

# 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 FA0206348 - MYTH TAVERNA & LOUNGE		Site Address 152 POST ST, SAN JOSE, CA 95113		Inspection Date 11/07/2025	
Program PR0307249 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name 152 POST LLC		Inspection Time 22:40 - 23:30
Inspected By ALEXANDER ALFARO	Inspection Type ROUTINE INSPECTION		Consent By JOHN	FSC Exempt	

Placard Color & Score
<b>RED</b>
<b>72</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						N
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						
K22 Sewage and wastewater properly disposed		X					N
K23 No rodents, insects, birds, or animals		X					N

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		
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		X
K58 Placard properly displayed/posted		

## Comments and Observations

### Major Violations

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

**Inspector Observations:**

**1. Repeat Violation: All handwash stations in both bars and the kitchen lacked soap and paper towels.**

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

**2. One of the handwash stations in the outdoor bar is missing the faucet.**

**[CA] All food facilities shall provide an operable handwashing station.**

K22 - 8 Points - Sewage and wastewater improperly disposed; 114197

**Inspector Observations:**

**Repeat Violation: The floor sink at the outdoor bar is not draining and the waste pipe of the sink is in the liquid waste.**

**[CA] Food facility shall not operate if there is sewage overflowing or backing up in the food facility. The food facility, or impacted areas, shall remain closed until all plumbing problems have been corrected and all contaminated surfaces have been cleaned and sanitized.**

K23 - 8 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

**Inspector Observations:**

**1. Observed Vermin: Documented in the following areas:**

- Live cockroaches of all life stages were found in the inside bar in the undercounter cooler.
- A dead cockroach was observed near the rear exit door of the kitchen.
- A dead cockroach was observed on the stairs of the basement.

**2. Photographs: Taken for documentation purposes.**

**3. Supervisor Notified: M. Huato**

**4. Notification: The person in charge during inspection, John, has been informed that the facility must close immediately.**

**[CA]: The premises of each food facility must be maintained free of vermin. A facility cannot operate if there is a vermin infestation that leads to contamination of food contact surfaces, packaging, utensils, food equipment, or adulteration of food. The facility is required to cease operations immediately and must remain closed until all corrective actions on the provided checklist are completed.**

**Requirements Before Reopening:**

- 1. Email the signed and completed Reopening Checklist to the assigned inspector.**
- 2. Submit a copy of the pest control report from a licensed provider.**

### Minor Violations

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

**Inspector Observations:**

**Multiple floor tiles in the outdoor bar are in disrepair, cracked, or missing.**

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

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

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**Inspector Observations: --48 HOUR NOTICE--**

**Our records indicate this facility is operating without a valid permit and has a delinquent account. Your balance due is \$2,153.75. Payment must be made immediately to DEH at the address at the top of this report or via our website at [www.Ehinfo.org](http://www.Ehinfo.org).**

**A facility that submits payment of the outstanding balance within 48 hours (2 business days) of this notice will be issued and mailed an operating permit by this department. Failure to comply within 48 hours will result in facility closure and additional enforcement, including but not limited to reinspection(s) and additional cost recovery fees.**

**A facility found to be in continued operation without a permit may incur a penalty of three (3) times the operating permit fee, and fee(s) for re-inspection(s) charged at the current hourly rate approved by the Santa Clara County Board of Supervisors. Penalties and fees incurred due to enforcement activities must be paid in full prior to the issuance of an operating permit.**

## Performance-Based Inspection Questions

- Needs Improvement - Communicable disease; reporting/restriction/exclusion.
- Needs Improvement - Adequate handwash facilities: supplied or accessible.
- Needs Improvement - No rodents, insects, birds, or animals.
- Needs Improvement - Sewage and wastewater properly disposed.
- Needs Improvement - Hands clean/properly washed/gloves used properly.

## Measured Observations

Item	Location	Measurement	Comments
Water	Restroom Handwash Sink	120.00 Fahrenheit	
Water	Three Compartment Snk	120.00 Fahrenheit	

## Overall Comments:

**Notes:**

**- Please contact district specialist, Alexander Alfaro ([alexander.alfaro@deh.sccgov.org](mailto:alexander.alfaro@deh.sccgov.org)), or DEH main line at (408)918-3400 to schedule a follow up inspection. The first follow up inspection is free of charge. Any and all subsequent follow up inspections shall be charged at the approved hourly rate of \$298.00/hr, minimum of one hour, during normal business hours: Monday through Friday 7:30 AM to 4:30 PM, and \$645 for a minimum of two hours, during non-business hours, and upon inspector availability.**

**- Joint inspection with G. Vazquez**

**- Facility does not operate their kitchen. A permit downgrade to FP12 will be issued.**

## **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 **11/21/2025**. 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.

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.

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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



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**Received By:** John Madriaga  
Manager

**Signed On:** November 07, 2025