

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 FA0208023 - EL GRULLO MEXICAN FOOD		Site Address 2444 ALVIN AV C, SAN JOSE, CA 95122	Inspection Date 01/25/2024
Program PR0302662 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11		Owner Name ALVAREZ, ANTONIO	Inspection Time 14:00 - 14:35
Inspected By HENRY LUU	Inspection Type LIMITED INSPECTION	Consent By ISABEL	

Placard Color & Score RED N/A

Comments and Observations

Major Violations

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: One dead mouse observed on sticky trap placed between wall and the larger front service counter.

Follow-up By 01/29/2024

Rodent droppings observed in the following areas:

- 5+ on floor behind the cook line.
- 5+ on floor in-between the wall and the white upright domestic refrigerator in the main kitchen.
- 10+ observed on floor in the dry storage area:
 - At the corner behind the chest freezers where two holes between the wall and flooring were observed and rodenticide bait was placed.
 - Along the back of the large chest freezers.
 - Underneath dry storage racks.

One live cockroach observed inside crevice of the the back right corner of the brown table next to the ice machine where bulk ingredient bins are stored.

Per manager over the phone, facility is serviced every 1-2 weeks by a licensed pest control service. Previous pest control reports were provided for review. Per reports, the only target pest are cockroaches.

Latest pest control report was unavailable for review.

[CA] The premises of each food facility shall be kept free of vermin. A food facility shall not operate when there is a vermin infestation that has resulted in the contamination of food contact surfaces, food packaging, utensils, food equipment, or adulteration of food(s). The food facility shall cease operation of the food facility immediately. The food facility shall remain closed until: there is no longer evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborage have been resolved.

Minor Violations

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: Observed minor gap below the metal screen door at the side of the facility.

[CA] Eliminate gap greater than 1/4" to prevent the entrance and harborage of vermin.

K45 - 2 Points - Floor, walls, ceilings: not built, not maintained, not clean; 114143(d), 114266, 114268, 114268.1, 114271, 114272

Inspector Observations: Holes observed on walls closes to the floor in the dry storage room:

- At the corner behind the chest freezer.
- On wall where the propane tanks are stored.

[CA] Repair holes in structure and maintain in good repair to prevent pest harborage.

Performance-Based Inspection Questions

N/A

Measured Observations

N/A

OFFICIAL INSPECTION REPORT

Facility FA0208023 - EL GRULLO MEXICAN FOOD	Site Address 2444 ALVIN AV C, SAN JOSE, CA 95122	Inspection Date 01/25/2024
Program PR0302662 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11	Owner Name ALVAREZ, ANTONIO	Inspection Time 14:00 - 14:35

Overall Comments:

- On-site for a complaint investigation.
- Major violations were observed at time of the complaint investigation, and thus a limited inspection was conducted.
- Facility is hereby closed due to the presence of a rodent infestation.
- Facility shall remain closed until there is no longer evidence of an infestation.
- Facility shall:
 - Obtain service from licensed pest control service. Provide pest control service report upon follow-up inspection.
 - Remove all rodent droppings from facility. Clean and sanitize all affected areas.
 - Seal any and all holes, gaps, cracks, and/or crevices in facility to prevent harborage of vermin.
- Subsequent follow-up inspection after first follow-up shall be billed \$290/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$629/hour, minimum two hours, during non-business hours, and upon inspector availability.
- The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered, or copied. Failure to comply may result in enforcement actions per County Ordinance Code Section B11-55.
- A facility found to be in continued operation without a permit may incur a penalty of three (3) times the operating permit fee, and fee(s) for re-inspection(s) charged at the current hourly rate approved by the Santa Clara County Board of Supervisors. Penalties and fees incurred due to enforcement activities must be paid in full prior to the issuance of an operating permit.

CLOSURE / PERMIT SUSPENSION NOTICE

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 **2/8/2024**. 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.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

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: Isabel
PIC
Signed On: January 25, 2024