

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 FA0209526 - LABYRINTH BAR & KITCHEN		Site Address 45 POST ST, SAN JOSE, CA 95113		Inspection Date 07/16/2026		Placard Color & Score GREEN 74		
Program PR0300944 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name FORTY FIVE POST LLC		Inspection Time 18:45 - 19:45			
Inspected By ALEXANDER ALFARO		Inspection Type ROUTINE INSPECTION		Consent By GINO				FSC Gino Karlo Rimando 10/30/2026

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						S
K06	Adequate handwash facilities supplied, accessible		X		X			N
K07	Proper hot and cold holding temperatures			X	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						
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	X	
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	X	
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		X
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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K48	Plan review		X
K49	Permits available		
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:

Repeat Violation: The men's restroom lacked paper towels.

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

[COS] Staff installed a new paper towel dispenser.

Minor Violations

K07 - 3 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations:

Ribeye was measured at 48F in the upright cooler, per PIC, he just brought it in from the store.

[CA] PHFs shall be held at 41°F or below or at 135°F or above.

[COS] Ribeye was moved to the walk in cooler to rapidly cool down.

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

Inspector Observations:

Water throughout the facility peaked at a maximum of 114F.

[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. Failure to comply may result in further enforcement actions from this department.

K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

Inspector Observations:

The fan of the walk in cooler has an accumulation of a mold-like substance.

[CA] Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.

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 at the three compartment sink, quaternary ammonia.

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

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:

Second Repeat Violation: The condenser unit of the walk in cooler is leaking water and has a plastic tub to catch the waste water.

[CA] Ensure equipment is maintained clean and in good repair.

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K36 - 2 Points - Equipment, utensils, linens: Improper storage and use; 114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5

Inspector Observations:

The CO2 tank was unrestrained next to the soda syrups at the bar.

[CA] All pressurized cylinders shall be securely fastened to a rigid structure.

K43 - 2 Points - Toilet facilities: improperly constructed, supplied, cleaned; 114250, 114250.1, 114276

Inspector Observations:

Repeat Violation: The restroom doors do not self close.

[CA] Toilet rooms shall be separated by well-fitted, self-closing doors that prevent the passage of flies, dust, or odors.

K48 - 2 Points - Plan review unapproved; 114380

Inspector Observations:

Facility has added a vacuum chamber machine without plan check approval.

Follow-up By
07/23/2026

[CA] A person proposing to build or remodel a food facility shall submit plans and specifications for review and shall receive plan approval prior to starting any new construction or remodeling. Contact DEH at 408-918-3400 or at www.ehinfo.org to obtain plan check requirements. Submit plans or remove the unit within one week.

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Measured Observations

Item	Location	Measurement	Comments
Beverages	Walk in Cooler	40.00 Fahrenheit	
Quaternary Ammonia - Sanitizer	Three Compartment Sink - Bar	400.00 PPM	
Churros	Walk in Freezer	20.00 Fahrenheit	
Water	Mop Sink	114.00 Fahrenheit	
Fries	Walk in Freezer	18.00 Fahrenheit	
Water	Three Compartment Sink	114.00 Fahrenheit	
Water	Handwash Sink - Kitchen	100.00 Fahrenheit	
Beverages	Undercounter Cooler	40.00 Fahrenheit	
Ribeye	Upright Cooler	48.00 Fahrenheit	
Quaternary Ammonia - Sanitizer	Three Compartment Sink - Kitchen	400.00 PPM	
Water	Handwash Sink - Bar	100.00 Fahrenheit	

Overall Comments:

Notes:

- Gino stated he was going to vacuum seal the ribeye. Informed facility that adding a vacuum sealer will require plan check submittal and approval. Also informed them that the plan check submittal must contain an approved HACCP plan from the California Department of Public Health or Standard Operating Procedures that comply with exemption requirements stated in section 114419. (B)(2) of the California Retail Food Code. No vacuum sealed products were observed onsite.

- Facility does not operate advanced or complex cooking and or food handling practices (smoking, curing, sous-vide, Reduced-Oxygen packaging, or cooling and reheating PHFs). Permit to be downgraded to FP10 upon next permit cycle.

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 **7/30/2026**. 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: Gino
Chef
Signed On: July 16, 2026