

**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**

<b>Facility</b> FA0209217 - EL MEJOR MEXICAN DELI		<b>Site Address</b> 3859 SEVEN TREES BL, SAN JOSE, CA 95111		<b>Inspection Date</b> 10/12/2022	
<b>Program</b> PR0302204 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			<b>Owner Name</b> YANEZ, FRANK		<b>Inspection Time</b> 13:25 - 14:25
<b>Inspected By</b> HENRY LUU	<b>Inspection Type</b> ROUTINE INSPECTION	<b>Consent By</b> MARIA	<b>FSC</b> Maria Islas 06/28/2027		

<b>Placard Color &amp; Score</b> <b>GREEN</b> <b>98</b>
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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						S
K03 No discharge from eyes, nose, mouth	X						S
K04 Proper eating, tasting, drinking, tobacco use	X						S
K05 Hands clean, properly washed; gloves used properly	X						
K06 Adequate handwash facilities supplied, accessible	X						
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		
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		
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		
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

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: Numerous cases and containers of food maintained on floor inside the walk-in refrigerator. [CA] Food shall be stored at least 6 inches above the floor to prevent contamination.**

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

### Measured Observations

Item	Location	Measurement	Comments
Menudo	Steam table	145.00 Fahrenheit	
Sanitizing bucket	Front service line	100.00 PPM	Chlorine
Cooked beef	Grill	159.00 Fahrenheit	
Rice	Walk-in refrigerator	41.00 Fahrenheit	
Chicken	Steam table	137.00 Fahrenheit	
Chile verde	Steam table	136.00 Fahrenheit	
Rice	Steam table	135.00 Fahrenheit	
Tamales	Soup warmer	135.00 Fahrenheit	
Beans	Steam table	139.00 Fahrenheit	
Diced tomatoes	Top insert	40.00 Fahrenheit	
Hot water	Three-compartment sink	130.00 Fahrenheit	
Beans	Walk-in refrigerator	41.00 Fahrenheit	
Menudo	Stove	110.00 Fahrenheit	Cooling

### Overall Comments:

- Facility does not have dedicated hand wash sink or food preparation sink.
- Per PIC, hand washing, ware washing, and food preparation are all conducted at the three-compartment sink.
- PIC stated that facility plans on installing a hand wash sink between the three-compartment sink and janitorial sink.
  - Prior to any building, remodeling, or construction, 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](http://www.ehinfo.org) to obtain plan check requirements.

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 **10/26/2022**. 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.

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**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*

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**Received By:** Maria Islas  
PIC

**Signed On:** October 12, 2022