

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 FA0262460 - MEZCAL RESTAURANT & BAR		Site Address 25 W SAN FERNANDO ST, SAN JOSE, CA 95113		Inspection Date 09/25/2024	
Program PR0385316 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name MEZCAL RESTAURANT LLC		Inspection Time 12:15 - 13:50
Inspected By ALEXANDER ALFARO	Inspection Type ROUTINE INSPECTION		Consent By ADOLFO	FSC Octavio Gomez 11/12/2024	

Placard Color & Score
GREEN
80

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						
K07 Proper hot and cold holding temperatures		X		X			
K08 Time as a public health control; procedures & records					X		
K09 Proper cooling methods					X		
K10 Proper cooking time & temperatures	X						S
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				
K15 Food obtained from approved source	X						S
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		
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		
K40 Wiping cloths: properly used, stored		
K41 Plumbing approved, installed, in good repair; proper backflow devices	X	
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

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

Inspector Observations:

In the kitchen area, at the rice warmer next to the cook line, the middle portion of the rice measured between 109-115°F. Outer edges of the rice measured between 135-145°F.

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

[SA] Staff agreed to place rice on TPHC.

Note: Kitchen staff use a small pyramid shaped scoop without a handle to serve the rice. The scoop is stored in water (80°F) in between uses. Water from scoop/hands may have lowered temperature of rice.

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:

1. In the kitchen area, on the interior upper plastic lip of the ice machine, a yellow mold-like substance was observed. No direct contamination of ice was observed at time of the inspection.

[CA] Ensure to maintain the food contact surfaces of the ice machine clean to both sight and touch. Clean the ice machine.

2. Staff were observed wet stacking dishes.

[CA] Equipment and utensils must be air dried or properly stored to facilitate drying after sanitizing.

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations:

1. Small flies were found throughout the facility in the bar area, liquor storage area, ware wash area, and back storage area.

[CA] Ensure to maintain the facility free of animals, pests, and vermin. Provide pest control measures as necessary.

2. Rodent droppings were found in cabinets of the bar area, under the ice machine, and under storage racks of the back storage area.

[CA] Clean and sanitize area of droppings.

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

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Inspector Observations:

1. In the kitchen area, at the rice serving area next to the cookline, facility is using a pyramid shaped scoop without a handle.

[CA] Use approved utensils such as scoops or spoons with handles to ensure hands do not come in direct contact with food.

2. Facility was found storing ice cream scoops and rice scoops in warm water 81°F.

[CA] Utensils shall be stored in the following manner: 1) in the food with their handles above the top of the food and the container, 2) in running water, 3) in a container of water at 135°F or above, 4) at room temperature if washed within 4 hours of initial use.

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

Inspector Observations:

In the back of house area, at the drain pipe of the prep sink, there is a water bottle affixed to the pipe to funnel drainage directly into the floor sink.

[CA] Food preparation sink shall discharge liquid waste by means of indirect waste pipes into a floor sink or other approved type of receptor equipped with an air gap. Remove the water bottle and provide appropriate materials for plumbing equipment.

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:

1. In the back of house area, on the wall where the mop sink faucet is attached, there is a hole in the wall.

[CA] Ensure to maintain the floor, walls, and ceilings of the facility clean and in good repair. Repair the hole.

2. In the back of house area, at the storage area, there is a clutter of food equipment (spoons, ladles, pans) and food products (beverages, bulk items).

[CA] Maintain the storage areas organized and clean. Ensure there is adequate space under storage racks, equipment, etc to facilitate proper cleaning.

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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Measured Observations

Item	Location	Measurement	Comments
Black Beans	Hot Hold	180.00 Fahrenheit	
Tacos	Walk in Cooler	36.00 Fahrenheit	
Chorizo	Three Door Prep Cooler - Bottom	38.00 Fahrenheit	
Cooked Chicken	One Door Prep Cooler - Bottom	40.00 Fahrenheit	
Chlorine - Sanitizer	Ware Wash Machine	100.00 PPM	
Shrimp	Final Cook	180.00 Fahrenheit	
Ice Cream	Upright Freezer	-8.00 Fahrenheit	
Chicken Tender	Counter Freezer	-8.00 Fahrenheit	
Pico de Gallo	Three Door Prep Cooler - Top	37.00 Fahrenheit	
Fries	Counter Freezer	-12.00 Fahrenheit	
Rice	Rice Warmer	115.00 Fahrenheit	Placed on TPHC
Quarternary Ammonia - Sanitizer	Three Compartment Sink - Bar	300.00 PPM	
Water Jar	Small Cooler near Ware Wash	44.00 Fahrenheit	
Raw Beef	Upright Freezer	-8.00 Fahrenheit	
Cooked Chicken	Three Door Prep Cooler - Top	39.00 Fahrenheit	
Water	Rice Scoop Container	81.00 Fahrenheit	
Beef	One Door Prep Cooler - Bottom	37.00 Fahrenheit	
Shredded Cheese	Three Door Prep Cooler - Top	40.00 Fahrenheit	
Prepackaged Beverages	Small Upright Cooler	35.00 Fahrenheit	
Breakfast Sausage	Upright Freezer	-7.00 Fahrenheit	
Chorizo	Walk in Cooler	30.00 Fahrenheit	
Water	Ice Cream Scoop Container	81.00 Fahrenheit	
Raw Chicken	Counter	59.00 Fahrenheit	Diligent Prep
Water	Hand Washing Sink	100.00 Fahrenheit	
Water	Three Compartment Sink	130.00 Fahrenheit	
Guacamole	Three Door Prep Cooler - Top	39.00 Fahrenheit	
Shrimp	Three Door Prep Cooler - Bottom	39.00 Fahrenheit	

Overall Comments:

Note: The Food Safety Certificate is expiring soon.

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 **10/9/2024**. 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: Adolfo Gomez
Owner

Signed On: September 25, 2024