

**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> FA0240410 - DONA MARIA MEXICAN RESTAURANT		<b>Site Address</b> 3974 S BASCOM AV, SAN JOSE, CA 95124		<b>Inspection Date</b> 01/09/2025	
<b>Program</b> PR0340504 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			<b>Owner Name</b> DONA MARIA INC.		<b>Inspection Time</b> 09:45 - 11:00
<b>Inspected By</b> HELEN DINH	<b>Inspection Type</b> ROUTINE INSPECTION	<b>Consent By</b> SOFIA GUTIEREZ & JAIME (C)	<b>FSC Maria Prado</b> 3/8/28		

**Placard Color & Score**  
**YELLOW**  
**71**

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		X			N
K08 Time as a public health control; procedures & records					X		
K09 Proper cooling methods		X		X			N
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	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		
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: 1. Found ONLY hand wash station in prep area blocked by container of vegetables. [CA] Ensure hand wash station is accessible at all times. [COS] Operator relocated container.**  
**2. Found mounted paper towel dispenser at ONLY hand wash station in prep area currently inoperable. [CA] Replace battery for mounted paper towel dispenser. [COS] Operator provided single use paper towel outside of dispenser.**

Follow-up By  
01/14/2025

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

**Inspector Observations: Major: Measured the following PHFs holding between 114F - 122F at hot holding inserts: chicken and beef. Observed PHFs container stored on top of other inserts and not in hot holding insert itself for less than 4 hours. [CA] Maintain all hot PHFs held at or above 135F. [COS] Operator directed to reheat PHFs to 165F.**

Follow-up By  
01/14/2025

**Minor: Measured the following PHFs holding between 45F - 46F in 3 door upright for less than 4 hours: raw beef, refried beans and raw shrimp. [CA] Maintain all cold PHFs held at or below 41F.**

K09 - 8 Points - Improper cooling methods; 114002, 114002.1

**Inspector Observations: Measured several containers of cooked rice holding between 46F - 52F in 3 door reach in at cooks line. Per operator, PHFs were cooled since yesterday. [CA] After heating or hot holding, Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours. Approved cooling methods include: 1) Placing the food in shallow pans 2) Separating the food into thinner or smaller portions. 3) Using rapid cooling equipment (Ex. blast chiller) 4) Using containers that facilitate heat transfer (ex. stainless steel) 5) Adding ice as an ingredient. 6) Using ice paddles 7) Using an ice bath and stirring frequently 8) Accordance with a HACCP plan. Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool. [COS] Operator voluntarily discarded PHFs in trash.**

Follow-up By  
01/14/2025

### Minor Violations

K18 - 3 Points - Non-compliance with variance/ROP/HACCP Plan; 114057, 114057.1, 114417.6, 114419

**Inspector Observations: Found bags of manufactured fish sealed in reduced oxygen packaged when thawed. [CA] When in process of being thawed/already thawed, fish content shall be removed from bag. [COS] Operator directed to open ROP bags.**

Follow-up By  
01/14/2025

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

**Inspector Observations: Found a knife stored in between prep table and 2 door cold top. [CA] Multi-use utensils will be stored in a way that the working part of the utensil may not become contaminated.**

### Performance-Based Inspection Questions

- Needs Improvement - Adequate handwash facilities: supplied or accessible.
- Needs Improvement - Proper cooling methods.
- Needs Improvement - Proper hot and cold holding temperatures.

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## Measured Observations

Item	Location	Measurement	Comments
beef	hot insert (on top)	122.00 Fahrenheit	for less than 4 hours. COS-reheat to 165F.
red sauce	counter	143.00 Fahrenheit	process of cooling
grated cheese	2 door cold top	41.00 Fahrenheit	
pulled beef	2 door cold top	40.00 Fahrenheit	
shell eggs	2 door sliding	41.00 Fahrenheit	
chicken	rack	135.00 Fahrenheit	process of cooling
rice	3 door reach in	46.00 Fahrenheit	between 46F - 52F for more than 6 hours. [COS] Operator VC&D product
taquitos	4 door under drawer @ cooks line	41.00 Fahrenheit	
chicken soup	counter	158.00 Fahrenheit	process of cooling
rice	3 door upright	41.00 Fahrenheit	
warm water	handsink (prep & RR)	100.00 Fahrenheit	
raw beef	3 door upright	45.00 Fahrenheit	
refried beans	3 door upright	46.00 Fahrenheit	
beverage	3 door sliding	31.00 Fahrenheit	
refried beans	rack	107.00 Fahrenheit	process of cooling
whole tomato	counter	78.00 Fahrenheit	process of cooling
shrimp	3 door upright	45.00 Fahrenheit	
diced chicken	hot inserts	149.00 Fahrenheit	
rice	hot inserts	145.00 Fahrenheit	
cooked meat	1 door upright	40.00 Fahrenheit	
refried beans	hot inserts	147.00 Fahrenheit	
sliced beef	4 door under drawer @ cooks line	40.00 Fahrenheit	
pulled pork	2 door cold top	40.00 Fahrenheit	
vegetables	2 door upright	41.00 Fahrenheit	
chlorine	warewash/sani bucket	100.00 PPM	
pasole	1 door upright	40.00 Fahrenheit	
chicken	hot insert (on top)	114.00 Fahrenheit	for less than 4 hours. COS-reheat to 165F.
diced ham	4 door under drawer @ cooks line	40.00 Fahrenheit	
hot water	warewash/1-comp/mop sink	120.00 Fahrenheit	
salsa	2 door cold top	41.00 Fahrenheit	
menudo	2 door sliding	41.00 Fahrenheit	

## Overall Comments:

***A follow up inspection shall be conducted.***

***\*\*\*Subsequent follow up inspection after first follow up shall be billed \$298/hr during business hours and \$645/hrs (minimum of 2 hours) during nonbusiness hours upon availability.\*\*\****

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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 **1/23/2025**. 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:** Sofia Guiterez  
Cashier

**Signed On:** January 09, 2025