

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 FA0251095 - TOSTADAS PRIME		Site Address 3149 MISSION COLLEGE BL, SANTA CLARA, CA 95		Inspection Date 05/09/2025		Placard Color & Score YELLOW 53		
Program PR0364368 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name TOSTADAS 3 INC		Inspection Time 17:15 - 18:30			
Inspected By GINA STIEHR		Inspection Type ROUTINE INSPECTION		Consent By DANIEL CHAVEZ				FSC Rolando Campos 05/10/2026

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						S
K06	Adequate handwash facilities supplied, accessible	X						S
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		X			N
K10	Proper cooking time & temperatures	X						
K11	Proper reheating procedures for hot holding		X		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		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	X	
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	X	
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

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

Inspector Observations: Observed potentially hazardous food that measured in the temperature danger zone located in food prep cold hold units, next to cookline, hot holding on cookline (see measured observations). Also observed some PHFs being partial cooked and hot holding without time control. [CA] Ensure PHFs are properly cold held at 41F or below OR hot held at 135F or above. Discontinue using ice baths for temperature holding. Adjust, repair, or replace refrigeration units if necessary. Time control partial cooked foods. [COS] PIC had staff put several compromised PHFs back into walk-in cooler and time-marked the remainder of the items.

Follow-up By
05/13/2025

K09 - 8 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: Observed potentially hazardous foods that did not meet proper cooling parameters (birria 108F). Per chef, the birria finished cooking at 2 or 3pm. Birria measured at 108F at 5pm. [CA] Ensure PHFs are properly cooled from 135F to 70F within 2 hours and from 70F to 41F within 4 hours. Use rapid cooling techniques such as frequent stirring, shallow pans, smaller portions, ice baths, ice paddles, blast chiller and/or ice as an ingredient. [SA] PIC time marked the birria to be discarded at 7pm.

Follow-up By
05/13/2025

Observed PHF cooling with a lid and in a large container. [CA] Cool in smaller portions and without a lid until cooled all the way to 41F.

K11 - 8 Points - Improper reheating procedures for hot holding; 114014, 114016

Inspector Observations: Observed several PHF improperly reheating on the steam table. [CA] Discontinue reheating on steam table. Reheating shall be conducted on stove or microwave to reach and internal temperature of 165F prior to being put onto the steam table for hot holding. [SA] PIC discarded some of the food and hand staff reheat PHFs to 165F.

Follow-up By
05/13/2025

K16 - 8 Points - Not in compliance with shell stock tags, condition; 114039-114039.5

Inspector Observations: Observed a container of raw oysters without tag; staff stated that half of the bag was on the line with the tag and the other half in the walk-in without the tag. [CA] Keep raw oysters together with oyster tag. [COS] PIC combined the separated oysters back together.

Follow-up By
05/13/2025

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: Observed liquid from defrosted seafood melting onto ice paddles used for cooling foods. [CA] Keep food contact surfaces clean. Thoroughly clean and sanitize ice paddles prior to using them for cooling foods.

K26 - 2 Points - Unapproved thawing methods used; frozen food; 114018, 114020, 114020.1

Inspector Observations: Observed frozen seafood being improperly thawed at food prep sink (no running water). [CA] Frozen potentially hazardous food shall only be thawed in one of the following ways: 1) under refrigeration that maintains the food temperature at 41°F or below, 2) completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain, 3) in a microwave oven if immediately followed by immediate preparation, 4) as part of a cooking process.

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: Observed several containers of open food in walk-in cooler. [CA] Keep foods covered and protected.

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

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Inspector Observations: Observed several open bulk food items in dry storage area. [CA] Store open bulk foods in approved NSF containers with tight fitting lids.

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

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: Observed plastic bulk bins to be melted. [CA] Replace bins and keep in good condition.

Observed several refrigerators and a freezer not working properly. The broken freezer had completely thawed seafood sitting in puddles of liquid and gushing out of the freezer with doors closed. Staff stated the freezer has been broken since this morning. [CA] Repair refrigerator and freezer and maintain in good condition.

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

Inspector Observations: Observed puddles of water and liquid from thawed seafood on floor near broken freezer. Floor in walk-in cooler was completely wet. [CA] Thoroughly clean and sanitize floors.

Performance-Based Inspection Questions

Needs Improvement - Proper hot and cold holding temperatures.
Needs Improvement - Proper cooling methods.

Measured Observations

Item	Location	Measurement	Comments
octopus	food prep cold hold	60.00 Fahrenheit	
holidaise sauce	cold hold	44.00 Fahrenheit	
chlorine	warewash machine	50.00 PPM	
beans	warmer	148.00 Fahrenheit	
steak	drawer cooler	38.00 Fahrenheit	
shrimp	food prep sink	43.00 Fahrenheit	
aioli	food prep cold hold	50.00 Fahrenheit	
cheese	food prep cold hold	51.00 Fahrenheit	
cooked birria	ice bath on food prep surface	103.00 Fahrenheit	
hot water	3 comp sink	120.00 Fahrenheit	
tomato salsa	cold hold	57.00 Fahrenheit	
beef	walk-in cooler	42.00 Fahrenheit	
hot water	handwash sink	100.00 Fahrenheit	
hot water	food prep sink	120.00 Fahrenheit	
shrimp	drawer cooler	42.00 Fahrenheit	
garlic in oil	next to cookline	74.00 Fahrenheit	
cheese	ice bath	46.00 Fahrenheit	
mashed potatoes	steam table	118.00 Fahrenheit	
cooked potato	steam table	57.00 Fahrenheit	
sushi rice	cooling rack	100.00 Fahrenheit	
lobster	freezer	43.00 Fahrenheit	43F-44F
chicken	walk-in cooler	40.00 Fahrenheit	
pork	hot holding at cookline	80.00 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 **5/23/2025**. 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.

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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: Alberto Valdivis
Manager

Signed On: May 09, 2025