

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 FA0266457 - FIESTA MARKET		Site Address 110 DEMPSEY RD, MILPITAS, CA 95035		Inspection Date 12/13/2022	
Program PR0393404 - NO FOOD PREP (GROCERY STORE) < 5,000 SQ FT - FP06			Owner Name FIESTA MARKET CORP		Inspection Time 14:15 - 16:00
Inspected By FRANK LEONG	Inspection Type ROUTINE INSPECTION	Consent By URIEL MORILLO	FSC Not Available		

Placard Color & Score
YELLOW
81

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			N
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					
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		
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		
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: *In the meat department, at the handwash station, observed a lack of hand soap and paper towels. [CA] Ensure handwash station is provided with hand soap and paper towels from their respective dispensers. [SA] Operator placed a roll of paper towels and a bottle of pump soap at the handwash station.*

Follow-up By
12/14/2022

K21 - 8 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: *In the meat department, at the handwash station and 3 compartment sink, measured a lack of hot water. [CA] Ensure hot water heater is operable and maintained in good repair at all times. An approved, adequate, protected, pressurized, potable supply of hot water shall be provided at all times at 120F. [SA] Meat department is closed and shall not be used due to inoperable water heater. Cease and desist all sale of meat or open food items from the meat department. Violation of this order may result in further enforcement.*

Follow-up By
12/14/2022

Minor Violations

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

Inspector Observations: *Food safety certificate was unavailable upon request. [CA] Ensure a valid food safety certificate is provided and posted within the facility.*

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

Item	Location	Measurement	Comments
cooked pork	steam table	150.00 Fahrenheit	
raw beef	walk-in refrigerator	38.00 Fahrenheit	
hot water	3 compartment sink	56.00 Fahrenheit	
green salsa	display refrigerator	36.00 Fahrenheit	
raw pork	display refrigerator	30.00 Fahrenheit	
red salsa	display refrigerator	36.00 Fahrenheit	
red salsa	walk-in refrigerator	38.00 Fahrenheit	
raw shelled eggs	walk-in refrigerator	38.00 Fahrenheit	
raw chicken	display refrigerator	33.00 Fahrenheit	
raw beef	display refrigerator	34.00 Fahrenheit	
ice cream	freezer chest	5.00 Fahrenheit	
ambient air temperature	2 door reach in refrigerator	41.00 Fahrenheit	
warm water	handwash sink	56.00 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 **12/27/2022**. 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: URIEL MORILLO
CASHIER

Signed On: December 13, 2022