

# 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 FA0209728 - SWAAD INDIAN CUISINE		Site Address 498 N 13TH ST, SAN JOSE, CA 95112		Inspection Date 01/20/2023	
Program PR0304881 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name NIYANJAN DAS REDDY MET		Inspection Time 13:15 - 14:30
Inspected By HELEN DINH	Inspection Type ROUTINE INSPECTION		Consent By SIVA	FSC Not Available	

Placard Color & Score
<b>GREEN</b>
<b>71</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						
K06 Adequate handwash facilities supplied, accessible		X		X			N
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						S
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	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		
K37 Vending machines		
K38 Adequate ventilation/lighting; designated areas, use	X	
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	X	
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		

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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: Major:**

1. **Lacking soap and paper towel at ONLY hand wash station located at cooks line.**
  2. **Lacking single use paper towel at ONLY hand wash station located near warewash area.**
- [CA] Provide handwashing cleanser in dispenser at handwash stations at all times. Single-use sanitary towels shall be provided in dispensers. [COS] Operator directed to restock.**

Follow-up By  
01/24/2023

**Minor: Found paper towel stored outside of mounted dispenser in employee restroom. [CA] Single-use sanitary towels shall be provided in dispensers; heated-air hand drying device may be substituted for single-use towels.**

### Minor Violations

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

**Inspector Observations: Lacking food safety certificate (FSC). [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.**

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

**Inspector Observations: Measured 2 containers of curry holding between 45F - 49F on counter top near cooks line for less than 4 hours. [CA] Maintain all PHFs cold held at or below 41F.**

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

**Inspector Observations: 1. Found DEAD cockroach parts and egg sacks on wall corners throughout facility. 2. Found OLD rodent droppings near chest freezer at front area, back area near exterior door and near employee restroom.**

**[CA] Eliminate all evidence of DEAD cockroach parts, egg sacks and OLD rodent dropping. Routinely clean all effected areas. Continue to provide approved pest control services.**

Follow-up By  
01/24/2023

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

**Inspector Observations: Found accumulated food debris on refrigeration units, fan guard in walk-in-cooler and sink handles. [CA] Routinely clean.**

K38 - 2 Points - Inadequate ventilation and lighting in designated area; 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

**Inspector Observations: 1. Found heavily accumulated dust and debris on mechanical exhaust hoods and filters. [CA] Routinely clean. 2. Found light bulbs at cooks line flickering, making it difficult to see properly. [CA] Replace light bulb.**

Follow-up By  
01/24/2023

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

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**Inspector Observations:**

1. Found faucet at mop sink leaking when water knob is off. [CA] Repair leak.
2. Found hot water knob at warewash sink unable to shut off by turning. [CA] Repair hot water knob to be able to shut off when turning knob.
3. Found hand wash sink drain line at cooks line directly in floor sink. [CA] Provide a minimum of 1 inch air gap between floor sink and drain line.
4. Found missing hot water knob for hand wash station located at cooks line. [CA] Provide proper warm water knob/handle to be easily turned on/off.
5. Found cold/hot water knob unable to turn on water at 1-compartment sink. Per operator, having issues with water valve. [CA] Ensure cold/hot water is operable at all times. [SA] Operator is hereby directed to use warewash sink as a temporarily means for all food preparation until repairs are made to 1-compartment sink. Facility shall clean/sanitize warewash sink prior to using for purposes of prepping and shall not place food items directly in warewash sink but in containers when cleaning.

Follow-up By 01/24/2023
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K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

**Inspector Observations:** Lacking toilet tissue in employee restroom. [CA] Toilet tissue shall be provided in a permanently installed dispenser at each toilet.

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:** Found accumulated food debris on floor under cooking equipments, splash marks throughout walls of facility and walk-in-cooler. [CA] Routinely clean, especially deep clean.

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

**Inspector Observations:**

1. Found broken/missing floor tiles throughout facility. [CA] Replace broken floor tiles with a smooth and of durable construction and nonabsorbent material that is easily cleanable.
2. Found holes throughout facility. Observed a wire mesh used to cover holes with moose sealant. [CA] Properly seal all holes, gaps and crevices to prevent entrance and harborage of vermin.

## Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

## Measured Observations

Item	Location	Measurement	Comments
warm water	handsink (front, back & RR)	100.00 Fahrenheit	
chicken	stove top (not on)	134.00 Fahrenheit	process of cooling
potatoes	counter	93.00 Fahrenheit	process of cooling
curry	counter	45.00 Fahrenheit	between 45F - 49F.
ambient	chest freezer	4.90 Fahrenheit	
chlorine	dish machine	50.00 PPM	
curry	walk-in	41.00 Fahrenheit	
raw chicken	2 door reach in	41.00 Fahrenheit	
hot water	warewash/mop sink	120.00 Fahrenheit	
vegetables	walk-in	41.00 Fahrenheit	
samosa	walk-in	47.00 Fahrenheit	diligent prep
cauliflower	stove top (not on)	93.00 Fahrenheit	process of cooling
chicken	2 door cold top	38.00 Fahrenheit	
vegetables	2 door cold top	38.00 Fahrenheit	
cheese	2 door cold top	80.00 Fahrenheit	process of cooling. Note: Operator directed to cool PHFs in walk-in-cooler.

## Overall Comments:

*A follow-up inspection shall be conducted.*

**\*\*\*Subsequent follow up inspection after first follow up shall be billed \$219/hr during business hours and \$493/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 2/3/2023. 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:** Siva Chowdary  
Manager

**Signed On:** January 20, 2023