

# 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 FA0240411 - 2 PESOS TAQUERIA		Site Address 1452 POLLARD RD, LOS GATOS, CA 95030		Inspection Date 08/14/2024	
Program PR0340505 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name DIAZ, O FRANCISCO		Inspection Time 14:40 - 16:00
Inspected By ALEXANDER ALFARO	Inspection Type ROUTINE INSPECTION		Consent By FRANCISCO	FSC Not Available	

Placard Color & Score
<b>RED</b>
<b>57</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						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	X			N
K07 Proper hot and cold holding temperatures		X		X			
K08 Time as a public health control; procedures & records					X		
K09 Proper cooling methods			X	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					N
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	
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	X	
K34 Warewash facilities: installed/maintained; test strips		
K35 Equipment, utensils: Approved, in good repair, adequate capacity	X	
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	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	X	
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available		

# OFFICIAL INSPECTION REPORT

Facility FA0240411 - 2 PESOS TAQUERIA	Site Address 1452 POLLARD RD, LOS GATOS, CA 95030	Inspection Date 08/14/2024
Program PR0340505 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11	Owner Name DIAZ, O FRANCISCO	Inspection Time 14:40 - 16:00
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 two door prep cooler near the microwave, potentially hazardous foods (eggs, cheese, tomatoes) were found between 54-56°F at around 3:00 pm. Per kitchen staff they restock the prep cooler at around 11:00 am.*

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

**[COS] Facility VC&D the PHFs. See VC&D report.**

K22 - 8 Points - Sewage and wastewater improperly disposed; 114197

**Inspector Observations:**

*In the prep area, at the floor sink where the ice machine discharges liquid to, the floor sink was backed up. The floor sink would back up and spill onto the floor if the hand washing sink or prep sink drained water. Both plumbing fixtures are directly plumbed.*

**[CA] Food facility shall not operate if there is sewage overflowing or backing up in the food facility. The food facility, or impacted areas, shall remain closed until all plumbing problems have been corrected and all contaminated surfaces have been cleaned and sanitized.**

### Minor Violations

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

**Inspector Observations:**

**1. The Food Safety Certificate is expired.**

**[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.**

**2. Some of staff's food handler cards are expired.**

**[CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.**

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

**Inspector Observations:**

*The hand washing station in the kitchen area did not have paper towels available.*

**[CA] Single-use sanitary towels shall be provided in dispensers; heated-air hand drying device may be substituted for single-use towels.**

**[COS] Staff restocked the paper towel dispenser**

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

# OFFICIAL INSPECTION REPORT

Facility FA0240411 - 2 PESOS TAQUERIA	Site Address 1452 POLLARD RD, LOS GATOS, CA 95030	Inspection Date 08/14/2024
Program PR0340505 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11	Owner Name DIAZ, O FRANCISCO	Inspection Time 14:40 - 16:00

**Inspector Observations:**

**Three 1/3 hotel pans of rice and one 1/3 hotel pan of pinto beans were found cooling on a prep table at ambient air. Per PIC, the food had been cooling for roughly 30 minutes. Food items were between 115-120°F.**

**[CA] Properly cool PHF's using shallow containers, using no more than 2 inches for solid foods and no more than 4 inches for liquids.**

**[COS] PIC transferred the food items to shallow pans and moved to a working refrigeration unit.**

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

**Inspector Observations:**

**Hot water at the three compartment sink was measured at a peak of 117°F.**

**[CA] Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet throughout facility except at handwash sinks.**

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

**Inspector Observations:**

**In the prep area, to the left of the three compartment sink, there was a dead cockroach body. No other evidence of cockroaches were observed at time of the inspection.**

**[CA] Ensure to maintain the facility free of animals, pests, and vermin. Clean and sanitize area of dead cockroaches or old droppings.**

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

**Inspector Observations:**

**In the prep area a cut melon was found thawing on a plate. Per PIC, the melon had less than 30 minutes thawing.**

**[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.**

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

**Inspector Observations:**

**1. The doors and handles of refrigeration and cooking equipment have an accumulation of food debris and are dirty.**

**2. The sides of the fryer have an accumulation of grease.**

**[CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.**

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

**Inspector Observations:**

**In the kitchen area, across the cookline, both 2 door prep coolers are not maintaining foods at 41°F or below.**

**[CA] Refrigeration must be capable of maintaining PHFs at 41°F or below. Repair or replace the units and refrain from storing PHFs in the unit until sure they are functioning.**

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

# OFFICIAL INSPECTION REPORT

Facility FA0240411 - 2 PESOS TAQUERIA	Site Address 1452 POLLARD RD, LOS GATOS, CA 95030	Inspection Date 08/14/2024
Program PR0340505 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11	Owner Name DIAZ, O FRANCISCO	Inspection Time 14:40 - 16:00

**Inspector Observations:**

*The ice machine's drain line lead directly to the floor sink in the prep area.*

**[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.**

**[SA] PIC placed a 1/6 hotel pan to raise the pipe and provide an air gap as the floor sink was backing up at time of the inspection. Provide a permanent solution.**

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 walk in cooler, tires, mechanic tools, and other personal belongings are being stored.**

**2. In the prep area, on a rack of spices and seasonings, medicine and supplements were found stored.**

**[CA] No person shall store clothing or personal effects in any area used for the storage and preparation of food or food contact surfaces.**

**3. There are numerous equipment (2 chest freezers, a four door freezer, a 2 door prep unit, an ice machine, and the walk in cooler) in the facility that are no longer needed for the operation of the facility.**

**[CA] The premises of a food facility shall be free of litter and items that are unnecessary to the operation or maintenance of the facility, such as equipment that is nonfunctional or no longer used.**

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

**Inspector Observations:**

*The floors, walls, and ceilings of the kitchen area have an accumulation of dried food debris and are dirty.*

**[CA] Ensure to maintain the floors, walls, and ceilings of the facility clean and in good repair.**

**Performance-Based Inspection Questions**

Needs Improvement - Sewage and wastewater properly disposed.

Needs Improvement - Adequate handwash facilities: supplied or accessible.

**Measured Observations**

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Ground Beef	2 Door Undercounter Cooler	39.00 Fahrenheit	
Rice	Steam Table	165.00 Fahrenheit	
Ambient Air	3 Door Prep Cooler	39.00 Fahrenheit	
Churro	Upright White Mini Cooler	-1.00 Fahrenheit	
Guacamole	2 Door Upright Cooler	43.00 Fahrenheit	Cooling < 4 hours
Water	Hand Washing Sinks - All	109.00 Fahrenheit	
Rice	Prep Table	120.00 Fahrenheit	Cooling
Beans	Prep Table	115.00 Fahrenheit	Cooling
Eggs	3 Door Prep Cooler	40.00 Fahrenheit	
Tomatoes	2 Door Prep Cooler	54.00 Fahrenheit	
Chicken	Steam Table	180.00 Fahrenheit	
Shrimp	2 Door Upright Cooler	36.00 Fahrenheit	
Shredded Cheese	2 Door Prep Cooler	55.00 Fahrenheit	
Beef Slab	Chest Freezer	10.00 Fahrenheit	
Eggs	2 Door Prep Cooler	55.00 Fahrenheit	
Tamales	Upright White Mini Cooler	-4.00 Fahrenheit	
Beans	Steam Table	170.00 Fahrenheit	
Water	3 Compartment Sink	117.00 Fahrenheit	

**Overall Comments:**

# OFFICIAL INSPECTION REPORT

<b>Facility</b> FA0240411 - 2 PESOS TAQUERIA	<b>Site Address</b> 1452 POLLARD RD, LOS GATOS, CA 95030	<b>Inspection Date</b> 08/14/2024
<b>Program</b> PR0340505 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11	<b>Owner Name</b> DIAZ, O FRANCISCO	<b>Inspection Time</b> 14:40 - 16:00

## CLOSURE / PERMIT SUSPENSION NOTICE

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 **8/28/2024**. 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.

This notice is to inform you that as of this date the Environmental Health Permit for the above mentioned food facility is hereby suspended and all operations therewith are ordered to cease. This action is taken in accordance with Section 114409 of the California Health and Safety Code which states 'If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.'

You have the right to make a written request for a hearing within 15 days after receipt of this notice to show just cause why the permit suspension is not warranted. Failure to request such a hearing within the 15-day period shall be deemed a waiver of the right to a hearing. After these violations have been corrected, you must call the Department of Environmental Health for a reinspection to reinstate the permit to operate. Phone #: (408)918-3400.

### 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:** Yecenia Diaz  
Manager  
**Signed On:** August 14, 2024