

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 FA0209885 - SOL DE NAYARIT		Site Address 5272 MONTEREY RD D, SAN JOSE, CA 95111		Inspection Date 12/11/2024		Placard Color & Score GREEN 83		
Program PR0302667 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name GERARDO SOLIS		Inspection Time 15:55 - 17:15			
Inspected By MARCELA MASRI		Inspection Type ROUTINE INSPECTION		Consent By GERARDO SOLIS				FSC GERARDO SOLIS 8/22/28

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		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	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	X	
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	X	
K34	Warewash facilities: installed/maintained; test strips		
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		
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

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

Inspector Observations: MISSING PAPER TOWELS AND SOAP IN THE DISPENSERS AT THE HAND WASH SINK IN THE KITCHEN. [CA] PROVIDE PAPER TOWELS AND SOAP AT ALL TIMES. COS

Minor Violations

K14 - 3 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: FOUND THE RAW CHICKEN AT THE 3 COMPARTMENT SINK DRAINING. [CA] USE THE FOOD PREPARATION SINK TO DO ANY FOOD RINSING, THAWING ETC.

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: FOURTH TIME VIOLATION

FOUND THE MEXICAN RICE IN A PLASTIC GROCERY BAG IN THE HOT HOLDING UNIT. [CA] DO NOT USE GROCERY PLASTIC BAGS TO HOLD THE RICE. USE FOOD GRADE PLASTIC BAGS OR DO NOT USE ANY BAG IN THE HOT HOLDING UNIT.

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

Inspector Observations: FOUND THE FAN IN THE KITCHEN WITH MOLD LIKE SUBSTANCE. [CA] CLEAN THIS PART MORE OFTEN.

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: FOUND CLEAN POTS ON A SHELF NEAR THE MOP SINK IN CLOSE PROXIMITY WITH THE MOP BUCKET AND MOP SINK. FOUND PERSONAL ITEMS NOT RELATED TO THE RESTAURANT STORED ON A SHELF NEAR THE MOP SINK. [CA] A SEPARATE AREA SHALL BE PROVIDED FOR THE STORAGE OF THE CLEAN POTS AND EQUIPMENT NECESSARY FOR THE BUSINESS. AND REMOVE ANY ITEMS THAT ARE NOT NEEDED TO RUN THE RESTAURANT.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
HOT WATER	HAND WASH SINK	100.00 Fahrenheit	
SHRIMP	SERVICE REFRIGERATOR	41.00 Fahrenheit	
BEANS	HOT HOLDING	120.00 Fahrenheit	
BEEF	SLIDE DOOR REFRIGERATOR	35.00 Fahrenheit	
SHRIMP	REACH IN FREEZER	-4.00 Fahrenheit	
HOT WATER	3 COMPARTMENT SINK	120.00 Fahrenheit	
SALSA	SALSA REFRIGERATOR	40.00 Fahrenheit	
CHICKEN	REACH IN REFRIGERATOR	35.00 Fahrenheit	
RICE	REACH IN REFRIGERATOR	33.00 Fahrenheit	
RICE	HOT HOLDING	156.00 Fahrenheit	
RICE	RICE COOKER	151.00 Fahrenheit	

Overall Comments:

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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 **12/25/2024**. 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: GERARDO SOLIS
OWNER

Signed On: December 11, 2024