

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 FA0209568 - EMELIANA'S #3		Site Address 460 E WILLIAM ST, SAN JOSE, CA 95112		Inspection Date 07/01/2024	
Program PR0306310 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name PISCO BAR		Inspection Time 11:00 - 12:20
Inspected By MINDY NGUYEN	Inspection Type ROUTINE INSPECTION	Consent By CLEIVER GONZALES VASQUEZ	FSC DENEDUALDO VALADEZ LOY 03/07/2029		

Placard Color & Score
GREEN
83

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	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	X	
K30 Food storage: food storage containers identified	X	
K31 Consumer self service does prevent contamination		
K32 Food properly labeled and honestly presented	X	
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	X	
K37 Vending machines		
K38 Adequate ventilation/lighting; designated areas, use		
K39 Thermometers provided, accurate	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	
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

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: Hot water at the 3-compartment sink was measured at 114F, then later re-measured to be 108F. Hot water at the 2-compartment prep sink measured to be 108F.

[CA] Provide hot water (120F) at the 3-compartment and 2-compartment sinks.

[COS] Water was adjusted and was re-measured at over 120F.

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: Inside the walk-in refrigerator: observed bowl of raw chicken legs stored above raw red onions. Observed raw shell eggs stored above cooked meat/sauce dishes.

[CA] Store raw foods away from and/or below ready-to-eat foods to prevent cross-contamination.

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

Inspector Observations: Near the cookline: measured chlorine in wiping cloth bucket to be over 200ppm.

[CA] Sanitizer solution for wiping cloths shall be 100ppm chlorine or 200ppm quaternary ammonia, or per manufacturer directions.

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

Inspector Observations: Observed unlabeled bowls/containers of what appeared to be salt near the cookline.

[CA] Label working containers of crystalline substances.

K32 - 2 Points - Food improperly labeled & not honestly presented: 114087, 114089, 114089.1(a, b), 114090, 114093.1

Inspector Observations: At the front counter: observed prepackaged cookies were missing labels.

[CA] Food prepackaged in a food facility shall bear a label that includes:

- 1. The common name of the food.**
- 2. If made from two or more ingredients, a list of ingredients in order of weight.**
- 3. Quantity of the contents.**
- 4. Name and place of business of the manufacturer, packer, or distributor.**

K36 - 2 Points - Equipment, utensils, linens: Improper storage and use; 114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5

Inspector Observations: Observed spoon inside bowl of sugar/salt with the handle submerged in the food.

[CA] Store spoon/scoops separately from the food to prevent cross-contamination.

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

Inspector Observations: A metal probe thermometer was not available upon request.

[CA] Ensure a metal probe thermometer is available at all times to measure food temperatures.

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 mop was stored with head inside bucket.

[CA] Store mop so that it can air-dry when not in use.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
QUATERNARY AMMONIA	3-COMPARTMENT SINK	200.00 PPM	
WARM WATER	HANDWASH SINK	100.00 Fahrenheit	
CHLORINE	DISHWASHER	50.00 PPM	
COOKED MEAT	WALK-IN REFRIGERATOR	39.00 Fahrenheit	
CREAM	WALK-IN REFRIGERATOR	41.00 Fahrenheit	
ONIONS	WALK-IN REFRIGERATOR	39.00 Fahrenheit	
WARM WATER	HANDWASH SINK, RESTROOM	100.00 Fahrenheit	
HOT WATER	3-COMPARTMENT SINK	114.00 Fahrenheit	ROSE TO 114F, REMEASURED LATER AT 108F.
CHLORINE	SANITIZER BUCKET	200.00 PPM	OVER 200PPM
POTATOES	PREP REFRIGERATOR	39.00 Fahrenheit	
HOT WATER	2-COMPARTMENT SINK	108.00 Fahrenheit	
SHRIMP	PREP INSERT	39.00 Fahrenheit	
NOODLES, VEGETABLES	GLASS DOOR UPRIGHT REFRIGERATOR	41.00 Fahrenheit	
RAW FISH	PREP REFRIGERATOR	39.00 Fahrenheit	
CUT TOMATOES	PREP INSERT	39.00 Fahrenheit	
SHELL EGGS	REACH-DOWN PREP REFRIGERATOR, COOKING AREA	39.00 Fahrenheit	

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 **7/15/2024**. 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: cleiver gonzales vasquez
Manager

Signed On: July 01, 2024