

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 FA0271201 - CUP N CONE		Site Address 1334 S MARY AV, SUNNYVALE, CA 94087	Inspection Date 01/31/2025
Program PR0409403 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 1 - FP09		Owner Name RAUT, CHET	Inspection Time 13:45 - 15:00
Inspected By JESSICA ZERTUCHE	Inspection Type FOLLOW-UP INSPECTION	Consent By HAMIDE	

Placard Color & Score GREEN N/A
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Comments and Observations

Major Violations

Cited On: 01/29/2025

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

Compliance of this violation has been verified on: 01/31/2025

Cited On: 01/29/2025

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

Compliance of this violation has been verified on: 01/31/2025

Cited On: 01/29/2025

K15 - 8 Points - Food not obtained from approved source; 113980, 113982, 114021-114031, 114041

Compliance of this violation has been verified on: 01/31/2025

Minor Violations

Cited On: 01/29/2025

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

Compliance of this violation has been verified on: 01/31/2025

Cited On: 01/31/2025

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

Inspector Observations: Flies observed in sink in walk in cooler

[CA] - Eliminate flies from facility. recommend using drain cleaner to clean.

Cited On: 01/31/2025

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: Observed a wooden stand for the small mixer

[CA] - Do not use unfinished wood in food facility. Replace with easily cleanable, smooth, nonabsorbent stand.

Recommend stainless steel

Cited On: 01/31/2025

K38 - 2 Points - Inadequate ventilation and lighting in designated area; 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

Inspector Observations: One light fixture is inoperable in the kitchen. Four out of the five lights under the hood are inoperable

[CA] - Replace inoperable light fixtures. Facility shall have adequate lighting

Cited On: 01/31/2025

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: Observed some equipment not in use, such as ice cream maker and unused ice machine

[CA] - The premises of a food facility shall be free of litter and items that are unnecessary to the operation or maintenance of the facility, such as equipment that is nonfunctional or no longer used.

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Cited On: 01/31/2025

K48 - 2 Points - Plan review unapproved; 114380

Inspector Observations: Observed new equipment within facility, such as an Autochlor under counter dishwasher (with no drainboards), ice machine, two mixers, philo dough maker and convection oven. The right walk in cooler was converted into a ice cream prep room with a handwash sink, 3-comp sink and ice cream machine.

Follow-up By
03/31/2025

[CA] Submit plans to this department for the addition and removal of equipment for approval. Owner states they wish to obtain ice cream manufacturing license, contact California Department of Food and Agriculture to obtain a Frozen Milk Products license prior to making any ice cream.

Per our records, the water heater is a 9kW (combined). Unable to verify as a shelf was built in front of the water heater and it is inaccessible. Facility may need to upgrade their water heater to be sufficient for this facility. Facility utilizes reusable plates and recently installed an undercounter water heater, 3-comp sink and handwash sink.

SUBMIT PLANS FOR THE APPROVAL OF THE ABOVE EQUIPMENT NO LATER THAN 3/31/2025. Project shall be completed no later than 6/30/2025.

Cited On: 01/29/2025

K49 - 2 Points - Permits not available; 114067(b,c), 114381(a), 114387

Compliance of this violation has been verified on: 01/31/2025

Measured Observations

Item	Location	Measurement	Comments
cheese	prep unit	40.00 Fahrenheit	
dipper well water	ice cream area	156.00 Fahrenheit	
tomatoes	soup warmer	163.00 Fahrenheit	
hot water	3-comp sink	120.00 Fahrenheit	
chlorine sanitizer	dishwasher	50.00 PPM	

Overall Comments:

OWNERSHIP CHANGE INFORMATION

NEW FACILITY NAME: NAHITA BAKERY

NEW OWNER: NAHITA BAKERY LLC

Operator has corrected all major violations from previous inspection.

Ice cream obtained from Nirvanaah! (FA0213266), observed receipt.

Handwash stations stocked and handwash sink in cafe was reinstalled.

Potentially hazardous foods (PHFs) measured at adequate temperatures.

Mechanical dishwasher provides adequate sanitizer.

Many minor violations were corrected:

Shelving unit provided to utensil storage above grease interceptor, labels provided for foods, warm water available to all handwash sinks, cutting board for bread moved away from POS, probe thermometer is available, drain line for ice machine has air gap, chlorine test strips available, facility has been cleaned and TPHC form recived for breads with PHFs.

The applicant has completed the facility evaluation application process for an Environmental Health Permit.

The permit category for this facility is FP10. An invoice for the permit fee in the amount of \$1,107.00 will be mailed to the billing address on the application. Payment must be submitted within 10 days of receipt of the invoice. The owner is responsible for contacting our department if an invoice is not received and remit payment within 30 days.

The Environmental Health Permit will be effective: 02/01/2025 - 01/31/2026. This report serves as a temporary permit. However, the permit will be deemed invalid if the permit fee is not paid in full within 30 days from the date of this report. Okay to Operate.

An official permit will be mailed to the address on file and shall be posted in public view upon receipt.

*Structural Review inspection conducted TODAY.

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***Permit condition: Submit plans for the addition of new equipment (3-comp sink, handwash sink, oven and dishwashing machine) for approval.**

Any change in menu requires approval from this department. Submit menu for lunch/dinner for approval.

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 **2/14/2025**. 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: hamide ozenc eskili
owner

Signed On: January 31, 2025