

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 FA0211614 - SWARAJ INDIA		Site Address 1855 EL CAMINO REAL, SANTA CLARA, CA 95050		Inspection Date 03/24/2026	
Program PR0300367 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name MARATHA EMPIRE INC		Inspection Time 13:00 - 15:15
Inspected By KATHY VO	Inspection Type ROUTINE INSPECTION		Consent By GANESH	FSC Santosh Bahuguna 06/20/2029	

Placard Color & Score
RED
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						
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						
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						S
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	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		
K33 Nonfood contact surfaces clean		
K34 Warewash facilities: installed/maintained; test strips		
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		
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		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

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

Inspector Observations: 1) At the cook line, measured goat meat at 73F and heavy cream at 68F. Inside the preparation units, measured multiple Potentially Hazardous Foods including curry from 48-53F. Per employee, all foods were removed from the cooler less than 2 hours prior to temperature measurement. [CA] Potentially Hazardous Foods shall be kept at 41F or below or 135F or above. [SA] Foods were relocated to working refrigeration units to facilitate rapid cooling.

Follow-up By
03/25/2026

2) On preparation counters, measured chop masala, pakora, fried chilis from 65-73F. Per employee, items were removed from the cooler less than 2 hours prior to temperature measurement. Per PIC, all foods are discarded by the end of lunch service. No evidence of time markings observed. [CA] Potentially Hazardous shall be kept at 41F or below or 135F or above. [SA] Per employee, foods will be discarded by the end of lunch service (within 4 hours from time of removal from refrigeration unit). Discussed TPHC during inspection--PIC will elect to keep all foods under refrigeration from now on.

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:**

- In a sticky trap underneath the shelving and 2-door upright cooler, observed two live adult German cockroaches and multiple dead cockroaches of various life stages.
- Nearby the cook line, observed dead cockroach on the cove base.
- Underneath the 3-compartment sink at the bar, observed dead cockroach on the piping.
- At the warewashing machine, observed multiple dead cockroaches of various life stages.
- In the dry storage room, observed excessive rodent droppings on top of packaged foods, on the storage shelves, and on the floor. Observed rodent droppings on the floor at the back doorway leading outside and through the food preparation area.

2. **Photographs:** Taken for documentation purposes.

3. **Supervisor Notified:** Anjani Sircar

4. **Notification:** The person in charge during inspection, Ganesh, has been informed that the facility must close immediately.

Follow-up By
03/25/2026

[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.

Minor Violations

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

Inspector Observations: Actively working employees lack food handler cards. The food handler cards are expired or unavailable for review. [CA] Food handlers shall maintain a valid food handler card for the duration of their employment as a food handler. Food handler cards shall be available for review.

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: In the dry storage room, observed multiple bulk ingredient bags are kept open and uncovered. [CA] After opening, foods shall be transferred to an approved container with tight fitting lids.

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, 114166, 114167, 114169, 114175, 114177, 114180, 114182

Inspector Observations: At the cook line, measured the ambient temperature of the rightmost preparation units at 48F and 52F. [CA] Refrigeration units shall maintain foods at 41F or below. Discontinue the storage of Potentially Hazardous Foods until units are repaired.

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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: 1) Observed single use milk containers are reused to store desserts and other foods. [CA] Discontinue storage of foods inside single-use food containers. Food shall be stored in approved, food grade containers.

2) At the flat top, observed working utensils are stored inside standing, contaminated water measuring 103F. [CA] Utensils shall be stored in the following manner: 1) in the food with their handles above the top of the food and the container, 2) in running water, 3) in a container of water at 135°F or above, 4) at room temperature if washed within 4 hours of initial use.

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: Observed holes in the ceiling above the food preparation area and in the wall underneath the warewashing sink. [CA] Seal all gaps in the facility. The facility shall be fully enclosed to prevent pest entrance and harborage.

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

Inspector Observations: Observed heavy accumulation of food residue and debris on the floors underneath the cook line, refrigeration units, warewashing sink, and in the dry storage room. [CA] Routinely clean and sanitize floors, walls, and ceilings.

Performance-Based Inspection Questions

Needs Improvement - Proper hot and cold holding temperatures.

Measured Observations

Item	Location	Measurement	Comments
curries	preparation table inserts	41.00 Fahrenheit	
goat curry	walk-in cooler	41.00 Fahrenheit	
peanut chutney	2-door upright cooler (2)	41.00 Fahrenheit	
beverages	2-door under counter cooler	41.00 Fahrenheit	
water	handwash sink (restroom)	100.00 Fahrenheit	
curries	preparation unit (1)	41.00 Fahrenheit	
cut tomato	preparation unit (2)	53.00 Fahrenheit	
water	3-compartment sink	120.00 Fahrenheit	
goat meat	preparation counter	73.00 Fahrenheit	
ambient	2-door upright freezer	3.00 Fahrenheit	
heavy cream	preparation counter	68.00 Fahrenheit	
sanitizer (chlorine)	mechanical dishwasher	50.00 PPM	
dessert	2-door upright cooler (1)	41.00 Fahrenheit	
curries	stovetop	122.00 Fahrenheit	Cooking.
cooked eggplant	preparation unit (3)	48.00 Fahrenheit	
water	2-compartment sink	120.00 Fahrenheit	
chop masala, pakora, fried chilis	preparation counter	65.00 Fahrenheit	65-73F.
cooked eggplant	walk-in cooler	41.00 Fahrenheit	
water	handwash sink	100.00 Fahrenheit	
water	3-compartment sink (bar)	120.00 Fahrenheit	

Overall Comments:

The facility is hereby CLOSED by this department due to evidence of vermin infestation (see violation K23). 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. Complete and sign the provided re-opening checklist.**
- 2. Obtain a copy of the latest pest control report from a licensed provider.**
- 3. Submit the re-opening checklist and latest pest control report to district specialist (kathy.vo@deh.sccgov.org) or DEH main line (408-918-3400). Upon review, district specialist will schedule the follow-up inspection.**

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PIC stated that facility receives monthly pest control services. Reviewed last pest control services report on 3/19/2026 from Banner Pest Services. Report stated that facility received treatment for cockroaches and rodents.

NOTE: A period of 24 hours from this inspection shall pass before requesting a follow-up inspection. Pest control treatments may require a sufficient amount of contact time to be effective.

- A follow-up inspection to verify compliance of major violations will be conducted upon facility request. The first follow-up inspection is free of charge. Subsequent follow-up inspections after the first follow-up shall be billed at \$298/hour (one hour minimum) during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$645 (minimum of two hours) during non-business hours, and upon inspector availability.

- The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered, or copied. Failure to comply may result in enforcement actions per County Ordinance Code Section B11-55.

- 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 the 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.

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 **4/7/2026**. 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: Ganesh Gausar
Owner

Signed On: March 24, 2026