

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 FA0310329 - DUTCH BROS COFFEE - CA5003		Site Address 301 E TENTH ST, GILROY, CA 95020		Inspection Date 11/05/2025	
Program PR0454718 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 1 - FP12			Owner Name DUTCH BROS LLC		Inspection Time 13:45 - 15:30
Inspected By GUILLERMO VAZQUEZ	Inspection Type ROUTINE INSPECTION		Consent By MATTHEW WAKEMAN	FSC Angelina Aguirre 8/23/30	

Placard Color & Score
GREEN
79

RISK FACTORS AND INTERVENTIONS	IN	OUT		COS/SA	N/O	N/A	PBI
		Major	Minor				
K01 Demonstration of knowledge; food safety certification	X						S
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						S
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						S
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		
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	X	
K41 Plumbing approved, installed, in good repair; proper backflow devices	X	
K42 Garbage & refuse properly disposed; facilities maintained	X	
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	X
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

No major violations were observed during this inspection.

Minor Violations

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: *Boba in ice bath was measured at 49°F at the time of inspection. Ice has melted within the ice bath.*

[CA] *PHFs shall be held at 41°F or below or at 135°F or above.*

[SA] *More ice was added into the container and temperature is dropping.*

K08 - 3 Points - Improperly using time as a public health control procedures & records; 114000

Inspector Observations: *Observed milk being left out in the counter tops and not time marked for discard. Talked to PIC with regards to TPHC and implementing this method on milk that is left on the counter tops.*

[CA] *When time only, rather than time and temperature is used as a public health control, PHFs shall be time marked to indicate when item is removed from temperature control, discarded if not consumed or served within 4 hours, and written procedures shall be readily available for review.*

[SA] *TPHC form was provided and all product will be time marked.*

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

Inspector Observations: *Multiple flies noted within the facility at the time of inspection. Fly trap is damaged and Eco-lab has been notified about pest issue.*

[CA] *Food facility shall be kept free of non-disease carrying insects, weevils, ants, gnats, and fruit flies.*

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

Inspector Observations: *Food is being stored in the floor of the walk in at the time of inspection. Milk crates are stored all along the wall.*

[CA] *Food shall be stored at least 6 inches above the floor to prevent contamination, clean, and monitor for any vermin activity. Recommend obtaining more dunnage racks for the walk in.*

K40 - 2 Points - Wiping cloths: improperly used and stored; 114135, 114185.1 114185.3(d,e)

Inspector Observations: *Sanitizer buckets around the facility do not have sanitizer at the time of inspection.*

[CA] *Wiping towels shall be stored in sanitizing solution of an approved concentration when not in use (100 ppm - chlorine, 200 ppm - quaternary ammonium).*

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: *Leak under the hand wash station by cashier station was noted at the time of inspection.*

[CA] *Repair plumbing fixture and maintain in clean and good repair.*

K42 - 2 Points - Garbage and refuse improperly disposed; 114244, 114245, 114245.1, 114245.2, 114245.3, 114245.4, 114245.5, 114245.6, 114245.7, 114245.8

Inspector Observations: *Garbage enclosure is overflowing with trash at the time of inspection. Per PIC, they have been having issues with the garbage company.*

[CA] *Outside refuse enclosure shall be kept clean and free of debris. Recommend contacting or going in person for the garbage company.*

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

Inspector Observations: *Heavy food debris noted around the prep area and within the walk in at the time of inspection.*

[CA] *Walls and/or floors in food preparation area shall be kept clean.*

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K48 - 2 Points - Plan review unapproved; 114380

Inspector Observations: *New equipment has been added to the facility (FROZEN BEVERAGE MACHINE) and possible coffee machine will be installed.*

[CA] *A person proposing to build or remodel a food facility shall submit plans and specifications for review and shall receive plan approval prior to starting any new construction or remodeling. Contact DEH at 408-918-3400 or at www.ehinfo.org to obtain plan check requirements.*

Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

Measured Observations

Item	Location	Measurement	Comments
Heavy creamer	Under counter refrigeration	39.00 Fahrenheit	
Whip cream	Walk in	38.00 Fahrenheit	
Warm water	Hand wash/restroom	100.00 Fahrenheit	
Sanitizer (Quats)	3-Compartment	200.00 PPM	
Milk	Under counter refrigeration	39.00 Fahrenheit	
Boba	Ice bath	49.00 Fahrenheit	Adjust to 41°F below. SA
Hot water	3-Compartment/mop sinks	120.00 Fahrenheit	
Milk	Walk in	38.00 Fahrenheit	

Overall Comments:

This is the first routine inspection since the final inspection that was conducted on (09/18/2025). On site to verify that no new equipment has been added to the facility since final:

- *New equipment has been added to the facility (FROZEN BEVERAGE MACHINE) and possible coffee machine will be installed.*
- *Submit paper work into the department with regards to both pieces of equipment. Submit into plan check.*

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 **11/19/2025**. 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: MATTHEW WAKEMAN
Regional Manager

Signed On: November 05, 2025