

# 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

<b>Facility</b> FA0201150 - TAQUERIA Y MARISCOS CHAPALA		<b>Site Address</b> 340 E 10TH ST D, GILROY, CA 95020		<b>Inspection Date</b> 08/24/2022		<b>Placard Color &amp; Score</b> <div style="background-color: green; color: white; padding: 10px; text-align: center;"> <b>GREEN</b>  <b>90</b> </div>		
<b>Program</b> PR0304596 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			<b>Owner Name</b> GUERRA R., ESPERANZA		<b>Inspection Time</b> 12:40 - 13:45			
<b>Inspected By</b> GABRIEL GONZALEZ		<b>Inspection Type</b> ROUTINE INSPECTION		<b>Consent By</b> BRYAN ZAMORA (PIC)				<b>FSC</b> MARCO GARCIA EXP:07/21/24

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						S
K07	Proper hot and cold holding temperatures	X						
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	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		
K34	Warewash facilities: installed/maintained; test strips	X	
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

No major violations were observed during this inspection.

### Minor Violations

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

**Inspector Observations: Food handler cards (FHC) are not available for review. [CA] Obtain valid FHCs. Keep FHCs at this facility for review upon request. FHC must be obtained from an American National Standards Institute (ANSI) accredited training provider.**

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

**Inspector Observations: Less than thoroughly cooked animal-derived food (fish ceviche) is offered to customers without a written consumer advisory. [CA] Provide a written consumer advisory, which consists of both disclosure AND reminder statements, using brochures, deli case or menu advisories, label statements, table tents, placards, or other effective written means.**

**'Disclosure' means a written statement that clearly includes either of the following:**

- (1) A description of the animal-derived foods, such as "oysters on the half shell (raw oysters)," "raw-egg Caesar salad," and "hamburgers (can be cooked to order)." And/or,**
- (2) Identification of the animal-derived foods marked by an asterisk \* denoting a footnote that states that the items are served raw or undercooked, or contain or may contain raw or undercooked ingredients.**

**'Reminder' means a written statement that identifies the animal-derived foods by an asterisk \* that denotes a footnote that includes either of the following disclosure statements:**

- (1) ""Written information regarding the safety of these food items is available upon request."" And/or,**
- (2) ""Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness, especially if you have certain medical conditions.""**

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: Raw eggs of animal origin stored above ready to eat (RTE) food (salsa, beans) in walk in refrigerator. [CA] Store raw meat/eggs of animal origin below RTE foods; ensure to store foods with higher cooking temperature requirements below those with lower cooking temperature requirements.**

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

**Inspector Observations: Sanitizer testing materials are not available. [CA] Provide testing materials to adequately measure the applicable sanitization method(s) used in this facility. Examples:**

- Chlorine test strips (test for 100 PPM for general sanitizing or 50 PPM in warewash machines).**
- Quaternary ammonium test strips (test for 200 PPM).**

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

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## Measured Observations


Item	Location	Measurement	Comments
SHRIMP	1 DR PREP FRIDGE	36.00 Fahrenheit	
WATER	BACK 3 COMP SINK	127.00 Fahrenheit	
PORK	WALK IN FRIDGE	38.00 Fahrenheit	
CUT TOMATOES	2 DR PREP FRIDGE - BY SERVICE WINDOW	39.00 Fahrenheit	
BEANS	HOT HOLD TABLE	159.00 Fahrenheit	
WATER	PREP SINK	127.00 Fahrenheit	
WATER	FRONT 3 COMP SINK	126.00 Fahrenheit	
SHRIMP	1 DR REACH IN FRIDGE	35.00 Fahrenheit	
FISH	2 DR PREP FRIDGE - KITCHEN ENTRY	39.00 Fahrenheit	
BEEF	STOVE	114.00 Fahrenheit	REHEATING WITHIN REQUIRED TIME/TEMP PARAMETERS.
QUAT	3 COMP SINK DISPENSER	200.00 PPM	

## 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 **9/7/2022**. 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.

## 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: BRYAN ZAMORA  
MANAGER

Signed On: August 24, 2022