

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 FA0208402 - NMSO INC.		Site Address 2790 STORY RD, SAN JOSE, CA 95127		Inspection Date 05/16/2025	
Program PR0302838 - NO FOOD PREP <5,000 SQ FT - FP06			Owner Name NMSO INC		Inspection Time 13:20 - 14:30
Inspected By MAMAYE KEBEDE	Inspection Type ROUTINE INSPECTION	Consent By RACHEL	FSC		

Placard Color & Score
RED
86

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						
K06 Adequate handwash facilities supplied, accessible	X						
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		
K28 Fruits and vegetables washed		
K29 Toxic substances properly identified, stored, used		
K30 Food storage: food storage containers identified	X	
K31 Consumer self service does prevent contamination		
K32 Food properly labeled and honestly presented		
K33 Nonfood contact surfaces clean	X	
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		
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

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

Inspector Observations: Multiple live cockroaches were observed on a trap and below a trap on the counter behind and below the soda dispenser. Multiple fresh rodent droppings were also observed on the cabinets below the soda dispenser.

Follow-up By
05/19/2025

[CA] Eliminate all insects/rodents from the facility by a legal method. Until the live cockroaches are all eliminate and verified by a district inspector, the facility shall be closed. Suzanne Lew Supervising Registered Environmental Health Specialist with the county of Santa Clara has approved the closure. Please contact the district inspector for a follow-up inspection.

During a follow-up inspection, no live or dead vermin, indication of the dropping, gnawing, or rat rub marking should be observed. The owner of the facility must provide a pest control company report which indicate what interventions were conducted and observed violations and recommendations.

The structural issues including the cracks, crevices, and gaps the wall behind the soda dispenser must be caulk or sealed. To prevent vermin hiding and breeding and easy cleaning of the floor area, all food products must remove from the floor and stored on shelves or dunnage racks.

Any operational and structural issues that contribute to the vermin infestation must also be addressed.

Minor Violations

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

Inspector Observations: Many food products on boxes were stored directly on the floor or on milk crate back in the storage area.

[CA] To prevent insect hiding and breeding and for easy cleaning of the floor area, please store all food products at least six inches off the floor on approved shelf or dunnage rack.

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

Inspector Observations: There is an abundant dust accumulation on the restroom's exhaust vent.

[CA] Conduct a regular cleaning on the screens.

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

Inspector Observations: There are some holes on the wall behind the soda dispenser.

[CA] Seal the holes to prevent vermin access and hiding.

Performance-Based Inspection Questions

N/A

Measured Observations

Item	Location	Measurement	Comments
Burrito	Display case	40.00 Fahrenheit	IR
Milk	Reach-in cooler	41.00 Fahrenheit	IR
Hot water	Two compartment sink	120.00 Fahrenheit	
Sandwich	Display case	41.00 Fahrenheit	IR

Overall Comments:

Note:1. The facility is closed due to live and multiple dead cockroaches and fresh rodent droppings on the counter and below the soda dispenser. 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. 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

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and fees incurred due to enforcement activities must be paid in full prior to the issuance of an operating permit.

2. The manager said he is going to leave an employee on the register to sell tobacco, and gas. The food area is cautioned and the fridges are locked.

The first follow-up inspection shall be conducted free of charge. However, any subsequent follow-up inspection after first follow-up shall be billed \$298/hour, minimum one hour, during normal business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$645 for the first 2 hours, thereafter \$298 each additional hour, during non-business hours, and upon inspector availability.

2. The facility does not have a designated janitorial sink. Until a janitorial sink is installed, please dispose gray water into the toilet. Do not dispose any gray water outside the facility.

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 **5/30/2025**. 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.

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: Clement Sarmiento
Manager

Signed On: May 16, 2025