

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 FA0281965 - SIPAN PERUVIAN RESTAURANT & BAR		Site Address 14486 BIG BASIN WY, SARATOGA, CA 95070		Inspection Date 04/07/2021	
Program PR0423112 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name CHRISTIAM A TORRES		Inspection Time 12:35 - 13:10
Inspected By JENNIFER RIOS		Inspection Type RISK FACTOR INSPECTION		Consent By RAUL RODRIGUEZ	
FSC Not Available					

Placard Color & Score
RED
N/A

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						
K06 Adequate handwash facilities supplied, accessible		X		X			
K07 Proper hot and cold holding temperatures		X		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		
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		
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: Paper towels were not provided in only handwash sink in kitchen area. [CA] Single-use sanitary towels shall be provided in dispensers. [COS] PIC provided paper towels.

Follow-up By
04/12/2021

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

Inspector Observations: Rice in hot holding measures 101F. Per cook, it was cooked 2 hours prior. [CA] PHFs shall be held at 41°F or below or at 135°F or above. [COS] Warmer was turned back on to heat.

Follow-up By
04/12/2021

K21 - 8 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations: Hot water measured 69F to 70F. [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.

Follow-up By
04/12/2021

Facility shall cease operation until hot water can be provided and a follow up inspection is conducted.

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

Inspector Observations: Observed live and one dead cockroach under three compartment sink in back kitchen area. Observed several live cockroaches in bar area along the wall in varying stages of life. [CA] The premises of each food facility shall be kept free of vermin. A food facility shall not operate when there is a vermin infestation that has resulted in the contamination of food contact surfaces, food packaging, utensils, food equipment, or adulteration of food(s). The food facility shall cease operation of the food facility immediately. The food facility shall remain closed until: there is no longer evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved.

Follow-up By
06/12/2021

Minor Violations

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

Inspector Observations: Food safety certification was 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.

K14 - 3 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: Quaternary ammonia at three compartment sink dispenser measured 0ppm while not in use. [CA] Maintain Quaternary ammonia in dispenser at 200ppm.

Performance-Based Inspection Questions

N/A

Measured Observations

Item	Location	Measurement	Comments
Sliced tomatoes	Cold hold insert	40.00 Fahrenheit	
Chlorine	Mechanical warewash	50.00 PPM	
Hot water	Three comp	69.00 Fahrenheit	69F-70F.
Fish	Cold hold insert	39.00 Fahrenheit	
Chicken	Reach in fridge	39.00 Fahrenheit	
Chicken	Cold hold insert	40.00 Fahrenheit	
Quaternary ammonia	Three comp sink	0.00 PPM	
Hot water	Handwash	69.00 Fahrenheit	
Rice	Hot holding	101.00 Fahrenheit	

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Overall Comments:

Facility is closed due to evidence of vermin and hot water not provided.

Clean and sanitize all food and nonfood contact surfaces. Remove all evidence of cockroaches from facility. Ensure no live cockroaches are found at follow up inspection.

Facility will remain closed at this time and will not reopen until a follow up inspection is conducted.

Facility is to cease and desist all food sales and operations, including food preparation. Do not remove, cover-up, or relocated red placard. Failure to comply may result in enforcement actions. If a second follow-inspection is conducted, there will be a \$219/hr charge at a minimum one-hour charge.

Contact Jennifer Rios, 408-918-3480 for a follow up inspection once closure violations are corrected.

**If professional pest control services are obtained during the closure, please provide the pest control report from service during re-inspection.*

Weekend/After hours charges

A charge of \$493 will be charged by the Department of Environmental Health for today's follow up inspection. For after hour inspections (after 6pm Monday through Friday and on weekends) there will be a \$493 charge/hour.

Report written off site. Signature not obtained due to COVID-19 and social distancing parameters. A copy of this report will be emailed to the operator.

Conducted risk factor based inspection during Covid-19 Pandemic. A risk factor based inspection is an inspection focusing on factors known to directly contribute to foodborne illness. Structural issues and good retail practices are not accessed during this inspection.

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 **4/21/2021**. 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: No signature due to COVID-19.

Signed On: April 07, 2021