

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 FA0203081 - LA COSTA TAQUERIA		Site Address 16290 MONTEREY RD, MORGAN HILL, CA 95037		Inspection Date 06/21/2024		Placard Color & Score YELLOW 73		
Program PR0300828 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name MARLIN CORPORATION		Inspection Time 13:45 - 15:45			
Inspected By GINA STIEHR		Inspection Type ROUTINE INSPECTION		Consent By GUILLERMO HERNANDEZ				FSC Not Available

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						S
K06	Adequate handwash facilities supplied, accessible	X						S
K07	Proper hot and cold holding temperatures		X		X			N
K08	Time as a public health control; procedures & records						X	
K09	Proper cooling methods		X		X			N
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						
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		
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	X	
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		X
K45	Floor, walls, ceilings: built, maintained, clean		X
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		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: Observed potentially hazardous food that measured in the temperature danger zone located in the food prep cold hold units (imitation crab 50F, fish ceviche 44F, shrimp ceviche 48F, octopus 37F, shrimp 54F, shredded cheese 44F, sliced tomatoes 53F, salsa 51F) and on the cooking range (cooked peppers 115F). REPEAT VIOLATION. [CA] Ensure PHFs are properly cold held at 41F or below OR hot held at 135F or above. Repair, adjust or replace units if necessary. [SA] PIC stated that the units were refilled approximately 45 minutes prior to the inspection. PIC time marked the food and will discard all PHFs at the end of the 4 hour time frame.

Follow-up By 06/25/2024

Minor violation: PHFs in walk-in cooler were measuring at 44F; ambient temperature was 44F. According to PIC, the walk-in cooler is in the defrost cycle and observed an employee loading a delivery with the walk-in cooler propped open. [CA] Ensure walk-in cooler properly cold holds at 41F or below. Repair/adjust unit. Manager/owner must keep track of walk-in cooler to ensure it goes back down to 41F or must discontinue using walk-in cooler for PHFs.

K09 - 8 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: Observed potentially hazardous that was measured in the temperature danger zone and did not meet the cooling parameters (shrimp soup 94F). The soup was in a covered, deep plastic container and submerged halfway into melted ice water. According to PIC, the soup has been cooling in the ice bath for 2 hours. [CA] Ensure PHFs are properly cooled from 135F to 70F within 2 hours and from 70F to 41F within 4 hours. Use rapid cooling methods such as shallow pans, separating into smaller portions, frequent stirring, ice baths, ice as an ingredient, ice paddles and/or blast chiller. [COS] PIC will serve the food for an additional 2 hours and discard leftovers.

Follow-up By 06/25/2024

Minor: Observed several items in deep containers completely covered. [CA] Use shallow pans for cooling and leave uncovered or loosely covered until fully cooled to 41F.

Minor Violations

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

Inspector Observations: Facility did not have current Food Safety Certificate or Food Handler Cards. [CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.
[CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

Inspector Observations: Facility is using paper towels as drain stoppers. [CA] Plugs/stoppers shall be available to fill up the warewashing sink.

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 employee cell phone stored on meat slicer. [CA] Keep personal belongings separate and away from food storage and food preparation areas.

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

Inspector Observations: Observed paint peeling from ceiling above 3 comp sink. [CA] Repaint ceiling.

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

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Inspector Observations: --48 HOUR NOTICE--

Our records indicate this facility is operating with a delinquent account. Your balance due is \$629.00. Payment must be made immediately to DEH at the address at the top of this report or via our website at www.Ehinfo.org.

A facility that submits payment of the outstanding balance within 48 hours (2 business days) of this notice will be able to remain open for operation. Failure to comply within 48 hours will result in facility closure and additional enforcement, including but not limited to reinspection(s) and additional cost recovery fees.

A facility found to be in continued operation with a delinquent account 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.

Performance-Based Inspection Questions

Needs Improvement - Proper hot and cold holding temperatures.

Needs Improvement - Proper cooling methods.

Measured Observations

Item	Location	Measurement	Comments
hot water	3 comp sink	120.00 Fahrenheit	
hot water	handwash sink	100.00 Fahrenheit	
imitation crab	food prep cold hold	50.00 Fahrenheit	
cooked peppers	on top of cooking range	115.00 Fahrenheit	
salsa	food prep cold hold	51.00 Fahrenheit	
shrimp ceviche	food prep cold hold	48.00 Fahrenheit	
tomatoes	food prep cold hold	53.00 Fahrenheit	
bean juice	ice bath	140.00 Fahrenheit	
beef	steam table	189.00 Fahrenheit	
octopus	food prep cold hold	37.00 Fahrenheit	
cheese	food prep cold hold	44.00 Fahrenheit	
chicken	walk-in cooler	47.00 Fahrenheit	cooling; cooked this morning
cow hooves	walk-in cooler	47.00 Fahrenheit	cooling; cooked this morning
chlorine	3 comp sink	100.00 PPM	
beans	ice bath	136.00 Fahrenheit	136F-181F
fish ceviche	food prep cold hold	44.00 Fahrenheit	
steak	walk-in cooler	43.00 Fahrenheit	43F-44F
shrimp	food prep cold hold	54.00 Fahrenheit	
shrimp soup	ice bath	94.00 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 **7/5/2024**. 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.

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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



Received By: Oscar Avila

Owner

Signed On: June 21, 2024