

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 FA0257724 - SUMIYA BENTO		Site Address 530 BARBER LN, MILPITAS, CA 95035		Inspection Date 04/27/2026		Placard Color & Score YELLOW 51		
Program PR0377057 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name SUMIYA INC		Inspection Time 11:50 - 13:35			
Inspected By MAVERICK CHIN		Inspection Type ROUTINE INSPECTION		Consent By ABRAHAM				FSC Not Available

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						
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						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		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				S

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	X	
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		
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		
K44	Premises clean, in good repair; Personal/chemical storage; Adequate vermin-proofing	X	
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

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations:

Employee observed handling skewers of raw meat (beef short rib, pork belly, chicken), then proceeded to handle cooked, ready-to-eat skewers of meat.

Employee observed dredging raw chicken at the station in front of the fryer, then proceeded to rinse hands in the three compartment sink and attempted to resume preparing an individual's bento box before being stopped and instructed to wash hands.

[CA] Employees shall wash their hands in all of the following scenarios:

- (1) Immediately before engaging in food preparation, including working with nonprepackaged food, clean equipment and utensils, and unwrapped single-use food containers and utensils.
- (2) After touching bare human body parts other than clean hands and clean, exposed portions of arms.
- (3) After using the toilet room.
- (4) After caring for or handling any animal allowed in a food facility pursuant to this part.
- (5) After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking.
- (6) After handling soiled equipment or utensils.
- (7) During food preparation, as often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks.
- (8) When switching between working with raw food and working with ready-to-eat food.
- (9) Before initially donning gloves for working with food.
- (10) Before dispensing or serving food or handling clean tableware and serving utensils in the food service area.
- (11) After engaging in other activities that contaminate the hands.

The three compartment sink shall not be used for hand washing. Hand washing shall be conducted at dedicated hand wash sinks.

[COS] All affected skewers of cooked meat were re-cooked to an internal temperature of 165F or above.

Employees properly washed hands.

Discussed the use of tongs with the head cook.

Follow-up By
04/30/2026

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

Inspector Observations:

REPEAT VIOLATION

Yakitori sauce (containing chicken bones) measured 124F while maintained in a large stock pot on the stove with the burner underneath turned off. Per staff, the burner had been turned off less than 1 hour prior.

[CA] Potentially hazardous foods shall be held at 41F or below, or at 135F or above to prevent the growth of bacteria.

[COS] Yakitori sauce was reheated to greater than 165F and maintained hot.

Follow-up By
04/30/2026

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

Inspector Observations:

Three containers of chicken stock measured 74F while maintained directly on the floor across from the cook-line. Per the head cook, they had been left out in ambient temperature overnight to cool. Cook stated that he was just about to begin putting them inside of the refrigerator.

[CA] After heating or hot holding, Potentially Hazardous Foods (PHFs) shall be cooled rapidly from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours. Approved cooling methods include: 1) Placing the food in shallow pans 2) Separating the food into thinner or smaller portions. 3) Using rapid cooling equipment (Ex. blast

Follow-up By
04/30/2026

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chiller) 4) Using containers that facilitate heat transfer (ex. stainless steel) 5) Adding ice as an ingredient. 6) Using ice paddles 7) Using an ice bath and stirring frequently 8) Accordance with a HACCP plan. Cooling foods shall have enough space around the containers for cold air to circulate, be loosely covered, or uncovered and stirred as frequently needed to evenly cool.

[COS] Chicken stock was voluntarily discarded.

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

Inspector Observations:

REPEAT VIOLATION

Follow-up By
04/30/2026

Heavy accumulation of black, mold-like substance on the upper interior panel and on the side walls of the ice machine. Ice in direct contact with mold-like substance.

[CA] Clean regularly at a rate to prevent buildup of mold-like substance.

[COS] Ice was discarded. Employees to clean the ice machine tonight.

Minor Violations

K01 - 3 Points - Inadequate demonstration of knowledge; food manager certification

Inspector Observations:

1. Facility is sharing the same food safety certificate, Ryuji Ueda - 03/28/2027, at two separate Sumiya locations. Spoke with the owner, Ryuji, via phone.

[CA] A food safety (manager's) 5-year certificate shall not be shared between multiple locations. A food safety certificate shall be dedicated to a singular location.

2. Three of the employees present could not provide valid food handler cards.

[CA] Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.

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

Inspector Observations:

REPEAT VIOLATION

Facility serves beef skewers that are not fully cooked, but lacks a consumer advisory on its menu or elsewhere that is visible to customers.

[CA] Provide a consumer advisory (disclosure and reminder).

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

Inspector Observations:

Accumulation of 20+ rodent droppings on the floor near the water heater, at the back of the facility.

Follow-up By
04/30/2026

No evidence of contamination of food/food contact surfaces observed

Owner provided the most recent pest control service report, conducted by Advanced IPM.

[CA]: The premises of each food facility must be maintained free of vermin. A facility cannot operate if there is a vermin infestation that leads to contamination of food contact surfaces, packaging, utensils, food equipment, or adulteration of food.

Clean and sanitize rodent droppings.

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

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Inspector Observations:

Three containers of chicken stock stored directly on the floor across from the cook-line.

[CA] Food shall be stored at least 6 inches above the floor to prevent contamination.

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:

Stock pot stored directly inside the mop sink.

[CA] Equipment contacting food shall be stored in a sanitary location.

K44 - 2 Points - Premises not clean, not in good repair; No personal/chemical storage; inadequate vermin-proofing; 114067(j), 114123, 114143 (a,b), 114256, 114256.1, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282

Inspector Observations:

1. Back door propped open.

[CA] Keep doors closed to prevent the intrusion of vermin into the facility.

2. Accumulation of cardboard boxes and clutter at the back of the facility.

[CA] Remove unneeded cardboard and reduce clutter to prevent the harborage of vermin.

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

Inspector Observations:

Accumulation of old food and debris on the floor underneath various refrigeration units and at the back of the facility.

[CA] Walls and/or floors in food preparation area shall be kept clean to prevent the attraction of vermin.

Performance-Based Inspection Questions

Needs Improvement - Proper cooling methods.

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

Needs Improvement - Proper hot and cold holding temperatures.

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Measured Observations

Item	Location	Measurement	Comments
tofu	prep cooler - top well	40.00 Fahrenheit	
cooked pork belly skewer	grill	157.00 Fahrenheit	final cook temp
warm water	hand sink - kitchen	100.00 Fahrenheit	
raw shell eggs	prep cooler	38.00 Fahrenheit	
raw chicken	two-door upright cooler - cook-line	38.00 Fahrenheit	
raw beef	two-door upright cooler - cook-line	39.00 Fahrenheit	
mayo	reach-in cooler - register	33.00 Fahrenheit	
cheese	three-door upright cooler - back kitchen	40.00 Fahrenheit	
rice	rice warmer	168.00 Fahrenheit	
hot water	three compartment sink	120.00 Fahrenheit	
miso soup	hot hold	141.00 Fahrenheit	
warm water	hand sink - restroom	100.00 Fahrenheit	
frozen squid	upright freezer	9.00 Fahrenheit	
cooked chicken skewer	grill	174.00 Fahrenheit	final cook temp
chlorine sanitizer	mechanical dishwasher	50.00 PPM	
uncanned sweet corn	three-door upright cooler - back kitchen	39.00 Fahrenheit	
raw chicken	three-door upright cooler - back kitchen	39.00 Fahrenheit	
hot water	prep sink	120.00 Fahrenheit	
tofu	two-door upright cooler - cook-line	38.00 Fahrenheit	
raw pork belly	two-door upright cooler - cook-line	38.00 Fahrenheit	
frozen fish	upright freezer	10.00 Fahrenheit	

Overall Comments:

Two or more major violations were cited during the routine inspection.

A follow-up inspection will be conducted in the next 1 to 3 business days to verify compliance with all of the cited major violations.

Subsequent follow-up inspections after the first shall be billed at \$298/hour, one hour minimum, during normal business hours (7:30 AM to 4:30 PM), or \$645 for a minimum of 2 hours, during non-business hours and in accordance with the inspector's availability.

The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered with, camouflaged, or copied. Failure to comply may result in a fine and enforcement action as per county ordinance section B11-55.

*Note:

Per the owner, Ryuji, facility only cools one item, chicken stock. Further evaluation will follow regarding facility's permit category.

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 **5/11/2026**. 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.

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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: Abraham
Head Cook

Signed On: April 27, 2026