

# 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> FA0256415 - SPICE VALLEY		<b>Site Address</b> 375 SARATOGA AV L, SAN JOSE, CA 95129		<b>Inspection Date</b> 09/14/2022		<b>Placard Color &amp; Score</b> <div style="background-color: green; color: white; padding: 10px; text-align: center;"> <b>GREEN</b>  <b>70</b> </div>		
<b>Program</b> PR0374464 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			<b>Owner Name</b> ISTA, LLC		<b>Inspection Time</b> 10:10 - 12:45			
<b>Inspected By</b> HUNTER DANG		<b>Inspection Type</b> ROUTINE INSPECTION		<b>Consent By</b> SANDEEP PATEL				<b>FSC</b> Sandeep Patel 04/25/2026

  

RISK FACTORS AND INTERVENTIONS		IN	OUT		COS/SA	N/O	N/A	PBI
			Major	Minor				
K01	Demonstration of knowledge; food safety certification			X				N
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				N
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		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	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	X	
K33	Nonfood contact surfaces clean		
K34	Warewash facilities: installed/maintained; test strips	X	
K35	Equipment, utensils: Approved, in good repair, adequate capacity	X	
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	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	X	
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	X	

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K48	Plan review		
K49	Permits available		
K58	Placard properly displayed/posted		

## Comments and Observations

### Major Violations

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

**Inspector Observations:** Containers of curry and cooked vegetables at the cold holding produce display unit was measured in the temperature danger zones (between 42 F and 134F). Curry (Indian cheese), cooked potatoes, and green beans were measured at 50F-56F, 51F, and 53F, respectively. Per PIC, the potentially hazardous foods (PHFs) were cooked and stored since yesterday.

**[CA]** PHFs shall be held at 41°F or below or at 135°F or above. Ensure that PHFs are properly cooled and stored below 41F before relocating to the self-serve cold holding display unit.

**[COS]** PIC voluntarily condemned and destroyed the PHFs in a trash bin. See VC&D report.

### Minor Violations

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

**Inspector Observations:** Lack of food handler cards for employees who are actively handling food items in the kitchen.

**[CA]** Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

**Inspector Observations:** Hand sink was partially blocked by a large trash bin.

**[CA]** Handwashing facility shall be clean, unobstructed, and accessible at all times. Relocate trash bin and keep hand sinks clear always.

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:** An open bag of milk powder was stored under the prep counter.

**[CA]** Store open bulk foods in approved NSF containers with tight fitting lids, with proper labels to identify the contents inside.

A tray of potatoe balls and large in with cashews were stored in the walk-in refrigerator with proper lids.

**[CA]** Cover foods with proper lids to prevent contamination.

Boxes of tomatoes, ricotta cheese, boxes of yogurt, and other food items were stored directly on the floor in the walk-in refrigerator.

**[CA]** Food shall be stored at least 6 inches above the floor to prevent contamination.

K32 - 2 Points - Food improperly labeled & not honestly presented: 114087, 114089, 114089.1(a, b), 114090, 114093.1

**Inspector Observations:** Various foods (Indian desserts, spiced vegetables, curries, dry snacks, cooked vegetables and others) cooked and prepackaged at this facility lacks proper labels.

**[CA]** Food prepackaged in a food facility shall bear a label with the following: 1) common name of the food, 2) list of ingredients in descending order of predominance by weight, 3) quantity of contents, 4) name and place of business of the manufacturer, packer, or distributor.

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:** Facility lacked test strips to measure the proper sanitization levels.

**[CA]** Testing equipment and materials (test strips) shall be provided to adequately measure the applicable sanitization method used during manual or mechanical warewashing.

K35 - 2 Points - Equipment, utensils - Unapproved, unclean, not in good repair, inadequate capacity; 114130, 114130.1, 114130.2, 114130.3, 114130.4, 114130.5, 114132, 114133, 114137, 114139, 114153, 114155, 114163, 114165, 114167, 114169, 114175, 114177, 114180, 114182

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**Inspector Observations:** *Cutting board located at the three-compartment sink is heavily scored and stained.*

**[CA]** *Replace cutting board made of food grade material that is durable and easily cleanable.*

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:** *Original plastic food containers were used to store sugar and other food items.*

**[CA]** *Single use food container (e.g. soy sauce container, milk carton, apple juice container, can food, wine bottle) shall not be reused to store food.*

*Small plastic to-go containers were used as scoops in containers of sugar.*

**[CA]** *Use approved utensils such as scoops or spoons with handles to ensure hands do not come in direct contact with food. Always store handles away from foods.*

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

**Inspector Observations:** *Dirty wiping rags were stored throughout the back kitchen area.*

**[CA]** *Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium).*

K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

**Inspector Observations:** *Toilet paper dispenser was empty and rolls of toilet paper were stored outside of dispenser.*

**[CA]** *Toilet tissue shall be provided in a permanently installed dispenser at each toilet.*

K47 - 2 Points - Signs not posted; last inspection report not available; 113725.1, 113953.5, 113978, 114381(e)

**Inspector Observations:** *The most recent inspection report was not available at the time of inspection.*

**[CA]** *A copy of the most recent routine inspection report conducted to assess compliance with this part shall be maintained at the food facility and made available upon request.*

## Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Needs Improvement - Demonstration of knowledge; food manager certification.

Needs Improvement - Food contact surfaces clean, sanitized.

## Measured Observations

Item	Location	Measurement	Comments
Potatoe balls	Counter	170.00 Fahrenheit	Cooling
Cooked potatoes	Cold holding produce display unit	51.00 Fahrenheit	VC&D
Hot water	Three-compartment sink	120.00 Fahrenheit	Including prep sink and janitorial sink
Fried Potato balls	Walk-in refrigerator	38.00 Fahrenheit	
Water	Hand sink	100.00 Fahrenheit	Food prep and in restroom
Curry (potatoes/lentils)	Counter	148.00 Fahrenheit	Cooling
Curry	Cold holding produce display unit	50.00 Fahrenheit	Range to 56F. Indian cheese, onions, tomato. VC&D
Green beans	Cold holding produce display unit	53.00 Fahrenheit	VC&D
Milk	Walk-in refrigerator	35.00 Fahrenheit	IR

## Overall Comments:

*Per PIC, this facility now cooks and prepackages at least 5 items for customer purchase. May need to re-evaluate risk category.*

*Discussed with owner the need to use Time as a Public Health Control (TPHC) for fried food items stored at room temperature for sale at the front of the grocery store.*

*TPHC form emailed to operator at nicennew\_dev@yahoo.com.*

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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 **9/28/2022**. 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:** Sandeep Patel  
Owner  
**Signed On:** September 14, 2022