

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 FA0206428 - TOMATO THYME - HAMILTON		Site Address 1560 HAMILTON AV, SAN JOSE, CA 95125		Inspection Date 11/26/2025		Placard Color & Score GREEN 79		
Program PR0303524 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name SMITH, JOHN D		Inspection Time 13:45 - 15:15			
Inspected By HELEN DINH		Inspection Type ROUTINE INSPECTION		Consent By TODD & JOSE (C)				FSC Jose Cisneros 2/11/30

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						
K06	Adequate handwash facilities supplied, accessible		X		X			N
K07	Proper hot and cold holding temperatures	X						
K08	Time as a public health control; procedures & records					X		
K09	Proper cooling methods					X		
K10	Proper cooking time & temperatures	X						
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						
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				

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	X	
K28	Fruits and vegetables washed		
K29	Toxic substances properly identified, stored, used		
K30	Food storage: food storage containers identified		
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	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	X	
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

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

Inspector Observations: 1. **Lacking soap at the ONLY hand wash station in back warewash area. [CA] Provide handwashing cleanser in dispenser at handwash stations at all times. [COS] Operator restocked.**
2. **Found ONLY hand wash station located in back warewash area with water valves off. [CA] Ensure cold/hot water is provided at all times. [COS] Operator turned on water valve, observed cold/hot water running.**

Minor Violations

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

Inspector Observations: **Found one DEAD cockroach on floor near door entrance to warewash area dish machine. [CA] Eliminate all evidence of DEAD cockroach. Clean and sanitize all effected areas. Continue to provide approved pest control services.**

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: **Found several bottle of liquor without caps stored at hand wash station and warewash area at bar. Splash guard is not protecting food item from potential cross contamination. [CA] All food shall be separated and protected from possible contamination.**

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: **Found several crates used to elevate food items off floor at cooks line and walk-in-cooler. [CA] Discontinue using crates, use approved shelvings.**

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

Inspector Observations: 1. **Found cold/hot water valves off at hand wash sink and 1-compartment sink at back warewash area. [CA] Ensure cold/hot water valve is turned on at all times. [COS] Operator turned on cold/hot water valve at both sinks, observed 1-compartment sink unable to turn off cold water via knob.**
2. **Found a leak at warewash sink (right side) faucet when water knob is on at back area. [CA] Secure leak.**

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: **Found employees personal items such as phones, bags and backpack stored on rack/counter at cooks line. [CA] No person shall store clothing or personal effects in any area used for the storage and preparation of food or food contact surfaces.**

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

Inspector Observations: **Observed unapproved flooring in back storage room where mop sink & ice machine is located. [CA] The floor surfaces shall be smooth, of durable construction, and of nonabsorbent material that is easily cleanable.**

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

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Measured Observations

Item	Location	Measurement	Comments
chicken tenders	2 door upright freezer	20.00 Fahrenheit	
butter	counter	76.00 Fahrenheit	diligent prep
ice cream	2 door upright freezer (outside storage room)	10.20 Fahrenheit	
pasta	walk-in-cooler (outside area)	39.00 Fahrenheit	
beverage	(2x) 3 door reach in (bar)	39.00 Fahrenheit	between 39F - 40F
chlorine	dish machine	50.00 PPM	
beverage	2 door reach in bin (bar)	49.00 Fahrenheit	nonPHFs
tomato sauce	2 door cold top	41.00 Fahrenheit	
pasta	4 door under drawer	41.00 Fahrenheit	
sole	walk-in-cooler (outside area)	28.00 Fahrenheit	
sliced tomato	2 door cold top	46.00 Fahrenheit	
prime rib	2 door reach in	47.00 Fahrenheit	
sliced tomato	2 door cold top	40.00 Fahrenheit	
quat	warewash/sani bucket	200.00 PPM	
rice	4 door under drawer	41.00 Fahrenheit	
diced ham	2 door cold top	40.00 Fahrenheit	
raw shrimp	2 door cold top	39.00 Fahrenheit	
shredded cheese	2 door cold top	46.00 Fahrenheit	
sole	4 door under drawer	39.00 Fahrenheit	
raw chicken	4 door under drawer	47.00 Fahrenheit	diligent prep
warm water	handsink (bar, warewash area & 2RR)	100.00 Fahrenheit	
hot water	(2x) warewash bar & back area/1-comp/mop sink	120.00 Fahrenheit	
diced tomato	2 door cold top	38.00 Fahrenheit	
blanc sauce	hot inserts	139.00 Fahrenheit	
meatball and sauce	hot inserts	178.00 Fahrenheit	
heavy cream	2 door cold top	41.00 Fahrenheit	

Overall Comments:

Note: Inspection conducted in conjunction to CO0158435.

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 **12/10/2025**. 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.

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: Todd Haney
General Manager

Signed On: November 26, 2025