health control (TPHC). [CA] When time only, rather than time and temperature is used as a public health control, PHFs shall be time marked to indicate when item is removed from temperature control, discarded if not consumed or served within 4 hours, and written procedures shall be readily available for review. [COS] Operator directed to time mark PHFs.**

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

**Inspector Observations: Found several flies throughout food facility. [CA] Each food facility shall be free of pest such as flise. Provide approved pest control services.**

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

**Inspector Observations: Found containers of food stored on floor in walk-in-cooler/freezer. [CA] Food shall be stored a minimum of 6 inches off floor.**

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: Measured ambient air temperature of 3 door reach in/cold top holding at 49F. [CA] Repair refrigeration unit to maintain all cold held PHFs at or below 41F. [COS] Operator directed to use for unit until repaired.**

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

**Inspector Observations: Found leaking faucet at 3-compartment sink when water knob is off. [CA] Secure leak.**

### Performance-Based Inspection Questions

- Needs Improvement - Proper hot and cold holding temperatures.
- Needs Improvement - Time as a public health control; procedures & records.

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## Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
cooked chicken	walk-in	41.00 Fahrenheit	
ambient	3 door reach in	49.00 Fahrenheit	
raw shrimp	3 door reach in	46.00 Fahrenheit	
beverage	3 door sliding	41.00 Fahrenheit	
sliced ham	3 door cold top	40.00 Fahrenheit	
cheese	1 door cold top	41.00 Fahrenheit	
raw beef	walk-in	39.00 Fahrenheit	
chlorine	sani bucket	100.00 PPM	
raw fish	3 door reach in	49.00 Fahrenheit	
meat	walk-in-freezer	10.90 Fahrenheit	
chlorine	dish machine	50.00 PPM	
rice	warmer	123.00 Fahrenheit	for less than 4 hours. [COS] reheat
shredded cheese	3 door cold top	41.00 Fahrenheit	
bean and cheese	1 door cold top	39.00 Fahrenheit	
bacon	3 door reach in	46.00 Fahrenheit	
sliced tomato	3 door cold top	41.00 Fahrenheit	
hot water	warewash/1-comp/mop	120.00 Fahrenheit	
warm water	handsink (prep & RR)	100.00 Fahrenheit	
beans	stove top	177.00 Fahrenheit	
cole slaw	1 door cold top/reach in	38.00 Fahrenheit	
beans	warmer	143.00 Fahrenheit	
refried beans	warmer	125.00 Fahrenheit	for less than 4 hours. [COS] reheat
bean and cheese	counter	77.00 Fahrenheit	between 77F - 79F. Under time as a public health control.

## 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 **8/8/2023**. 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



**Received By:** Cecilia Martinez  
Manager

**Signed On:** July 25, 2023