

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 09/05/2023	
Program PR0365434 - FOOD PREP / FOOD SVC OP 26+ EMPLOYEES RC 3 - FP17			Owner Name TOSHI FOOD SERVICES INC		Inspection Time 13:20 - 15:00
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By ANNA	
				FSC Wosen Cheng 05/18/2028	

Placard Color & Score
YELLOW
61

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						
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			
K06 Adequate handwash facilities supplied, accessible	X						
K07 Proper hot and cold holding temperatures		X		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	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		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		
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		
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: Observed employee at the sushi station wash hands with gloves still donned on. [CA] Ensure hands are properly washed as required. Ensure gloves are removed prior to hand washing. [COS] Instructed employee to remove gloves and wash hands.

Follow-up By
09/08/2023

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

Inspector Observations: Two containers of BBQ pork in ambient temperature measured at 78F. Employee stated that items were prepared less than two hours prior.

Follow-up By
09/08/2023

Container of soy sauce chicken in ambient temperature on the rolling rack measured at 70F. Employee stated that items were prepared less than two hours prior.

Container of cooked clams and cook mussels maintained in ambient temperature at the cook line measured at 70F. Employee stated that items were defrosting and drained of water less than 30 minutes prior.

Cooked wontons stored in ambient temperature at the noodle preparation station measured at 80F. Employee stated that items were cooked about 10 minutes prior and is usually gone within 30 minutes.

[CA] PHFs shall be held at 41°F or below or at 135°F or above. [COS] All PHF items were relocated into refrigeration units to immediately cool.

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

Inspector Observations: Dead mouse observed on sticky trap placed between the cook line equipment at the noodle preparation area.

Follow-up By
09/08/2023

**5+ rodent droppings observed on floor underneath storage racks in the dry storage area.
One rodent dropping observed on top of bulk ingredient bin inside dry storage area.
Rodent droppings observed in crevice of the rolling**

Per manager, facility was serviced by pest control company last week. Pest control report from 8/29/2023 was provided for review.

[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.

Clean and sanitize area of dead cockroaches or old droppings.

[COS] Employee discarded sticky trap.

Minor Violations

K14 - 3 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

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Inspector Observations: *Surface temperature of metal container ran through the high temperature dish machine measured at 150F on irreversible temperature test strip.*

[CA] *Mechanical sanitization shall be accomplished in the final sanitizing rinse by achieving a utensil surface temperature of 160°F (or manufacturer's instruction).*

[COS/SA] *Instructed employees to discontinue using mechanical dish machine and to temporarily utilize three-compartment sink for manual ware washing.*

K16 - 3 Points - Not in compliance with shell stock tags, condition; 114039-114039.5

Inspector Observations: *Shellstock tags for most recent batch of oysters were unavailable for review. PIC stated that the employee today handling the oysters were new and the shellstock tags was discarded. Shellstock tags for previous lots of oysters were provided for review.*

[CA] *The identity of the source of shellstock that are sold or served shall be maintained for 90 calendar days from the dates of harvest by using an approved recordkeeping system that keeps the tags or labels in chronological order correlated to the date or dates the shellstock are sold or served.*

K22 - 3 Points - Sewage and wastewater improperly disposed; 114197

Inspector Observations: *Numerous waste drain pipes on the various sinks in ware washing area observed with steady leaks. Heavy accumulation of standing water observed on floor in the ware washing area.*

[CA] *Liquid waste shall be disposed of through the approved plumbing system and shall discharge into the public sewerage or into an approved private sewage disposal system.*

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: *Numerous cases of food stored directly on floor inside the walk-in refrigerator.*

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

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: *Employees' personal belongings stored in areas of food preparation and/or food storage.*

- *Employees' purse and beverage bottle on food preparation table next to roasting ovens.*

- *Employees' opened beverage cups stored on storage racks above food preparation areas.*

[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 heavy accumulation of food and debris on floors throughout facility.*

[CA] *Walls and/or floors in food preparation area shall be kept clean. Regularly clean under equipment to prevent accumulation of debris.*

Performance-Based Inspection Questions

N/A

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Measured Observations

<u>Item</u>	<u>Location</u>	<u>Measurement</u>	<u>Comments</u>
Stir fry clams	Buffet line	144.00 Fahrenheit	
Raw sardines	Three-door upright refrigerator	41.00 Fahrenheit	
Makereel	One-door food preparation refrigerator	40.00 Fahrenheit	Roasting station
Sushi	Sushi preparation area	45.00 Fahrenheit	
Oysters on half shell	Walk-in refrigerator	41.00 Fahrenheit	
Hot water	Three-compartment sink	130.00 Fahrenheit	
Braised tofu	Buffet line	194.00 Fahrenheit	
Cooked shrimp	Walk-in refrigerator	40.00 Fahrenheit	
BBQ pork	Buffet line	138.00 Fahrenheit	
Braised pork hock	Walk-in refrigerator	41.00 Fahrenheit	
Soups	Buffet line	187.00 Fahrenheit	
Cut cantaloupe	Walk-in refrigerator	41.00 Fahrenheit	
Sanitizing bucket	Sushi preparation area	100.00 PPM	Chlorine sanitizer
Spareribs	Buffet line	164.00 Fahrenheit	
Raw chicken	One-door food preparation refrigerator	40.00 Fahrenheit	Roasting station

Overall Comments:

- **Two or more major violations were observed during the routine inspection.**
- **A follow-up inspection will be conducted to verify compliance of all major violations.**

- **Subsequent follow-up inspections shall be billed at \$290/hour, minimum one hour, during normal business hours, Monday - Friday, 7:30 AM to 4:30 PM, and \$629/hour, minimum two hours, during non-business hours, and upon inspector availability.**

- **The post placard is property of the Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered, or copied. Failure to comply may result in enforcement action per County Ordinance Code Section B11-55.**

- **Joint inspection with Kaya A.**

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 **9/19/2023**. 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.

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: Anna W.
Manager

Signed On: September 05, 2023