

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 FA0201995 - HERCULES DRAFT HOUSE & CANTINA		Site Address 165 LOS GATOS-SARATOGA RD, LOS GATOS, CA 9		Inspection Date 07/01/2025		Placard Color & Score <div style="background-color: yellow; padding: 10px; text-align: center;"> YELLOW 68 </div>		
Program PR0303537 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name HERCULES RESTAURANT G		Inspection Time 15:35 - 17:20			
Inspected By FRANK LEONG		Inspection Type ROUTINE INSPECTION		Consent By NIKO MARVI				FSC Not Available

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						N
K06	Adequate handwash facilities supplied, accessible	X						S
K07	Proper hot and cold holding temperatures		X		X			N
K08	Time as a public health control; procedures & records	X						
K09	Proper cooling methods		X		X			N
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	X	
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	X	
K36	Equipment, utensils, linens: Proper storage and use		
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use	X	
K39	Thermometers provided, accurate		
K40	Wiping cloths: properly used, stored		
K41	Plumbing approved, installed, in good repair; proper backflow devices	X	
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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Program PR0303537 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14		Owner Name HERCULES RESTAURANT GROUP LLC	Inspection Time 15:35 - 17:20
K48	Plan review		
K49	Permits available		
K58	Placard properly displayed/posted		

Comments and Observations

Major Violations

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

Inspector Observations: 1. In the kitchen area, in the left side insert drawer prep unit, measure red salsa, green salsa, roasted salsa, raw beef, raw shrimp, heavy cream, brie cheese, cooked mushrooms, and shredded cheese between 48F and 55F.

2. In the single door insert prep unit, measured shredded cheese, raw shrimp, green sauce, orange sauce, and crema between 50F and 60F.

3. In the right side insert drawer prep unit, measured pico de gallo, parmesan cheese, cotija cheese, blue cheese, caesar dressing, and blue cheese dressing between 50F and 65F.

Per operator, all potentially hazardous foods items noted above were stored from 9:00am. Unable to obtain an internal ambient air temperature reading of 41F and below for any of the listed refrigeration above.

[CA] Ensure potentially hazardous foods are held cold at 41F and below to prevent bacterial growth. All refrigeration shall be able to maintain potentially hazardous foods at 41F and below. [SA] All potentially hazardous foods listed above were VC&D due to time and temperature abuse. Operator to contact for repairs to refrigeration and will be using ice baths to maintain potentially hazardous foods cold at 41F and below.

Follow-up By 07/04/2025

K09 - 8 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations: By the kitchen area, on a cooling rack, measured charred onions and charred garlic at 78F. Per operator, charred onions and garlic prepared 3.5 hours prior. [CA] Potentially hazardous foods shall be RAPIDLY cooled from 135F to 70F within 2 hours and then from 70F to 41F within 4 hours. Cooling shall be facilitated by one or more of the following methods: in shallow containers; separated into smaller portions; by adding ice; using an ice bath; using ice paddles; and/or using rapid cooling technology. [COS] Charred onions and garlic were VC&D due to time and temperature abuse.

Follow-up By 07/04/2025

Minor Violations

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

Inspector Observations: Food handler cards and food safety managers certificate expired. [CA] Ensure at least one valid food safety managers certificate is obtained and available for review. All other employees that handle food shall obtain food handler cards.

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: At the back prep/warewash area, in the warewash machine, measured chlorine sanitizer at 25 PPM. At the bar area, in the warewash machine, measured chlorine at less than 10 PPM. [CA] Ensure chlorine sanitizer at warewash machines are maintained at 50 PPM to allow for proper cleaning and sanitizing of utensils and equipment.

K27 - 2 Points - Food not separated and unprotected; 113984(a-d,f), 113986, 114060, 114067(a,d,e,j), 114069(a,b), 114077, 114089.1(c), 114143(c)

Inspector Observations: In the walk-in refrigerator, observed raw shelled eggs stored above ready to eat foods including green salsa and pico de gallo. [CA] Ensure raw meat and eggs are stored below ready to eat foods.

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: In the kitchen area, in the left side insert drawer prep unit, the single door insert prep unit, and the right side insert drawer prep unit, unable to obtain an internal ambient air temperature reading of 41F and below. [CA] Ensure refrigeration is repaired/replaced and able to maintain potentially hazardous foods within 41F and below.

Observed heavily rusted small cast iron pans stored for use by the cookline. [CA] Ensure equipment is in good repair. Discard any equipment that is no longer in good repair and may cause contamination.

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

Inspector Observations: *Observed accumulation of grease on hood and hood filters. [CA] Ensure hood is frequently cleaned and maintained to allow for proper function. Hood shall be able to adequately ventilate grease, steam, smoke, heat, and vapors.*

K41 - 2 Points - Plumbing unapproved, not installed, not in good repair; improper backflow devices; 114171, 114189.1, 114190, 114192, 114193, 114193.1, 114199, 114201, 114269

Inspector Observations: *Observed heavy leak in the drain line below the spray sink. [CA] Ensure plumbing is maintained in good repair.*

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

Inspector Observations: *Observed excess grease and food debris pooling below cooking equipment at the cookline. [CA] Ensure facility floors are frequently cleaned and maintained to prevent harborage of vermin.*

Performance-Based Inspection Questions

Needs Improvement - Hands clean/properly washed/gloves used properly.
Needs Improvement - Proper cooling methods.
Needs Improvement - Proper hot and cold holding temperatures.

Measured Observations

Item	Location	Measurement	Comments
red salsa, green salsa, roasted salsa, raw beef, raw shrimp, heavy cream, brie cheese, cooked mushrooms, and shredded cheese	left side insert drawer prep unit	55.00 Fahrenheit	Measured between 48F and 55F.
birria beef	steam table	160.00 Fahrenheit	
carne asada	walk-in refrigerator	40.00 Fahrenheit	
pico de gallo, parmesan cheese, cotija cheese, blue cheese, caesar dressing, and blue cheese dressing	right side insert drawer prep unit	65.00 Fahrenheit	Measured between 50F and 65F.
chlorine sanitizer	warewash machine (bar)	10.00 PPM	
hot water	3 compartment sink (bar)	120.00 Fahrenheit	
hot water	handwash sink (kitchen)	100.00 Fahrenheit	
chlorine sanitizer	warewash machine (kitchen)	25.00 PPM	
hot water	3 compartment sink (back prep/warewash area)	120.00 Fahrenheit	
green sauce	steam table	155.00 Fahrenheit	
charred onions and charred garlic	cooling rack	78.00 Fahrenheit	
shredded cheese, raw shrimp, green sauce, orange sauce, and crema	single door insert prep unit	60.00 Fahrenheit	Measured between 50F and 60F.
geen salsa	walk-in refrigerator	40.00 Fahrenheit	
cooked chicken	walk-in refrigerator	40.00 Fahrenheit	
cooked rice	cooling rack	146.00 Fahrenheit	
hot water	handwash sink (bar)	100.00 Fahrenheit	
raw shelled eggs	walk-in refrigerator	41.00 Fahrenheit	
refried beans	steam table	160.00 Fahrenheit	

Overall Comments:

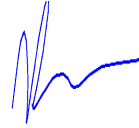
When required to determine compliance, a single reinspection will be conducted without additional charge. If subsequent reinspections are required, an hourly fee (minimum one hour) at the current rate approved by the Board of Supervisors will be assessed for each and every reinspection until the necessary changes or corrections are made. Unless otherwise noted by the inspector, all violations are to be corrected no later than **7/15/2025**. 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: NIKO MARVI
OWNER

Signed On: July 01, 2025