

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 FA0240286 - TACOS EL GUERO		Site Address 40 HORNLEIN CT #1, GILROY, CA 95020	Inspection Date 04/10/2025
Program PR0340353 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11		Owner Name HERNANDEZ FOODS SERV	Inspection Time 13:45 - 14:45
Inspected By HENRY LUU	Inspection Type FOLLOW-UP INSPECTION	Consent By JOSE H.	

Placard Color & Score

YELLOW
N/A

Comments and Observations

Major Violations

Cited On: 04/07/2025

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

This violation found not in compliance on 04/10/2025. See details below.

Cited On: 04/10/2025

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: The only hand wash station in the kitchen lacked hand soap. Owner stated that hand soap is readily available inside the restroom.

Follow-up By
04/15/2025

[CA] Handwashing facilities shall be equipped with handwashing cleanser and single-use sanitary towels in dispensers. Paper towels and hand soap shall be readily available and easily accessible at all times.

[COS] Employee provided manual pump bottle of hand soap.

**** Note: employees are to wash hands immediately after using the restroom, and then again when returning into the kitchen.**

Cited On: 04/10/2025

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: Metal container of cooked beef maintained below the cook line in the right kitchen measured between 65F to 70F. Employee stated that the cook took the container out to prepare orders and was supposed to return the container to the refrigerator, but did not. Owner stated that the container has been out in ambient temperature for approximately 4 hours.

Follow-up By
04/15/2025

Container of watermelon juice maintained at the front service area measured at 49F. Employee stated that the juice was prepared in the morning and that all ice had melted.

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

[COS] Container of cooked beef was VC&D due to temperature abuse. Ice was added to the container of watermelon juice.

Cited On: 04/07/2025

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

Compliance of this violation has been verified on: 04/10/2025

Minor Violations

Cited On: 04/07/2025

K01 - 3 Points - Inadequate demonstration of knowledge; food manager certification

Compliance of this violation has been verified on: 04/10/2025

Cited On: 04/10/2025

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

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Inspector Observations: Observed large metal container of carne asada below the cook line at the kitchen, placed on top of another container of cooked beef kept cover. Owner stated that the carne asada was cooked approximately 20 minutes prior. Item measured at 136F. Smaller container of cooked beef maintained below measured at 100F. Owner stated that the beef was cooked approximately 40 minutes prior.

Numerous containers of various proteins and rice actively cooling in inadequate ice baths with ice only touching the bottom of the container.

[CA] Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F or below within 2 hours and from 70°F to 41°F or below within an additional 4 hours.

Approved cooling methods include:

- 1) Placing the food in shallow pans
- 2) Separating the food into thinner or smaller portions.
- 3) Using rapid cooling equipment (Ex. blast chiller)
- 4) Using containers that facilitate heat transfer (ex. stainless steel)
- 5) Adding ice as an ingredient.
- 6) Using ice paddles
- 7) Using an ice bath and stirring frequently
- 8) Accordance with a HACCP plan. Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool.

[COS] Large container of carne asada was separated into smaller portions and placed on large ice bath. Small containers were placed in larger ice baths.

Cited On: 04/07/2025

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

This violation found not in compliance on 04/10/2025. See details below.

Cited On: 04/10/2025

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 three-compartment sink and food preparation sink measured at 117F.

[CA] Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet throughout facility except at handwash sinks.

Cited On: 04/07/2025

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

Compliance of this violation has been verified on: 04/10/2025

Cited On: 04/10/2025

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: Observed walk-in refrigerator door unable to fully close.

[CA] Investigate cause and repair in an approved manner.

Measured Observations

Item	Location	Measurement	Comments
Rice	Merhcandiser refrigerator	41.00 Fahrenheit	
Rice	Steam table	141.00 Fahrenheit	
Chicken	Steam table	139.00 Fahrenheit	
Milk	Merchandiser refrigerator	40.00 Fahrenheit	
Cabeza	Steam table	163.00 Fahrenheit	
Sanitizing bucket	Cook line - front service	100.00 PPM	Chlorine
Shredded chicken	Merchandiser refrigerator	40.00 Fahrenheit	
Beans	Steam table	158.00 Fahrenheit	

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Overall Comments:

- On-site for follow-up inspection after facility earned a conditional pass during a routine inspection on 4/7/2025.
- Two or more major violations were observed during the follow-up inspection.
- An additional follow-up inspection will be conducted to verify compliance of all major violations.
- Subsequent follow-up inspection after first follow-up shall be billed \$298/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$645/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.

*** Note:

- FSC - Jose Hernandez - 8/20/2029

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 4/24/2025. 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: Jose
Owner
Signed On: April 10, 2025