

**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> FA0230136 - HIMALAYAN MAGIC MASALA		<b>Site Address</b> 1600 SARATOGA AV 203, SAN JOSE, CA 95129		<b>Inspection Date</b> 09/16/2025	
<b>Program</b> PR0330159 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			<b>Owner Name</b> HIMALAYAN MAGIC MASALA		<b>Inspection Time</b> 11:50 - 13:40
<b>Inspected By</b> DENNIS LY	<b>Inspection Type</b> ROUTINE INSPECTION	<b>Consent By</b> KISHMAT NEPALI	<b>FSC</b> Not Available		

<b>Placard Color &amp; Score</b>
<b>RED</b>
<b>65</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						
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		X			
K06	Adequate handwash facilities supplied, accessible	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		X			N
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	X	
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		
K39	Thermometers provided, accurate		
K40	Wiping cloths: properly used, stored	X	
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	X	
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

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

**Inspector Observations: Improper handwashing practice observed. Employee changed bag for trash bin, wiped down counter, and did not wash their hands. [CA] Employee shall properly wash their hands with warm water, soap, and single-use paper towels prior to handling food.**  
**[COS] Employee was stopped and asked to properly wash hands before contamination food or food contact surfaces.**

Follow-up By  
09/18/2025

K14 - 8 Points - Food contact surfaces unclean and unsanitized; 113984(e), 114097, 114099.1, 114099.4, 114099.6, 114101, 114105, 114109, 114111, 114113, 114115(a,b,d), 114117, 14125(b), 114141

**Inspector Observations: Facility did not have any form of sanitizer available onsite for proper cleaning of food contact equipment and surfaces. [CA] Manual sanitization shall be accomplished by contacting a chlorine solution of 100 PPM concentration for at least 30 seconds or by contacting a quaternary ammonium solution of 200 PPM concentration for at least 60 seconds.**  
**[COS] Employee obtained a container of bleach to use for chlorine sanitizer.**

Follow-up By  
09/18/2025

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

**Inspector Observations: 1. Observed Vermin: Documented in the following areas:**  
**- Two live adult cockroaches behind the front counter**  
**- One dead cockroach observed inside the drawer cooler.**  
**2. Photographs: Taken for documentation purposes.**  
**3. Supervisor Notified: Suzanne Lew**  
**4. Notification: The person in charge during inspection, Kishmat Nepali, has been informed that the facility must close immediately.**

Follow-up By  
09/18/2025

**[CA]: The premises of each food facility must be maintained free of vermin. A facility cannot operate if there is a vermin infestation that leads to contamination of food contact surfaces, packaging, utensils, food equipment, or adulteration of food. The facility is required to cease operations immediately and must remain closed until all corrective actions on the provided checklist are completed.**

**Requirements Before Reopening:**

1. Email the signed and completed Reopening Checklist to the assigned inspector.
2. Submit a copy of the pest control report from a licensed provider.

### Minor Violations

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

**Inspector Observations: Food Safety certificate for Managers and employee food handler cards are not available for review. [CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have at least one valid Food Safety Certificate available. Employees that handles, prepares, or serves food shall have a valid food handler card available within 30 days from their date of hire.**

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

**Inspector Observations: Containers of food observed stored on the floor inside the walk-in cooler and walk-in freezer. [CA] Food shall be stored a minimum of 6 inches off the floor.**

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

**Inspector Observations: Accumulation of standing water and debris inside the floor sinks in the kitchen. [CA] Frequently clean and sanitize nonfood contact surfaces to prevent the accumulation of debris and standing water.**

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

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**Inspector Observations:** *Wiping towel was observed used, reused, and stored on food prep surface. [CA] Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium).*

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:** *Back door of kitchen is kept open at time of inspection. [CA] Keep back door closed when not in use to prevent the entrance of vermin.*

## Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Needs Improvement - Food contact surfaces clean, sanitized.

## Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Chicken	Drawer cooler	41.00 Fahrenheit	
Spinach	Drawer cooler	41.00 Fahrenheit	
Chickpeas	Drawer cooler	41.00 Fahrenheit	
Raw shrimp	Walk-in cooler	34.00 Fahrenheit	
Heavy cream	Food prep unit	41.00 Fahrenheit	
Fried rice	Cooked	162.00 Fahrenheit	
Hot water	Handwash sink	100.00 Fahrenheit	
Beef	Drawer cooler	40.00 Fahrenheit	
Milk	Walk-in cooler	38.00 Fahrenheit	
Beef	Walk-in cooler	39.00 Fahrenheit	
Rice	Warmer	143.00 Fahrenheit	
Raw beef	Walk-in cooler	39.00 Fahrenheit	
Butter chicken	Cook top	165.00 Fahrenheit	
Hot water	Three compartment sink	120.00 Fahrenheit	
Raw chicken	Walk-in cooler	37.00 Fahrenheit	
Rice	Walk-in cooler	41.00 Fahrenheit	

## Overall Comments:

**FACILITY IS CLOSED DUE TO A COCKROACH INFESTATION**

*The premises of each food facility must be maintained free of vermin. A facility cannot operate if there is a vermin infestation that leads to contamination of food contact surfaces, packaging, utensils, food equipment, or adulteration of food.*

*\*The facility is required to CEASE OPERATIONS IMMEDIATELY and must remain closed until all corrective actions on the provided checklist are completed.*

**Requirements Before Reopening:**

1. Email the signed and completed Reopening Checklist to the assigned inspector.
2. Submit a copy of the pest control report from a licensed provider.

*Once the above is corrected, submit the completed items and related documents to [dennis.ly@deh.sccgov.org](mailto:dennis.ly@deh.sccgov.org)  
Operator may contact the district specialist or the main office at 408-918-3400 to schedule the follow-up inspection.*

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

*\*\*\* The posted placard is property of Santa Clara County Department of Environmental Health and shall not be removed, covered, relocated, tampered, or copied. Failure to comply may result in enforcement action per County Ordinance Code section B 11-55.*

*\*\*\* A Facility found to be in continued operation without a permit may incur a penalty of three (3) times the operating permit fee and fee(s) for re-inspection(s) charged at the current hourly rate approved by Santa Clara County Board of Supervisors. Penalties and fees incurred due to enforcement activities must be paid in full prior to the issuance of an operating permit.*

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## 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 **9/30/2025**. 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.

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



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**Received By:** Kishmat Nepali  
Manager

**Signed On:** September 16, 2025