

**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 FA0210593 - FIVE SPICE INDIAN GROCERY		Site Address 680 RIVER OAKS PY P, SAN JOSE, CA 95134	Inspection Date 04/10/2024
Program PR0306457 - NO FOOD PREP (GROCERY STORE) < 5,000 SQ FT - FP06		Owner Name FIVE SPICE INC	Inspection Time 15:15 - 16:00
Inspected By GLENCIJOY DAVID	Inspection Type FOLLOW-UP INSPECTION	Consent By KUNAL	

Placard Color & Score <b>RED</b> <b>N/A</b>
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**Comments and Observations**

**Major Violations**

Cited On: 04/08/2024

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

**Compliance of this violation has been verified on: 04/10/2024**

Cited On: 04/08/2024

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

**This violation found not in compliance on 04/10/2024. See details below.**

Cited On: 04/10/2024

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

**Inspector Observations: Rodent droppings present on floors underneath open vegetable containers and on floors underneath storage rack near office. Per PIC, area was cleaned within the last hour. Facility appears to have an active rodent infestation. [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 harborage have been resolved.**

**Follow-up By**  
04/11/2024

**FACILITY IS CLOSED. CEASE AND DESIST ALL FOOD SALES.**

**Minor Violations**

N/A

**Measured Observations**

N/A

**Overall Comments:**

**FACILITY IS CLOSED DUE TO RODENT INFESTATION.**

**Facility shall cease and desist all food sales.  
 Facility shall continue cleaning.**

- Handwash sinks shall not be blocked
- Hot foods shall be maintained at or above 135F

**Follow-up inspection will be conducted tomorrow, upon follow-up inspection, any evidence of a current rodent infestation will result in continued facility closure or a subsequent charged follow-up.**

**\*\*\*Any subsequent follow up inspection after first follow up will be billed at \$290.00/hr during business hours and \$629 (minimum of 2 hours) during nonbusiness hours upon availability.\*\*\***

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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 **4/24/2024**. 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:** Kunal  
PIC  
**Signed On:** April 10, 2024