

# 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<br>FA0251469 - TOMI SUSHI & SEAFOOD BUFFET                      | Site Address<br>2200 EASTRIDGE LP 2074, SAN JOSE, CA 95122 | Inspection Date<br>12/09/2024    |
| Program<br>PR0365434 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 3 - FP17 | Owner Name<br>AMANDA MIN LAU                               | Inspection Time<br>11:30 - 13:00 |
| Inspected By<br>HENRY LUU  | Inspection Type<br>FOLLOW-UP INSPECTION                    | Consent By<br>TOM                |

Placard Color & Score

**RED**  
**N/A**

### Comments and Observations

#### Major Violations

Cited On: 12/04/2024

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

**Compliance of this violation has been verified on: 12/09/2024**

Cited On: 12/04/2024

K06 - 8 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

**Compliance of this violation has been verified on: 12/09/2024**

Cited On: 12/04/2024

K08 - 8 Points - Improperly using time as a public health control procedures & records; 114000

**Compliance of this violation has been verified on: 12/09/2024**

Cited On: 12/04/2024

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, 114125(b), 114141

**Compliance of this violation has been verified on: 12/09/2024**

Cited On: 12/04/2024

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

**This violation found not in compliance on 12/09/2024. See details below.**

Cited On: 12/09/2024

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

**Inspector Observations: Cockroach activity observed in the following areas:**

- One live and numerous dead on the underside of the large flat trays placed on top of the top shelf where raw fish is prepared to catch sauce and drippings from par-cooked roast duck and roast pork.
- One live observed on the top right corner on the back of the two-door reach-in refrigerator at the noodle station.
- One dead on floor by the three-door upright refrigerator at the entrance into the kitchen in the middle of the facility.
- Three dead observed inside the one-door upright refrigerator used to store raw shucked oysters in the dry storage room, on the bottom shelf.
- One live in-between the clear tubing for the soda syrup at the serve station closes to the restroom.
- One live nymph crawling on floor from the underside of the server station closes to the restroom.

**During follow-up inspection, observed 5+ empty insecticide foggers stored on top of the employee lockers. Kitchen manager stated that facility is originally scheduled for service Sunday night/Monday at midnight, however, service was postponed to tonight/ tomorrow midnight.**

**Rodent droppings observed in the following areas:**

- On-top of lid of the bulk ingredient barrels inside the dry storage.
- On floor at the corner of the server station closes to the restroom.

**Follow-up By**  
**12/11/2024**

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*[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

| Item                       | Location                           | Measurement       | Comments |
|----------------------------|------------------------------------|-------------------|----------|
| Braised mushrooms          | Service line                       | 158.00 Fahrenheit |          |
| Raw shucked oysters        | One-door upright refrigerator      | 39.00 Fahrenheit  |          |
| Raw shrimp                 | Three-door upright refrigerator    | 38.00 Fahrenheit  |          |
| Cooked oysters with cheese | Walk-in refrigerator               | 39.00 Fahrenheit  |          |
| Imitation crab mix         | Walk-in refrigerator               | 41.00 Fahrenheit  |          |
| Sliced raw fish            | Three-door upright refrigerator    | 40.00 Fahrenheit  |          |
| Deep fried pork            | Three-door upright refrigerator    | 40.00 Fahrenheit  |          |
| Crab legs                  | Walk-in refrigerator               | 38.00 Fahrenheit  |          |
| Cut cantaloupe             | Walk-in refrigerator               | 39.00 Fahrenheit  |          |
| Warm water                 | Hand wash sink - middle of kitchen | 102.00 Fahrenheit |          |
| Par-cooked roast pork      | Walk-in refrigerator               | 40.00 Fahrenheit  |          |
| Braised lamb               | Walk-in refrigerator               | 40.00 Fahrenheit  |          |
| Raw squid                  | Three-door upright refrigerator    | 39.00 Fahrenheit  |          |
| Steamed fish               | Service line                       | 143.00 Fahrenheit |          |
| Cooked squid               | Service line                       | 151.00 Fahrenheit |          |
| Hot water                  | Three-compartment sink             | 131.00 Fahrenheit |          |

## Overall Comments:

- On-site for follow-up inspection after facility earned a conditional pass during a routine inspection and complaint investigation on 12/4/2024.

- Facility has corrected the following upon follow-up inspection.

- K05M - Hands not properly cleaned/improperly washed/gloves not used properly:

- At time of follow-up, proper glove usage and hand washing observed.

- K06M - Inadequate handwash facilities:

- All hand wash stations easily accessible with hand soap and paper towels readily available.

- K08M - Improperly using time as a public health control procedures & records:

- All food items subjected to TPHC were properly logged and documented.

- K14M - Food contact surfaces unclean and unsanitized:

- Food contact surfaces observed cleaned and sanitized.

- At time of follow-up, K23M - observed rodents, insects, birds, or animals, was not corrected. Major violation was still observed. See violation above.

- Facility is hereby closed due to the evidence of a cockroach infestation.

- Facility is to immediately cease and desist operations.

- Facility is to remain closed until vermin infestation is completely abated.

- If treatment is conducted by licensed pest control services, provide pest control report upon follow-up.

- Clean and sanitize all affected areas.

- Live and/or dead cockroaches shall not be observed upon follow-up.

- Deep clean facility to prevent harborage.

- Subsequent follow-up inspection shall be billed at \$298/hour, minimum one hour, during normal business hour, Monday - Friday

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**7:30 AM to 4:30 PM, and \$645/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.**

**- 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.**

**\* Note: Facility has additional storage unit that was inspected at time of follow-up.**

## 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 **12/23/2024**. 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:** Tom  
Kitchen manager  
**Signed On:** December 09, 2024