

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 FA0204840 - LOTUS THAI BISTRO		Site Address 425 S CALIFORNIA AV, PALO ALTO, CA 94036		Inspection Date 04/08/2024		Placard Color & Score <div style="background-color: red; color: white; padding: 10px; text-align: center; font-size: 24px; font-weight: bold;">RED</div> <div style="background-color: black; color: white; padding: 10px; text-align: center; font-size: 36px; font-weight: bold;">65</div>		
Program PR0307121 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 3 - FP11			Owner Name TANTAVIROJN, RUNGSIRI		Inspection Time 12:45 - 14:55			
Inspected By ALEXANDER ALFARO		Inspection Type ROUTINE INSPECTION		Consent By RUNGSIRI TANTAVIROJN				FSC Chaisith Tantavirojn 12/02/2024

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				N
K07	Proper hot and cold holding temperatures		X					N
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					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	X	
K34	Warewash facilities: installed/maintained; test strips		
K35	Equipment, utensils: Approved, in good repair, adequate capacity		
K36	Equipment, utensils, linens: Proper storage and use	X	
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		
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	X	
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

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

Inspector Observations:

1. Fried tofu was found on a counter and measured at 74°F. Per staff they had cooked it one and a half hours prior to measurement.

2. Bean sprouts were found placed on top of inserts of prep cooler and measured at 60°F. Per PIC they had been placed there about 2 hours prior to measurement.

3. Rice noodles were found stacked on each other in a box and measured at 74°F. Per staff they were delivered about two hours prior to measurement.

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

[COS] 1. PIC agreed to discard tofu at the end of 4 cumulative hours.

[COS] 2. PIC agreed to discard bean sprouts at the end of 4 cumulative hours.

[COS] 3. PIC moved rice noodles to fridge to rapidly cool.

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

Inspector Observations:

Numerous rodent droppings were found all along walls of the back preparation room, landing of the stairs leading to upstairs storage, under equipment of the cook line area and in containers containing food to go containers.

[CA] The premises of each food facility shall be kept free of vermin. A food facility shall not operate when there is a vermin infestation that has resulted in the contamination of food contact surfaces, food packaging, utensils, food equipment, or adulteration of food(s). The food facility shall cease operation of the food facility immediately. The food facility shall remain closed until: there is no longer evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved.

Minor Violations

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

Inspector Observations:

Hand washing station at the front cook line lacked hand washing soap.

[CA] Provide handwashing cleanser in dispenser at handwash stations at all times.

K09 - 3 Points - Improper cooling methods; 114002, 114002.1

Inspector Observations:

Numerous curries/sauces were found cooling in large deep metal containers.

[CA] Properly cool PHF's using shallow containers, using no more than 2 inches for solid foods and no more than 4 inches for liquids.

[COS] Staff transferred items to smaller containers.

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

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Inspector Observations:

Interior upper lip of the ice machine as mold-like substance growth.

[CA] Maintain food-contact surfaces clean.

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

Inspector Observations:

Tops of refrigeration units and handles at the cook line and back preparation area have an accumulation of filth.

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

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:

A chest freezer was found in the landing of a set a stairs that leads to an upstairs area. Landing area and stairs do not bear approved finishing materials.

[CA] Equipment shall be stored within an approved facility to prevent contamination.

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

Inspector Observations:

REPEAT VIOLATION

Light bulb not operational in 2-door upright refrigerator.

[CA] Repair/replace light bulb.

K44 - 2 Points - Premises not clean, not in good repair; No personal/chemical storage; inadequate vermin-proofing; 114067(j), 114123, 114143 (a,b), 114256, 114256.1, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282

Inspector Observations:

Repeat

Back door is left propped open without a screen mesh or screen door.

[CA] Keep back door closed at all times to prevent the entrance and harborage of vermin.

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

Inspector Observations:

Floors of the facility (cook line and back prep room) have an accumulation of food debris and filth.

[CA] Maintain floors, walls, and ceilings of facility clean.

Performance-Based Inspection Questions

Needs Improvement - Adequate handwash facilities: supplied or accessible.

Needs Improvement - Proper hot and cold holding temperatures.

Needs Improvement - No rodents, insects, birds, or animals.

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Measured Observations

Item	Location	Measurement	Comments
Egg Roll	Two Door Freezer	20.00 Fahrenheit	
Curry	Storage rack	169.00 Fahrenheit	
Shrimp	Prep Cooler	39.00 Fahrenheit	
Tofu	Prep Cooler - Under	40.00 Fahrenheit	
Water	Hand Washing Sink	134.00 Fahrenheit	
Duck Legs	Counter	29.00 Fahrenheit	Just delivered
Water	Three Compartment Sink	140.00 Fahrenheit	
Rice Noodle	Counter	74.00 Fahrenheit	Moved to refrigeration
Chicken	Two Door Freezer	18.00 Fahrenheit	
Chlorine Sanitizer	Ware Wash Machine	50.00 PPM	
Pork	Prep Cooler	38.00 Fahrenheit	

Overall Comments:

- The facility is hereby closed due to the following:

- Evidence of a vermin infestation.

- Facility will remain closed until vermin infestation has been completely abated (no live or dead rodents or rodent droppings present at time of the follow-up inspection) and all holes are sealed off.

- Provide pest control. If a pest control service is used, provide report upon follow-up inspection.

- Subsequent follow-up inspections after the initial follow-up inspection will be billed at \$290/hr, minimum of one hour, during regular business hours (Monday - Friday, 7:30 AM to 4:30 PM), and \$629/hr, minimum two hours, during non-business hours, and upon inspector availability.

- The posted placard is property of Santa Clara County Department of Environmental Health and shall not be removed, covered-up, relocated, tampered, or copied. Failure to comply may result in enforcement actions per County Ordinance Code Section B11-55.

- 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.

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 4/22/2024. 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



Received By: Rungsiri Tantavirojn

Owner

Signed On: April 08, 2024