

**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> 05/09/2023	
<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> 15:00 - 16:15
<b>Inspected By</b> MARCELA MASRI	<b>Inspection Type</b> ROUTINE INSPECTION	<b>Consent By</b> THOMAS CHANG	<b>FSC JAMES FAN</b> 3-22-26		

<b>Placard Color &amp; Score</b>
<b>GREEN</b>
<b>85</b>

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						S
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						S
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	X	
K35 Equipment, utensils: Approved, in good repair, adequate capacity	X	
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		
K46 No unapproved private home/living/sleeping quarters		
K47 Signs posted; last inspection report available		

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<b>K48</b> Plan review		
<b>K49</b> Permits available		
<b>K58</b> Placard properly displayed/posted		

## Comments and Observations

### Major Violations

No major violations were observed during this inspection.

### Minor Violations

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

**Inspector Observations: FOUND THE PAPER TOWELS OUTSIDE THE WALL DISPENSER. [CA] PROVIDE PAPER TOWELS INSIDE THE WALL DISPENSER.**

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

**Inspector Observations: FOUND THE QUATERNARY AMMONIUM SANITIZER AT 100 PPM AT THE 3 COMPARTMENT SINK. [CA] PROVIDE 200 PPM CONCENTRATION.**

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

**Inspector Observations: FOUND THE HOT WATER AT THE 3 COMPARTMENT SINK AT 117F. [CA] PROVIDE HOT WATER AT MINIMUM 120F.**

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

**Inspector Observations: FOUND THE ICE CREAM BINS STORED ON THE FLOOR IN THE WALK IN COOLER. [CA] STORE FOOD 6 INCHES ABOVE THE FLOOR.**

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: MISSING THE QUATERNARY AMMONIUM SANITIZER TEST STRIPS. [CA] PROVIDE STRIPS.**

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: FOUND THE HANDLE ON THE REACH IN FREEZER BROKEN. [CA] REPAIR THE HANDLE.**

### Performance-Based Inspection Questions

All responses to PBI questions were satisfactory.

### Measured Observations

Item	Location	Measurement	Comments
CAKES	WALK IN COOLER	2.00 Fahrenheit	
MILK	REACH IN REFRIGERATOR	35.00 Fahrenheit	
ICE CREAM	WALK IN COOLER	5.00 Fahrenheit	
ICE CREAM	DISPLAY REFRIGERATOR	3.00 Fahrenheit	
HOT WATER	HAND WASH SINK	100.00 Fahrenheit	
QUATERNARY AMMONIUM SANITIZER	3 COMPARTMENT SINK	100.00 PPM	
CAKES	REACH IN CAKE FREEZER	3.00 Fahrenheit	
HOT WATER	3 COMPARTMENT SINK	117.00 Fahrenheit	
WHIPPED CREAM	REACH IN REFRIGERATOR	33.00 Fahrenheit	

### Overall Comments:

#### **OWNERSHIP CHANGE INFORMATION**

**NEW FACILITY NAME: BASKIN ROBBINS**

**NEW OWNER: TM IC COTTLE, LLC.**

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**The applicant has completed the change of ownership application process for an Environmental Health Permit.**

**The permit category for this facility is FP09. An invoice for the permit fee in the amount of \$635.00 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: 06/01/23 - 05/31/24 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 05/09/23**

**\*Permit condition: NONE**

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

**NOTES: ENSURE THAT THE LIGHTS IN THE STORAGE AREA ARE SHATTERPROOF OR PROVIDE A LIGHT COVER.**

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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 5/23/2023. 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



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Received By: THOMAS CHANG  
OWNER  
Signed On: May 09, 2023