

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 FA0240312 - HOM KOREAN KITCHEN		Site Address 76 E SANTA CLARA ST, SAN JOSE, CA 95113		Inspection Date 03/06/2025		Placard Color & Score RED 53		
Program PR0340380 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name THEOMY EMPIRE INC		Inspection Time 11:15 - 12:45			
Inspected By ALEXANDER ALFARO		Inspection Type ROUTINE INSPECTION		Consent By NANO				FSC Asimina Theoharis 09/25/2028

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						
K04	Proper eating, tasting, drinking, tobacco use	X						
K05	Hands clean, properly washed; gloves used properly			X	X			N
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						
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	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		
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		X
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	X
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:

- 1. In the back of house area, at the hand wash station, there was no soap available and the sink was obstructed.*
- 2. In the front of house area, at the hand wash station, the soap dispenser and paper towel dispenser were empty. A pump bottle of soap and roll of paper towels were available.*
- 3. In the restroom, at the hand wash station, the soap dispenser and paper towel dispenser were empty. A pump bottle of soap and roll of paper towels were available.*

[CA] Handwashing facility shall be clean, unobstructed, and accessible at all times. Provide handwashing cleanser in dispenser and single-use sanitary towels shall be provided in dispensers at all times.

[COS] PIC unobstructed the hand sink and provided soap.

K22 - 8 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations:

In the back of house area, at the floor sink where the prep sink discharges into, the floor sink was clogged and not draining properly.

[CA] Food facility shall not operate if there is sewage overflowing or backing up in the food facility. The food facility, or impacted areas, shall remain closed until all plumbing problems have been corrected and all contaminated surfaces have been cleaned and sanitized.

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

Inspector Observations:

- 1. In the kitchen area, on the floor by the walk in cooler and the two door upright cooler, a hatched ootheca was observed.*
- 2. In the kitchen area, on the gasket of the walk in cooler, a dead adult american cockroach and a live adult german cockroach were observed.*
- 3. In the kitchen area, on the gasket of the two door upright cooler, a dead german cockroach was observed.*
- 4. In the hallway near the restroom, on the gasket of the chest freezer, several dead and live cockroaches were observed. Live cockroaches were observed under and behind the chest freezer and two door upright cooler.*

[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 harborages have been resolved. Contact District Specialist to schedule follow up inspection at (408) 918-2726.

Minor Violations

K05 - 3 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

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Inspector Observations:

Staff were observed grabbing new gloves without washing their hands to begin serving food.

[CA] Properly wash hands with soap, warm water and dry using single use paper towels as required prior to putting on gloves.

[COS] Inspector instructed staff to wash their hands properly.

K19 - 3 Points - Non-compliance with consumer advisory for raw or undercooked foods; 114012, 114093

Inspector Observations:

Facility offers raw or undercooked foods (sunnyside up egg) without a consumer advisory or disclosure.

[CA] Provide consumer warning for the sale of raw or undercooked animal-derived foods.

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations:

Water at the restroom hand sink reached a maximum temperature of 68°F.

[CA] Handwashing facilities shall be equipped to provide minimum 100°F water under pressure for a minimum of 15 seconds.

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 lacks testing materials for their choice of sanitizer.

[CA] Testing equipment and materials 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

Inspector Observations:

1. The walk in cooler is in disrepair and not working.

2. The undercounter equipment near the register is in disrepair.

[CA] Ensure to maintain all equipment clean and in good repair.

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:

Rice spoons are being held in room temperature water at 71°F.

[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.

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

Inspector Observations:

Toilet paper in the restroom was not in the dispenser.

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

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

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Inspector Observations:

1. Numerous of the coving tiles in the kitchen area have detached or are detaching.

2. The floor of the walk in cooler is in disrepair.

3. The floor under the two door cooler in the hallway is in disrepair.

4. In the kitchen area, by the walk in cooler there is a ceiling tile missing.

5. In the hallway near the restroom there is a hole in the ceiling.

[CA] Ensure to maintain the floors, walls, and ceilings of the facility clean and in good repair.

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

Inspector Observations:

The Environmental Health Permit is not posted in public view.

[CA] The health permit issued by this department shall be posted in a conspicuous place in the food facility.

K49 - 2 Points - Permits not available; 114067(b,c), 114381(a), 114387

Inspector Observations: --48 HOUR NOTICE--

Our records indicate this facility is operating without a valid permit and has a delinquent account. Your balance due is \$1,383.75. Payment must be made immediately to DEH at the address at the top of this report or via our website at www.Ehinfo.org.

A facility that submits payment of the outstanding balance within 48 hours (2 business days) of this notice will be issued and mailed an operating permit by this department. Failure to comply within 48 hours will result in facility closure and additional enforcement, including but not limited to reinspection(s) and additional cost recovery fees.

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.

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Needs Improvement - Hands clean/properly washed/gloves used properly.

Measured Observations

Item	Location	Measurement	Comments
Water	Three Compartment Sink	170.00 Fahrenheit	
Water	Hand Sink - Restroom	68.00 Fahrenheit	
Rice	Rice Cooker	150.00 Fahrenheit	
Beef	Steam Table	150.00 Fahrenheit	
Water	Hand Sink - Kitchen	150.00 Fahrenheit	
Noodles	Steam Table	150.00 Fahrenheit	
Pork	Steam Table	145.00 Fahrenheit	

Overall Comments:

Owner communicated to leave the facility via phone. Discussed with Supervisor to obtain signature and write report off site at a nearby facility.

Left at 12:20 pm to write report at nearby facility.

Returned at 12:45 pm to facility to drop off printed report.

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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 **3/20/2025**. 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.

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: Pano Tsourakis
Manager
Signed On: March 06, 2025