

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 08/04/2023 |
| Program PR0365434 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 3 - FP17 | Owner Name TOSHI FOOD SERVICES INC | Inspection Time 13:50 - 14:15 |
| Inspected By HENRY LUU | Inspection Type LIMITED INSPECTION | Consent By SAM |

Placard Color & Score

RED
N/A

Comments and Observations

Major Violations

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

Inspector Observations: Observed one dying cockroach on cutting board where employee was in active preparation of slicing raw tuna. [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] All food items on cutting board was VC&D.

Follow-up By
08/07/2023

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

Inspector Observations: Live cockroaches of various life stages observed in the following areas:

Follow-up By
08/07/2023

- 2+ adults inside box of plastic wrap maintained below the steam tables by the middle entrance into the kitchen.
- One live adult observed inside crevice under steam table by the middle entrance into the kitchen.
- 10+ adults and juveniles inside crevice under the stainless steel wall by the left side door jamb at the middle entrance into the kitchen.
- 5+ adults and juveniles observed inside crevices of the bottom wall mounted shelf where the steamer baskets are maintained.
- 10+ adults, juveniles, and nymphs observed on wall by the noodle soup preparation area:
 - Crawling on and below conduits.
 - In-between crevice of the stainless steel panels below the cook line.
 - On wall near wooden beams.
 - In crevices around the center island food preparation refrigerator - especially in the back side of the refrigerator were the condenser is located and inside a unused tong.
- 3+ in-between crevice of the reach-in refrigerator's left side top door hinge in the small food preparation room in the middle of the kitchen.
- 2+ in-between two-door reach-in refrigerators on the left side of the kitchen.
- Live nymph observed behind makeshift wooden coved base tile in the left side of the kitchen.
- Inside crevices behind the wall mounted shelves in the left side of the kitchen.
- One dying cockroach observed on cutting board next to raw tuna in active preparation.
- 4+ adults, juveniles, and nymphs observed on duct tape on the ANSUL system above where sushi rice is prepared.
- 5+ in-between crevice on the wall mounted shelf were raw fish for sushi is prepared.
- 5+ in-between crevice of the wall mounted shelf above storage rack for clean utensils.
- 10+ in-between wall mounted shelf above the ware washing area.
- 2+ in the crevice behind the food preparation refrigerator and counter at the sushi preparation area.

One dead American cockroach observed on floor by the office area.

Per manager, the facility is serviced by pest control twice per month and more frequently during the summer months when activity is increased.

Last service was conducted on 7/20/2023. Pest control report was provided by manager.

[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

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surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved.

Observed rodent droppings in the following areas:

- On surfaces and boxes inside the dry storage room.
- On the bottom shelves along the service line for hot foods.
- On floors and bottom shelves of the service line in the sushi preparation area.

No live activity was observed during the investigation. [CA] Clean and sanitize areas of rodent droppings.

Observed heavy presence of live flies throughout kitchen facility. [CA] Use any and all approved methods to abate live flies.

Minor Violations

No minor violations were observed during this inspection.

Performance-Based Inspection Questions

N/A

Measured Observations

N/A

Overall Comments:

- On-site for complaint investigation.
- A limited inspection was conducted as a result of major violations observed during the investigation.

- Facility is hereby closed due to the presence of cockroaches.

- Facility is to remain closed until vermin infestation is completely abated.
 - Provide pest control reports for any and all service conducted.

- Subsequent follow-up inspections after the first, 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 **8/18/2023**. 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.

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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: Sam Cheng
Manager

Signed On: August 04, 2023