

# 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 FA0276910 - MARISCOS SAN BLAS		Site Address 1201 E JULIAN ST 4, SAN JOSE, CA 95116		Inspection Date 04/30/2024	
Program PR0418483 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name J&L GONZALEZ LLC		Inspection Time 11:45 - 13:15
Inspected By YUEN IP	Inspection Type ROUTINE INSPECTION		Consent By DIANA	FSC Not Available	

Placard Color & Score
<b>GREEN</b>
<b>70</b>

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						
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			
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						
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						S
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	X	X
K27 Food separated and protected	X	X
K28 Fruits and vegetables washed		
K29 Toxic substances properly identified, stored, used	X	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	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	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		
K45 Floor, walls, ceilings: built, maintained, clean	X	
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available	X	

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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: Only hand wash sink in kitchen area is blocked by an apron. Paper towel dispenser of the only hand wash sink was inoperative at the time of inspection.**

**[CA] Handwashing facility shall be clean, unobstructed, and accessible at all times. Single-use sanitary towels shall be provided in dispensers; heated-air hand drying device may be substituted for single-use towels.**

**[COS] PIC relocate apron and fixed paper towel dispenser.**

### Minor Violations

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

**Inspector Observations: Food safety manager certificate is not available at the time of inspection.**

**[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.**

K19 - 3 Points - Non-compliance with consumer advisory for raw or undercooked foods; 114012, 114093

**Inspector Observations: Consumer advisory not available on menu for raw oyster.**

**[CA] Provide consumer warning for the sale of raw or undercooked animal-derived foods.**

**Consuming raw or undercooked meats, POULTRY, seafood, shellfish, or EGGS may increase your risk of foodborne illness, especially if you have certain medical conditions.**

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

**Inspector Observations: Big piece of beef still in plastic container found thawing in 3rd compartment sink.**

**[CA] Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.**

**[COS] PIC relocated beef to walk-in fridge for thawing.**

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: A container of raw chicken is stored on the shelf on top of salsa and cooked shrimp in 2 doors counter fridge near walk-in fridge.**

**[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.**

**[COS] PIC relocate raw chicken to lower shelf and placed salsa on top shelf.**

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

**Inspector Observations: A can of roaches pesticide is placed next to clean equipment near 3 compartment sink.**

**[CA] Store chemicals separate and away from the storage and preparation of food or food contact surfaces and linens.**

**[COS] PIC relocated pesticide away from food contact surfaces.**

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

**Inspector Observations: Heavy dust built up on fan on ceiling near walk-in fridge.**

**[CA] Clean and maintain fan.**

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: A plate is used as scoop in fried rice in walk-in fridge.**

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

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: Drainage from counter fridge was drained to a bucket.**

**[CA] All equipment that discharges liquid waste shall be drained by means of indirect waste pipes, and all wastes drained by them shall discharge through an airgap into a floor sink or other approved type of receptor.**

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

**Inspector Observations: Uneven and sign of burnt on wall near 3 compartment sink.**

**[CA] Repair the wall with a durable, smooth, nonabsorbent, and easily cleanable surface.**

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

**Inspector Observations: Permit is not posted.**

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

## Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

## Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Raw chicken	2 doors counter fridge	39.00 Fahrenheit	
Cut tomato	open top fridge	34.00 Fahrenheit	
Beans	Steam table	170.00 Fahrenheit	
Fried rice	Walk-in fridge	38.00 Fahrenheit	
Pork stew	Steam table	155.00 Fahrenheit	
Water	Hand wash sink kitchen	100.00 Fahrenheit	
Water	3 compartment sink bar	122.00 Fahrenheit	
Water	3 compartment sink	122.00 Fahrenheit	
Oyster	Walk-in fridge	34.00 Fahrenheit	
Orange slices	Open top fridge bar area	35.00 Fahrenheit	
Chorizo	3 doors counter fridge	37.00 Fahrenheit	
Horchata	3 doors reach-in fridge front	37.00 Fahrenheit	
Water	Hand wash restroom	100.00 Fahrenheit	

## Overall Comments:

**Reviewed oyster tags' at the time of inspection.**

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 **5/14/2024**. 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



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**Received By:** Diana  
Employee

**Signed On:** April 30, 2024