

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 FA0206909 - LOS ARCOS | | Site Address 1705 TULLY RD, SAN JOSE, CA 95122 | | Inspection Date 07/07/2025 | |
| Program PR0302401 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11 | | | Owner Name LUIS GONZALEZ RODRIGUE | | Inspection Time 11:10 - 13:15 |
| Inspected By HENRY LUU | Inspection Type ROUTINE INSPECTION | Consent By LUIS G. | FSC Lucas M Alonzo 10/10/2029 | | |

| |
|-----------------------|
| Placard Color & Score |
| YELLOW |
| 32 |

| 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 | | | | | | |
| K03 No discharge from eyes, nose, mouth | X | | | | | | S |
| K04 Proper eating, tasting, drinking, tobacco use | | | X | | | | N |
| K05 Hands clean, properly washed; gloves used properly | X | | | | | | |
| K06 Adequate handwash facilities supplied, accessible | | X | | X | | | N |
| K07 Proper hot and cold holding temperatures | X | | | | | | N |
| 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 | | X | | | N |
| K12 Returned and reservice of food | X | | | | | | |
| K13 Food in good condition, safe, unadulterated | X | | | | | | |
| K14 Food contact surfaces clean, sanitized | | X | | 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 | | 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 | | |
| 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 | X | |
| K36 Equipment, utensils, linens: Proper storage and use | X | |
| K37 Vending machines | | |
| K38 Adequate ventilation/lighting; designated areas, use | X | |
| 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 | X | |
| K43 Toilet facilities: properly constructed, supplied, cleaned | X | |
| 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 | X | |
| K47 Signs posted; last inspection report available | X | |

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| K48 | Plan review | X |
| K49 | Permits available | X |
| K58 | Placard properly displayed/posted | |

Comments and Observations

Major Violations

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. Hand soap observed stored in to-go cups inside two of the three unpermitted restroom hand sinks. [CA] Provide handwashing cleanser in dispenser at handwash stations at all times. Hand soap and paper towels shall be readily available at all times. [COS] Owner replaced hand soap cartridge for soap dispenser at the kitchen hand sink.

Follow-up By
07/09/2025

Observed paper towels maintained outside of the towel dispenser in the employee restroom. [CA] Paper towels shall be stored inside the dispenser to prevent potential contamination.

K11 - 8 Points - Improper reheating procedures for hot holding; 114014, 114016

Inspector Observations: Refried beans, rice, and pork ribs maintained at the steam table measured at 130F, 123F, and between 61F to 83F, respectively. Kitchen employee stated that items were taken out from the walk-in refrigerator and reheated on the stove less than one hour prior.

Follow-up By
07/09/2025

[CA] Any PHF that has been cooked, cooled, and reheated for hot holding shall be reheated to a minimum internal temperature of 165°F for 15 seconds.

[COS] Employee continued the reheating process on the stove for all three PHF items.

K14 - 8 Points - Food contact surfaces unclean and unsanitized; 113984(e), 114097, 114099.1, 114099.4, 114099.6, 114101, 114105, 114109, 114111, 114113, 114115(a,b,d), 114117, 14125(b), 114141

Inspector Observations: Mechanical dish machine failed to dispense any measurable sanitizer after multiple cycles.

Follow-up By
07/09/2025

[CA] Maintain chlorine in mechanical warewash machine at 50 PPM.

[COS/SA] Instructed kitchen employee to set up two-compartment ware wash sink to conduct manual ware washing temporarily until mechanical dish machine is able to dispense the required level of sanitizer.

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

Inspector Observations: Observed one live cockroach nymph crawling on wall above the two-compartment ware wash sink. 2+ dead cockroaches observed on floor by the drain pipes and floor sink on floor between the mechanical dish machine and ware wash sink.

Follow-up By
07/09/2025

No other activity was observed throughout the facility. Owner stated that facility is serviced monthly. Pest control reports were unavailable for review.

Pictures were taken for documentation purposes.

[CA]: The premises of each food facility must be maintained free of vermin. A facility cannot operate if there is a vermin infestation that leads to contamination of food contact surfaces, packaging, utensils, food equipment, or adulteration of food. The facility is required to cease operations immediately and must remain closed until all corrective actions on the provided checklist are completed.

[COS] Live cockroach was abated.

Observed heavy presence of fruit and/or drain flies in the unpermitted dry storage area and downstairs dry storage area.

[CA] Food facility shall be kept free of non-disease carrying insects, weevils, ants, gnats, and fruit flies.

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Minor Violations

K04 - 3 Points - Improper eating, tasting, drinking or tobacco use in food preparation area; 113977

Inspector Observations: *Half eaten bag of cookies maintained on top of the covers of the food preparation refrigerator.*

Numerous opened cans of beverage sodas and alcohol maintained on the storage shelf in the unpermitted storage shed.

[CA] No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area.

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

Inspector Observations: *Observed condensate from the walk-in freezer being collected into an unused rice cooker in the downstairs storage area.*

[CA] Condensation line from walk-in refrigerator shall drain into an approved plumbing system.

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: *Observed raw shelled eggs stored above ready-to-eat food items in the merchandiser refrigerator and inside the walk-in refrigerator.*

[CA] All food shall be separated and protected from cross-contamination. Store all raw meat or other raw products of animal origin below ready-to-eat food items.

Observed cases/bags of food stored directly on the floor in the unpermitted dry storage area, walk-in refrigerator, and walk-in freezer.

[CA] Food shall be stored at least 6 inches above the floor to prevent contamination.

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

Inspector Observations: *Observed can of Raid cockroach insecticide maintained on the table next to to-go containers in the downstairs dry storage room.*

Observed bag of Tomcat rodent bait maintained in storage bin with numerous cooking equipment in the downstairs dry storage room.

Observed case of Tomcat rodent bait maintained on the wooden ledge in the unpermitted storage room.

[CA] Only those insecticides, rodenticides, and other pesticides that are necessary and specifically approved for use in a food facility may be used. Store chemicals separate and away from the storage and preparation of food or food contact surfaces and linens.

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 lacks test strips.*

[CA] Testing equipment and materials shall be provided to adequately measure the applicable sanitization method used during manual or mechanical warewashing.

Facility only has a two-compartment warewash sink.

[CA] All food facilities that prepares food or multiservice utensils and equipment are used shall provide a three-compartment sink with two integral metal drain boards for manually washing, rinsing, and sanitizing equipment and utensils.

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

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Inspector Observations: Large domestic microwave in use in the kitchen.

[CA] All utensils and equipment shall be commercial and certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program (e.g. NSF, UL EPH, UL Sanitation, CSA Sanitation, or ETL Sanitation).

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 bowls used as scoops and scoops maintained with handles in direct contact with food ingredient (ice chest, dry ingredients, etc.).

[CA] Use approved utensils such as scoops or spoons with handles to ensure hands do not come in direct contact with food. Store scoop handle in such a way that the handle does not come in direct contact with food to prevent contamination.

K38 - 2 Points - Inadequate ventilation and lighting in designated area; 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

Inspector Observations: Accumulation of grease observed on ventilation hood and hood filters in the right side kitchen.

[CA] Clean mechanical exhaust hood and/or filters of grease accumulation.

Inadequate lighting provided at the right side kitchen by the deep fryer.

[CA] In every room and area in which any food is prepared, manufactured, processed or prepackaged or in which equipment or utensils are cleaned, sufficient natural or artificial lighting shall be provided.

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

Inspector Observations: Probe thermometers to measure food not provided.

[CA] An accurate easily readable metal probe thermometer (accurate to +/- 2°F) that is designed to measure the temperature of thin masses shall be provided and readily available to accurately measure the temperatures of potentially hazardous foods.

K42 - 2 Points - Garbage and refuse improperly disposed; 114244, 114245, 114245.1, 114245.2, 114245.3, 114245.4, 114245.5, 114245.6, 114245.7, 114245.8

Inspector Observations: Heavy accumulation of garbage, flatten cardboard boxes, empty alcoholic beverage containers maintained on floors outside of the unpermitted storage enclosure as well as around the refuse area.

[CA] Outside refuse enclosure shall be kept clean and free of debris.

Observed garbage container maintained opened.

[CA] Refuse containers shall be covered at all times when not in use.

K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

Inspector Observations: Employee restroom door maintained opened. Unpermitted restroom doors maintained opened.

[CA] Toilet rooms shall be separated by well-fitted, self-closing doors that prevent the passage of flies, dust, or odors.

Toilet paper maintained outside of dispensers at all restrooms.

[CA] Toilet tissue shall be provided in a permanently installed dispenser at each toilet.

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: Large gaps observed below screen door and wooden door of the unpermitted storage enclosure.

[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

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Inspector Observations: *Observed FRP walls along the stairwell to the downstairs storage area detaching from the wall.*

[CA] *Secure wall to eliminate gaps.*

Unpermitted storage enclosure with unapproved floors, walls, and ceilings.

[CA] *Ceilings of all rooms where nonprepackaged food is handled shall be smooth, of durable construction, and of nonabsorbent material that is easily cleanable. The floor surfaces shall be smooth, of durable construction, and of nonabsorbent material that is easily cleanable.*

Observed large hole on floor around plumbing pipes in the employee restroom.

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

Facility lacks

K46 - 2 Points - Unapproved private home/living/sleeping quarters; 114285, 114286

Inspector Observations: *Observed mattress stored on top of numerous buckets with black draping partitions.*

[CA] *No sleeping accommodations shall be maintained or kept in any room where food is prepared, stored, or sold.*

K47 - 2 Points - Signs not posted; last inspection report not available; 113725.1, 113953.5, 113978, 114381(e)

Inspector Observations: *Health permit is not posted in visible location.*

[CA] *The health permit issued by this department shall be posted in a conspicuous place in the food facility.*

K48 - 2 Points - Plan review unapproved; 114380

Inspector Observations: *Facility has constructed the following without conducting plan check and obtaining approval prior:*

- *External storage enclosure built around a tree.*
- *Extension to the currently building with three additional restrooms in the dining area.*

Plans previously submitted to this Division were not approved and has expired due to non-payment and inactivity.

[CA] *A person proposing to build or remodel 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 to obtain plan check requirements.*

**** Owner has a delinquent account. Your balance for plan check is \$1,862.50. Payment must be made immediately to DEH at the address at the top of this report or via our website at www.Ehinfo.org. Once payment has been cleared, additional fees will be imposed on owner to renew and reopen existing plans.**

Failure to make payments to balance, and renew/resubmit new plans by the comply-by date will result in enforcement action including impoundments of equipment and/or health permit suspension.

**** Facility shall immediately cease and desist usage of the unpermitted enclosure. All equipment and food shall be relocated into an approved area of the facility.**

**** Facility is to submit plans to relocate existing ice machine that is currently installed outside in the unpermitted enclosure. Facility is to also submit plans for a janitorial sink and the additional restrooms.**

**** Invoice provided to owner.**

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

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| Follow-up By 07/14/2025 |
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Inspector Observations: --48 HOUR NOTICE--

Follow-up By
07/09/2025

Our records indicate this facility is operating without a valid permit and has a delinquent account. Your balance due is \$ 1,975.00. 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 issued and mailed an operating permit by this department. 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 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.

**** Invoice provided to owner.**

Performance-Based Inspection Questions

- Needs Improvement - Adequate handwash facilities: supplied or accessible.
- Needs Improvement - Proper reheating procedures for hot holding.
- Needs Improvement - Proper hot and cold holding temperatures.
- Needs Improvement - Proper eating, tasting, drinking, tobacco use.

Measured Observations

| Item | Location | Measurement | Comments |
|-----------------|--|-------------------|----------|
| Hot water | Two-compartment ware wash sink | 124.00 Fahrenheit | |
| Cooked beef | Two-door food preparation refrigerator | 40.00 Fahrenheit | |
| Chorizo | Merchandiser refrigerator | 40.00 Fahrenheit | |
| Refried beans | Walk-in refrigerator | 40.00 Fahrenheit | |
| Sliced tomatoes | Food preparation refrigerator | 41.00 Fahrenheit | |
| Beef tripe | Walk-in refrigerator | 41.00 Fahrenheit | |
| Rice | Walk-in refrigerator | 41.00 Fahrenheit | |
| Cooked chicken | Walk-in refrigerator | 40.00 Fahrenheit | |
| Pozole | Walk-in refrigerator | 40.00 Fahrenheit | |
| Raw beef | Walk-in refrigerator | 40.00 Fahrenheit | |
| Raw fish fillet | Food preparation refrigerator | 37.00 Fahrenheit | |
| Warm water | Hand wash sinks | 107.00 Fahrenheit | |
| Raw shrimp | Food preparation refrigerator | 38.00 Fahrenheit | |
| Salsa | Merchandiser refrigerator | 41.00 Fahrenheit | |
| Menudo | Griddle | 158.00 Fahrenheit | |
| Cooked shrimp | Food preparation refrigerator | 39.00 Fahrenheit | |

Overall Comments:

Joint inspection with San Jose Code Enforcement.

- Two or more major violations were observed during the routine inspection.

- A 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.

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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 7/21/2025. 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: Luis G.
Owner

Signed On: July 07, 2025