

**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**

<b>Facility</b> FA0210101 - BASKIN ROBBINS ICE CREAM #2332		<b>Site Address</b> 5647 COTTLE RD, SAN JOSE, CA 95123		<b>Inspection Date</b> 08/18/2020	
<b>Program</b> PR0302809 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 1 - FP09			<b>Owner Name</b> FAN, JAMES		<b>Inspection Time</b> 16:00 - 17:30
<b>Inspected By</b> JOSEPH SCOTT		<b>Inspection Type</b> ROUTINE INSPECTION		<b>Consent By</b> MAY, MANAGER	
				<b>FSC JAMES SINGCHUNG FAN</b> 03/18/2021	

<b>Placard Color &amp; Score</b>
<b>RED</b>
<b>87</b>

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						N
K06 Adequate handwash facilities supplied, accessible			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					N
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		
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		
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

01 - Signage Violation

**Items in this category were not observed at the time of inspection.**

02 - Face Covering Violation

**Items in this category were not observed at the time of inspection.**

03 - Social Distance Violation

**Items in this category were not observed at the time of inspection.**

04 - Clean and Sanitize Violation

**Items in this category were not observed at the time of inspection.**

05 - General Violation

**Items in this category were not observed at the time of inspection.**

### Major Violations

K21 - 8 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

**Inspector Observations: HOT WATER MEASURED 86F AT THE 3 COMPARTMENT SINK FAUCET AND THE REAR MOP SINK FAUCET [CA] INCREASE/MAINTAIN THE TEMPERATURE AT 120F MINIMUM FOR THESE PLUMBING FIXTURES.**

Follow-up By 08/18/2020
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### Minor Violations

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

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: MOP STORED IN MOP BUCKET [CA] NO MOP STORAGE RACK. PLAN TO INSTALL.**

### Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Needs Improvement - Hot and cold water available.

Needs Improvement - Hands clean/properly washed/gloves used properly.

### Measured Observations

Item	Location	Measurement	Comments
ICE CREAM	WALK IN FREEZER	16.90 Fahrenheit	
HOT WATER	MOP SINK FAUCET	86.00 Fahrenheit	
ICE CREAM	FRONT COUNTER SERVING FREEZERS	17.00 Fahrenheit	
HOT WATER	3 COMPARTMENT SIN FAUCET	86.00 Fahrenheit	

### Overall Comments:

**baskinrobbinscottle@gmail.com**  
**669-293-4920**

**Signature not obtained due to COVID-19 and social distancing parameters. A copy of this report will be emailed to the operator.**

**Dear Permit Holder:**

**On July 2, 2020, the County of Santa Clara Public Health Officer issued a new mandatory legal order ("Order") that addresses long-term risk reduction measures to prevent the spread of COVID-19. The order is effective on July 13, 2020, and shall continue**

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**to be in effect until it is rescinded, superseded, or amended in writing by the Health Officer.**

**The Order imposes new requirements on facilities operating in the County, including but not limited to the following:**

**• Online submittal of a Social Distancing Protocol:**

**For instructions and access to the submittal website please click here: [COVID19Prepared.org](https://www.covid19prepared.org). Once submitted, required signage will be available for printing and is required to be posted. All Social Distancing Protocols will be stored and available in a publicly accessible database.**

**• Operating in compliance with Mandatory Directives:**

**The Mandatory Directive for Food Facilities has been created to explain how all food facilities shall operate. Additionally, food facilities that offer outdoor dining must comply with the Mandatory Directive for Outdoor Dining.**

**• Abiding by Density Limitations:**

**All businesses must now abide by the Density Limitations by limiting the number of staff and customers in the food facility. See the applicable Mandatory Directives for further details.**

**• Mandatory Reporting Regarding Personnel Contracting COVID-19:**

**In the event that a food facility learns that any of its personnel is a confirmed positive case of COVID-19 and was at the workplace in this timeframe, the food facility is required to report the positive case within four hours to the Public Health Department. Visit [sccsafeworkplace.org](https://www.sccsafeworkplace.org) for reporting requirements.**

**For additional information on the Health Officer Risk Reduction Order and the Executive Summary**

**(<https://www.sccgov.org/sites/covid19/Pages/order-health-officer-07-02-20.aspx>), including Frequently Asked Questions, please visit the SCC Public Health Department website at <http://sccphd.org/coronavirus> and the County Department of Environmental Health website at <http://EHinfo.org/coronavirus>. Please send specific questions related to food service operations to [dehweb@cep.sccgov.org](mailto:dehweb@cep.sccgov.org).**

**Thank you for your cooperation.**

**NOTE: MOP SINK IS THE LAUNDRY TUB TYPE. PLAN TO UPGRADE TO A JANITORIAL SINK BASIN.**

## 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 **9/1/2020**. 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

*EMAIL*

Received By: MAY  
MANAGER  
Signed On: August 18, 2020