

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 FA0251469 - TOMI SUSHI & SEAFOOD BUFFET	Site Address 2200 EASTRIDGE LP #2074, SAN JOSE, CA 95122	Inspection Date 08/10/2023
Program PR0365434 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 3 - FP17	Owner Name TOSHI FOOD SERVICES INC	Inspection Time 10:15 - 11:15
Inspected By HENRY LUU	Inspection Type FOLLOW-UP INSPECTION	Consent By SAM C.

Placard Color & Score

RED
N/A

Comments and Observations

Major Violations

Cited On: 08/04/2023

K13 - 8 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

Compliance of this violation has been verified on: 08/05/2023

Cited On: 08/10/2023

K13 - 8 Points - Food not in good condition/unsafe/adulterated; 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114254(c), 114254.3

Inspector Observations: Container of cooking oil maintained below the preparation table at the wok line observed with one dead cockroach inside.

[CA] Food is adulterated if it bears or contains any poisonous or deleterious substance that may render it impure or injurious to health and shall be discarded immediately.

[COS] Container of cooking oil was VC&D.

Follow-up By
08/14/2023

Cited On: 08/04/2023

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

Compliance of this violation has been verified on: 08/05/2023

Cited On: 08/05/2023

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

This violation found not in compliance on 08/10/2023. See details below.

Cited On: 08/09/2023

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

This violation found not in compliance on 08/10/2023. See details below.

Cited On: 08/10/2023

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

Inspector Observations: Cockroach activity observed in the following areas:

- Dead and/or dying cockroaches observed on floor throughout wok line area.
- Live nymphs observed on floor at the noodle preparation station.
 - Numerous dead cockroaches observed on floor below the preparation refrigerator at the noodle preparation station.
 - Three live nymphs observed on the underside of the wall mounted shelf at area where roast duck, roast pork, and sushi fish preparation is conducted.
 - Dead cockroaches observed on floor in the area where clean utensils are stored (by the sushi service area).
 - Numerous dead cockroaches on floor outside of the walk-in refrigeration units.
 - Live nymph and adult observed on the wall inside the small food preparation area adjacent to the office station.
 - Dead adult carrying egg case on preparation table.
 - Live adults observed inside crevice at the corner of the dry storage racks.
 - Numerous nymphs and adults observed inside the waiter station outside of the restrooms:
 - One inside components of the soda syrup machine.
 - Dying adult below the dump sink.

Follow-up By
08/14/2023

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- Live nymph crawling on outside of ice bin.

Per manager, facility was serviced twice by pest control company last night. Only one inspection report was provided.

[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.

Minor Violations

N/A

Measured Observations

N/A

Overall Comments:

- On-site for operator initiated chargeable follow-up inspection after facility was closed during a follow-up inspection on 8/9/2023.
- Facility is to remain closed until vermin infestation is completely abated.
- See violation above.
- Subsequent follow-up inspection shall be billed at \$290/hour, minimum one hour, during normal business hour, Monday - Friday 7:30 AM to 4:30 PM, and \$629/hour, minimum two hours, during non-business hours, and upon inspector availability.
- The posted placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered, or copied red placard. Failure to comply may result in enforcement actions per County Ordinance Code Section B11-55.

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 **8/24/2023**. 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: Sam C.
Manager

Signed On: August 10, 2023