

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 FA0213892 - BLACK BEAR DINER SUNNYVALE		Site Address 415 E EL CAMINO REAL, SUNNYVALE, CA 94087		Inspection Date 07/11/2025		Placard Color & Score <div style="background-color: green; color: black; padding: 10px; text-align: center;"> GREEN 80 </div>		
Program PR0302624 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 3 - FP17			Owner Name JENNIFER NUSHWAT		Inspection Time 13:05 - 15:00			
Inspected By SUHKREET KAUR		Inspection Type ROUTINE INSPECTION		Consent By SERVANDO				FSC SERVANDO ANAYA ZEPAYA 8/27/2027

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			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						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		
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		X
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		
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		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

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: Lack of paper towels at hand wash sink near cookline.

[CA] Provide single use paper towels in dispenser at all times.

[COS] Paper towels restocked.

Minor Violations

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: Measured cheese and meat between 46-49 in small single door prep unit near upright freezer/refrigerator at cookline area.

Measured cheese at 46F in upright freezer/refrigerator.

Per PIC, the food was just restocked for next morning, it was taken out of walk in cooler within last hour and portioned.

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

[COS] PIC moved all the PHFs to walk in cooler.

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: *Repeat violation

Observed few old rodent droppings above water heater in closet near back door.

[CA] Clean and sanitize area of old droppings.

Observed flies in near dish machine and three compartment sink, dry storage room, unused back corner with soda machine and produce prep area.

[CA] Food facility shall be kept free of non-disease carrying insects, weevils, ants, gnats, and fruit flies.

Continue to obtain pest control services and follow all the recommendations provided on pest control report.

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

Inspector Observations: Observed shelves for clean equipment in warewash room not clean**[CA] Equipment food-contact surfaces and utensils shall be clean to sight and touch. [COS]**

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

Inspector Observations: Ambient temperature for small single door prep unit and freezer/refrigerator unit is above 50F.

[CA] Refrigeration must be capable of maintaining PHFs at 41°F or below. Discontinue using the equipment until it can maintain PHFs 41F or below.

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

Inspector Observations: Accumulation of food debris under equipment and storage areas throughout the facility.

[CA] Floors in food preparation area shall be kept clean.

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

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Measured Observations

Item	Location	Measurement	Comments
Milk	Upright refrigerator at drinks corner	41.00 Fahrenheit	
Roast	Walk in cooler	41.00 Fahrenheit	
Soup	Hot holding at front service line	41.00 Fahrenheit	
Potatoes	On grill (hot holding)	160.00 Fahrenheit	
Garlic in oil	Under counter refrigerator at back produce prep area	41.00 Fahrenheit	
Chlorine	Dish machine	50.00 PPM	
Meat lovers	Single door prep unit near freezer/refrigerator unit	49.00 Fahrenheit	moved to walk in cooler
Raw meat	Drawer unit under cookline	41.00 Fahrenheit	
Burger patty	Cooking	167.00 Fahrenheit	
Shredded cheese	Single door prep unit near freezer/refrigerator unit	46.00 Fahrenheit	moved to walk in cooler
Shredded cheese	Single door prep unit near walk in cooler side	41.00 Fahrenheit	
Chilli	Hot holding at cookline	145.00 Fahrenheit	
Cut melon	Prep unit at front service line	41.00 Fahrenheit	
Prime rib	Walk in cooler	41.00 Fahrenheit	
Cheese	Upright freezer/refrigerator unit	46.00 Fahrenheit	moved to walk in cooler
Water	Hand wash sink	100.00 Fahrenheit	
Quaternary ammonium	Sanitizer bucket	200.00 PPM	
Hot water	Three compartment sink	120.00 Fahrenheit	
Sliced tomatoes	Prep unit in front of cookline	41.00 Fahrenheit	

Overall Comments:

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 7/25/2025. 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.

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: SERVANDO ANAYA ZEPAYA
MANAGER

Signed On: July 11, 2025