

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 FA0208282 - EL CIELO BAR & GRILL		Site Address 2650 ALUM ROCK AV, SAN JOSE, CA 95116		Inspection Date 11/07/2024	
Program PR0307613 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name MARTINEZ POLANIAS, MART		Inspection Time 12:00 - 14:15
Inspected By MARCELA MASRI	Inspection Type ROUTINE INSPECTION	Consent By DORIAN OSPINA	FSC JISED MARTINEZ 11-13-27		

Placard Color & Score
GREEN
72

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			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	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	X	
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	X	
K31 Consumer self service does prevent contamination		
K32 Food properly labeled and honestly presented		
K33 Nonfood contact surfaces clean	X	X
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		
K39 Thermometers provided, accurate	X	X
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	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 FA0208282 - EL CIELO BAR & GRILL	Site Address 2650 ALUM ROCK AV, SAN JOSE, CA 95116	Inspection Date 11/07/2024
Program PR0307613 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11	Owner Name MARTINEZ POLANIAS, MARTHA JISED	Inspection Time 12:00 - 14:15
K48 Plan review		
K49 Permits available		X
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: FOUND THE FLANS IN THE COUNTER REFRIGERATOR BY THE BAR AT 56F. [CA] KEEP COLD POTENTIALLY HAZARDOUS FOOD AT 41F OR BELOW. NOTE: THE REFRIGERATOR WAS SET AT A HIGH TEMPERATURE. THE TEMPERATURE WAS LOWERED AND THE REFRIGERATOR IS NOW AT 38F.

Minor Violations

K14 - 3 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: FOUND OCTOPUS BEING THAWED IN THE 3 COMPARTMENT SINK. [CA] DO NOT USE THE 3 COMPARTMENT SINK TO THAW FOOD USE THE FOOD PREPARATION SINK TO THAW FOOD.

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

Inspector Observations: FOUND A SMALL DOG IN THE DRY STORAGE ROOM CONTAINING BEER AND SODAS. [CA] ANIMALS PETS ARE NOT ALLOWED TO BE INSIDE A FOOD FACILITY.

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

Inspector Observations: FOUND GROUND BEEF THAWED IN STANDING WATER AT THE FOOD PREPARATION SINK. [CA] FROZEN POTENTIALLY HAZARDOUS FOOD SHALL ONLY BE THAWED IN ONE OF THE FOLLOWING WAYS: 1) UNDER REFRIGERATION THAT MAINTAINS THE FOOD TEMPERATURE AT 41°F OR BELOW, 2) COMPLETELY SUBMERGED UNDER POTABLE RUNNING WATER FOR A PERIOD NOT TO EXCEED TWO HOURS AT A WATER TEMPERATURE OF 70°F OR BELOW, AND WITH SUFFICIENT WATER VELOCITY TO AGITATE AND FLUSH OFF LOOSE PARTICLES INTO THE SINK DRAIN, 3) IN A MICROWAVE OVEN, IF IMMEDIATELY FOLLOWED BY IMMEDIATE PREPARATION, 4) AS A PART OF A COOKING PROCESS.

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: FOUND A CONTAINER WITH RAW CHICKEN STORED ABOVE LETTUCE AND TOMATOES IN THE REACH IN REFRIGERATOR. [CA] STORE RAW FOOD OF ANIMAL ORIGIN BELOW COOKED AND READY TO EAT FOOD.

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

Inspector Observations: FOUND A CONTAINER WITH RICE STORED ON THE FLOOR IN THE KITCHEN. [CA] KEEP FOOD 6 INCHES ABOVE THE FLOOR.

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

Inspector Observations: FOUND MOLD LIKE SUBSTANCE ON THE PLASTIC FLAP INSIDE THE ICE MACHINE. [CA] WASH, RINSE AND SANITIZE THIS PART MORE OFTEN. COS

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

Inspector Observations: THE SERVICE REFRIGERATOR IS MISSING THE THERMOMETER. [CA] PROVIDE A THERMOMETER. COS

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: FOUND A CELL PHONE ON THE FOOD PREPARATION COUNTER IN THE KITCHEN AND A FEW BOTTLES OF MEDICINE ON A SHELF IN THE KITCHEN. [CA] STORE PERSONAL ITEMS SEPARATE AND AWAY FROM FOOD STORAGE AND FOOD PREPARATION AREAS. COS

K49 - 2 Points - Permits not available; 114067(b,c), 114381(a), 114387

OFFICIAL INSPECTION REPORT

Facility FA0208282 - EL CIELO BAR & GRILL	Site Address 2650 ALUM ROCK AV, SAN JOSE, CA 95116	Inspection Date 11/07/2024
Program PR0307613 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11	Owner Name MARTINEZ POLANIAS, MARTHA JISED	Inspection Time 12:00 - 14:15

Inspector Observations: *THE PERMIT TO OPERATE HAS EXPIRED. [CA] PROVIDE A CURRENT PERMIT TO OPERATE.*

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
HOT WATER	HAND WASH SINK	100.00 Fahrenheit	
BEEF	SERVICE REFRIGERATOR	40.00 Fahrenheit	
WATERMELON	DESSERT REFRIGERATOR	35.00 Fahrenheit	
HOT WATER	3 COMPARTMENT SINK	120.00 Fahrenheit	
HOT DOGS	SERVICE REFRIGERATOR	40.00 Fahrenheit	
SHRIMP	SERVICE REFRIGERATOR	35.00 Fahrenheit	
SAUSAGE	REACH IN FREEZER	13.00 Fahrenheit	
BEEF	REACH IN FREEZER	5.00 Fahrenheit	
FLAN	SMALL COUNTER REFRIGERATOR	46.00 Fahrenheit	
QUAIL EGGS	SERVICE REFRIGERATOR	32.00 Fahrenheit	
SALSA	SERVICE REFRIGERATOR	32.00 Fahrenheit	
CHICKEN SOUP	COOKING TEMP	177.00 Fahrenheit	
EMPANADAS	REACH IN REFRIGERATOR	41.00 Fahrenheit	


Overall Comments:

A COPY OF THE LATEST INVOICE WAS PROVIDED TO THE MANAGER. PLEASE PAY WITHIN 48 HOURS TO AVOID CLOSURE AS YOU ARE OPERATING WITHOUT A VALID PERMIT.

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: DORIAN OSPINA
MANAGER

Signed On: November 07, 2024