

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 FA0275110 - CREAM		Site Address 49 S 1ST ST, SAN JOSE, CA 95113		Inspection Date 12/11/2025		Placard Color & Score GREEN 85		
Program PR0415780 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 1 - FP12			Owner Name KEM SJ LLC		Inspection Time 10:40 - 12:00			
Inspected By ALEXANDER ALFARO		Inspection Type ROUTINE INSPECTION		Consent By DORIEN				FSC

RISK FACTORS AND INTERVENTIONS		IN	OUT		COS/SA	N/O	N/A	PBI
			Major	Minor				
K01	Demonstration of knowledge; food safety certification			X				N
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				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						N
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	X	
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

No major violations were observed during this inspection.

Minor Violations

K01 - 3 Points - Inadequate demonstration of knowledge; food manager certification

Inspector Observations:

PIC lacked knowledge on how to properly wash, rinse, and sanitize dishes. The sanitizer dispenser had detergent hooked up to it.

[CA] All food employees shall have adequate knowledge of, and shall be properly trained in, food safety as it relates to their assigned duties.

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

Inspector Observations:

All handwash stations have their soap or paper towel dispensers out of order or are unstocked.

Note: Handwash stations either had a pump bottle of soap or a roll of paper towels.

[CA] Handwashing facilities shall be equipped with handwashing cleanser and single-use sanitary towels in dispensers.

K21 - 3 Points - Hot and cold water not available; 113953(c), 114099.2(b), 114163(a), 114189, 114192, 114192.1, 11419

Inspector Observations:

Water at the three compartment sink measured at a max of 105F.

[CA] Hot water shall be supplied at a minimum temperature of at least 120°F measured from the faucet throughout facility except at handwash sinks.

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

Inspector Observations:

Bulk foods (sprinkles, etc) in the dry storage area are not in containers with tight fitting lids.

[CA] Store open bulk foods in approved NSF containers with tight fitting lids.

K34 - 2 Points - Warewashing facilities: not installed or maintained; no test strips; 114067(f,g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

Inspector Observations:

Facility lacks testing materials for their choice of sanitizer.

[CA] Testing equipment and materials shall be provided to adequately measure the applicable sanitization method used during manual or mechanical warewashing.

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

Inspector Observations:

The tiles under the dipper well near the register and the tiles near the undercounter cooler by the ovens are in disrepair.

[CA] Ensure to maintain the floors, walls, and ceilings of the facility clean and in good repair.

Performance-Based Inspection Questions

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Needs Improvement - Adequate handwash facilities: supplied or accessible.
Needs Improvement - Demonstration of knowledge; food manager certification.
Needs Improvement - Food contact surfaces clean, sanitized.

Measured Observations

Item	Location	Measurement	Comments
Cookies	Upright Freezer	10.00 Fahrenheit	
Chlorine - Sanitizer	Three Compartment Sink	100.00 PPM	
Ice Cream	Ice Cream Freezer	8.00 Fahrenheit	
Water	Handwash Sink	100.00 Fahrenheit	
Water	Three Compartment Sink	105.00 Fahrenheit	
Ice Cream	Walk in Freezer	4.00 Fahrenheit	

Overall Comments:

OWNERSHIP CHANGE INFORMATION

NEW FACILITY NAME: Cream

NEW OWNER: Lordinal LLC

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. A 25% penalty fee will be applied as facility failed to apply for a permit within 10 days of ownership change per Santa Clara County Ordinance.

The Environmental Health Permit will be effective: 01/01/26 - 12/31/26 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 on 12/11/25*

**Permit condition: THE TWO MOFFAT OVENS THAT HAVE BEEN IN THE FACILITY DURING PREVIOUS OWNERSHIP ARE CONDITIONALLY APPROVED WITHOUT AN EXHAUST HOOD SYSTEM FOR THE BAKING OF COOKIES ONLY. IF THERE IS A FUTURE CHANGE IN MENU OR OPERATION, OR THE USE OF THIS EQUIPMENT CAUSES ANY SANITATION, VENTILATION OR SAFETY PROBLEM, THE EXHAUST HOOD EXEMPTION MAY BE REVOKED AND AN APPROVED MECHANICAL EXHAUST SYSTEM MUST BE INSTALLED, OR THE UNITS REMOVED. VENTILATION PROBLEMS INCLUDE, BUT ARE NOT LIMITED TO, EXCESS HEAT IN THE FACILITY THAT RESULTS IN UNCOMFORTABLE WORK CONDITIONS FOR EMPLOYEES. THE EXEMPTION SHALL NOT BE DEEMED TO SUPERSEDE ANY LOCAL BUILDING AND FIRE CODE REQUIREMENTS. IN THE EVENT THAT A FUTURE CHANGE IN OWNERSHIP OCCURS, THE NEW OWNER SHALL BE MADE AWARE OF THESE CONDITIONS.*

**Obtain food safety manager certificate within 60 days. All other food employees must have valid food handler cards within 30 days from hire date.*

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 **12/25/2025**. 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.

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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: Dorien
Owner

Signed On: December 11, 2025