

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 FA0275272 - TOMATINA		Site Address 5245 PROSPECT RD, SAN JOSE, CA 95129		Inspection Date 05/15/2026		Placard Color & Score GREEN 85		
Program PR0415997 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name NBR TOMATINA SAN JOSE, L		Inspection Time 14:25 - 15:35			
Inspected By NHA HUYNH		Inspection Type ROUTINE INSPECTION		Consent By DAVID AND LINDA				FSC Chloe Frey 05/02/2030

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						S
K03	No discharge from eyes, nose, mouth	X						S
K04	Proper eating, tasting, drinking, tobacco use	X						
K05	Hands clean, properly washed; gloves used properly	X						S
K06	Adequate handwash facilities supplied, accessible	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						S
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	X	
K36	Equipment, utensils, linens: Proper storage and use		
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use		
K39	Thermometers provided, accurate		X
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		

OFFICIAL INSPECTION REPORT

Facility FA0275272 - TOMATINA	Site Address 5245 PROSPECT RD, SAN JOSE, CA 95129	Inspection Date 05/15/2026
Program PR0415997 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name NBR TOMATINA SAN JOSE, LLC	Inspection Time 14:25 - 15:35
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:

Multiple Potentially Hazardous Foods in the 4 drawer prep cooler were measured at 60 degrees Fahrenheit. Per chef, the foods were placed in the unit since 10:00 AM.

[Corrective Action] Maintain Potentially Hazardous Foods at or below 41 degrees Fahrenheit.

[Suitable Alternative] Foods in the 4 drawers were voluntarily discarded.

Follow-up By
05/18/2026

Minor Violations

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:

1. The chlorine sanitizer in the dishwasher machine was measured at zero ppm. Observed the chlorine bucket to be empty. Facility was not using the dishwasher machine to clean and sanitize utensils at the time of inspection. Per general manager, their service provider will swap in a new chlorine bucket today.

[Corrective Action] Ensure chlorine sanitizer in the dishwasher machine is maintained at 50 ppm. Temporarily sanitize utensils in the 3 compartment sink.

Follow-up By
05/18/2026

2. Mold or mildew like substance was observed inside the ice machine near the ice chute area.

[Corrective Action] Thoroughly clean and sanitize inside the ice machine.

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:

1. The 4 drawer prep cooler was observed not able to maintain Potentially Hazardous Foods at or below 41 degrees Fahrenheit.

[Corrective Action] Refrigeration units shall be able to maintain Potentially Hazardous Foods at or below 41 degrees Fahrenheit.

Follow-up By
05/18/2026

2. Deep scores in the green cutting board and observed the deep scores having blackened.

[Corrective Action] Repair or replace the green cutting board.

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

Inspector Observations:

Lack of probe thermometer.

[Corrective Action] Provide probe thermometer to be able to verify proper cooking temperature.

Follow-up By
05/18/2026

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

OFFICIAL INSPECTION REPORT

Facility FA0275272 - TOMATINA	Site Address 5245 PROSPECT RD, SAN JOSE, CA 95129	Inspection Date 05/15/2026
Program PR0415997 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14	Owner Name NBR TOMATINA SAN JOSE, LLC	Inspection Time 14:25 - 15:35

Measured Observations

Item	Location	Measurement	Comments
chlorine sanitizer	dishwasher machine	0.00 PPM	
alfredo sauce, bolognese sauce	4 drawer prep cooler - top	40.00 Fahrenheit	across cookline
milk	4 door undercounter cooler	41.00 Fahrenheit	bar
quaternary ammonium sanitizer	3 compartment sink	200.00 PPM	
hot water	handwash sink	115.00 Fahrenheit	
chicken, pasta, fried chicken, shrimp, salmon	4 drawer prep cooler - bottom	60.00 Fahrenheit	across cookline
butter	single door undercounter cooler	41.00 Fahrenheit	bar
hot water	handwash sink	116.00 Fahrenheit	bar
salmon	single door upright cooler	41.00 Fahrenheit	
shrimp	final cooking temperature	159.00 Fahrenheit	
pasta	speed rack walk-in cooler	70.00 Fahrenheit	cooling
tiramisu	single door prep cooler	41.00 Fahrenheit	
quaternary ammonium sanitizer	3 compartment sink	200.00 PPM	bar
butter, chicken, meatballs, pasta, cheese	walk-in cooler	39.00 Fahrenheit	
hot water	3 compartment sink	125.00 Fahrenheit	
steak, diced tomatoes	4 drawer prep cooler	38.00 Fahrenheit	
meatballs, cheese	2 door prep cooler	37.00 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 **5/29/2026**. 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.

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: Eriys Nunez
Executive Chef

Signed On: May 15, 2026