



March 21, 2018

Richard Halliburton
Tri-State Sports & Entertainment
333 Naamans Rd. Ste. 3B
Claymont, DE 19703

Dear Mr. Halliburton:

Closure of Unpermitted Food Establishment

The Division of Public Health (DPH) formally mandates that you cease and desist all food establishment activities effective immediately at Tri-State Sports & Entertainment, Claymont, DE. Delaware law, 16 Del. C § 122 establishes the authority for Department of Health and Social Services to regulate food establishments. On March 14, 2018, a complaint inspection found Tri-State Sports & Entertainment preparing and selling food products without a valid food establishment permit.

The Division prohibits all food establishment activities until you have obtained a valid permit.

If you have any questions or concerns, please contact Mr. Jae Kim, of the Environmental Health Field Services – New Castle County at [REDACTED]

Sincerely,


Karyl T. Rattay MD, MS
Director

Pc: HSP Administration
OFP
EHFS – NCC
File



Violations cited in this report shall be corrected within the time frames specified below, but within a period not to exceed 3 calendar days for priority items, 10 days for priority foundation items (8-405.11) or 90 days for core items (8-406.11).

Food Establishment Inspection Report

Page 1 of 2

Delaware Division of Public Health Office of Food Protection 417 Federal St., Dover, DE 19901		No. of Risk Factor/Intervention Violations: <u>0</u>	Date: <u>3-14-18</u>
		No. of Repeat Risk Factor/Intervention Violations: <u>0</u>	Time In: <u>12:50</u>
		Score (optional): <u>NA</u>	Time Out: <u>2:50 pm</u>
Establishment: <u>Tri-State Sports + Entertainment</u>	Address: <u>333 Naamans Rd Ste 3B Claymont, DE 19703</u>	City/State: <u>Claymont, DE</u>	Zip Code: <u>19703</u>
License/Permit #: <u>Unpermitted</u>	Permit Holder: <u>Richard Hollingsworth</u>	Purpose of Inspection: <u>Complaint</u>	Est. Type: <u>FE</u>
			Risk Category: <u>Med</u>

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Circle designated compliance status (IN, OUT, N/O, N/A) for each numbered item. Mark "X" in appropriate box for COS and/or R.

IN=in compliance, OUT=not in compliance, N/O=not observed, N/A=not applicable. COS=corrected on-site during inspection, R=repeat violation.

Compliance Status			COS	R	Compliance Status			COS	R
Supervision									
1	IN	Person in charge present, demonstrates knowledge, and performs duties			17	IN	Proper disposition of returned, previously served, reconditioned & unsafe food		
2	IN	Certified Food Protection Manager			Time/Temperature Control for Safety				
Employee Health									
3	IN	Management, food employee and conditional employee; knowledge, responsibilities and reporting			18	IN	Proper cooking time & temperatures		
4	IN	Proper use of restriction and exclusion			19	IN	Proper reheating procedures for hot holding		
5	IN	Procedures for responding to vomiting and diarrheal events			20	IN	Proper cooling time and temperature		
Good Hygienic Practices									
6	IN	Proper eating, tasting, drinking, or tobacco use			21	IN	Proper hot holding temperatures		
7	IN	No discharge from eyes, nose, and mouth			22	IN	Proper cold holding temperatures		
Preventing Contamination by Hands									
8	IN	Hands clean & properly washed			23	IN	Proper date marking and disposition		
9	IN	No bare hand contact with RTE food or a pre-approved alternative procedure properly allowed			24	IN	Time as a Public Health Control; procedures & records		
10	IN	Adequate handwashing sinks properly supplied and accessible			Consumer Advisory				
Approved Source									
11	IN	Food obtained from approved source			26	IN	Consumer advisory provided for raw/undercooked food		
12	IN	Food received at proper temperature			Highly Susceptible Populations				
13	IN	Food in good condition, safe, & unadulterated			28	IN	Pasteurized foods used; prohibited foods not offered		
14	IN	Required records available: shellstock tags, parasite destruction			Food/Color Additives and Toxic Substances				
Protection from Contamination									
15	IN	Food separated and protected			27	IN	Food additives: approved & properly used		
16	IN	Food-contact surfaces; cleaned & sanitized			28	IN	Toxic substances properly identified, stored, & used		

Risk factors are important practices or procedures identified as the most prevalent contributing factors of foodborne illness or injury. Public health interventions are control measures to prevent foodborne illness or injury.

GOOD RETAIL PRACTICES

Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.

Mark "X" in box if numbered item is not in compliance. Mark "X" in appropriate box for COS and/or R. COS=corrected on-site during inspection, R=repeat violation.

			COS	R				COS	R
Safe Food and Water									
30		Pasteurized eggs used where required			Proper Use of Utensils				
31		Water & ice from approved source			43		In-use utensils: properly stored		
32		Variance obtained for specialized processing methods			44		Utensils, equipment & linens: properly stored, dried, & handled		
Food Temperature Control									
33		Proper cooling methods used; adequate equipment for temperature control			45		Single-use/single-service articles: properly stored & used		
34		Plant food properly cooked for hot holding			46		Gloves used properly		
35		Approved thawing methods used			Utensils, Equipment and Vending				
36		Thermometers provided & accurate			47		Food & non-food contact surfaces cleanable, properly designed, constructed, & used		
Food Identification									
37		Food properly labeled; original container			48		Warewashing facilities: installed, maintained, & used; test strips		
Prevention of Food Contamination									
38		Insects, rodents, & animals not present			49		Non-food contact surfaces clean		
39		Contamination prevented during food preparation, storage & display			Physical Facilities				
40		Personal cleanliness			50		Hot & cold water available; adequate pressure		
41		Wiping cloths: properly used & stored			51		Plumbing installed; proper backflow devices		
42		Washing fruits & vegetables			52		Sewage & waste water properly disposed		
					53		Toilet facilities: properly constructed, supplied, & cleaned		
					54		Garbage & refuse properly disposed; facilities maintained		
					55		Physical facilities installed, maintained, & clean		
					56		Adequate ventilation & lighting; designated areas used		

Person in Charge (Signature): [Signature] Date: 3-14-18

Inspector (Signature): [Signature] Follow-up: YES NO (Circle one) Follow-up Date: _____



Inspection Report

Page 2 of 2

Delaware Division of Public Health
 Health Systems Protection
 417 Federal St., Dover, DE 19901

License/Permit # Unpermitted

Date 3-14-18

Establishment Tri-State Sports

Address 335 Naamans Rd Ste 3B Claymont, DE

City/State Claymont, DE

Zip Code 19703

Telephone

OBSERVATIONS AND CORRECTIVE ACTIONS

Item Number	
	<u>Compliant</u>
	<p>Received complaint stating that Richard [redacted] and Caroline [redacted] own Tri-State Sports Entertainment. They are cooking on a grill out side and serving food to people. He spits in his hands. Asked him to provide his food recognition certificate but he could not produce it.</p>
	<u>Observations</u>
	<p>Upon inspection observed a grill outside of commerial property Tri-State Sport Ent store. Upon entering the facility inspector observed table station with condiments for hot dogs. Inspector spoke with owner regarding complaint. Owner provided a Temporary Food Establishment (TFE) permit that expired in 2010. Owner indicates that by serving food outside it's his way of drawing traffic into his store. Inspector observed sausages and hot dogs cooking on grill and two can water ice containers. Inspector explained to owner that he can not cook food outside and that he must have a permitted establishment to be able to serve food to the public. Inspector informed operator he must cease operation immediately and to remove all food items. After speaking with Supervisor of health Dept, the owner was informed that he must complete a TFE application and that he would be allowed 14 days to continue operation, until he he can determine his next steps. Inspector provided owner with plan review application and mobile plan review application. Owner states he will come by Health Dept office tomorrow to retrieve TFE application and to review further regulations.</p>

Person in Charge (Signature) R Hall

Date: 3-14-18

Inspector (Signature) Kenneth Whitley EHSI

Date: 3-14-18



DELAWARE HEALTH AND SOCIAL SERVICES

Division of Public Health

Violations cited in this report shall be corrected within the time frames specified below, but within a period not to exceed 3 calendar days for priority items, 10 days for priority foundation items (8-405.11) or 90 days for core items (8-406.11).

Food Establishment Inspection Report

Page 1 of 2

Delaware Division of Public Health Office of Food Protection 417 Federal St., Dover, DE 19901		No. of Risk Factor/Intervention Violations	0	Date	5-1-18
		No. of Repeat Risk Factor/Intervention Violations	0	Time In	1230
		Score (optional)	N/A	Time Out	1:30pm
Establishment	Address	City/State	Zip Code	Telephone	
In State Hot Dogs	335 Naamans Rd	Claymont, DE	11703	507-798-8810	
License/Permit #	Permit Holder	Purpose of Inspection	Est. Type	Risk Category	
New	Richard Halliburton	Pre-Op	Mobile	Low	

N182107

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Circle designated compliance status (IN, OUT, N/O, N/A) for each numbered item

Mark "X" in appropriate box for COS and/or R

IN=In compliance OUT=not in compliance N/O=not observed N/A=not applicable

COS=corrected on-site during inspection R=repeat violation

Compliance Status			COS	R
Supervision				
1	IN OUT	Person in charge present, demonstrates knowledge, and performs duties		
2	IN OUT N/A	Certified Food Protection Manager		
Employee Health				
3	IN OUT	Management, food employee and conditional employee; knowledge, responsibilities and reporting		
4	IN OUT	Proper use of restriction and exclusion		
5	IN OUT	Procedures for responding to vomiting and diarrheal events		
Good Hygienic Practices				
6	IN OUT N/O	Proper eating, tasting, drinking, or tobacco use		
7	IN OUT N/O	No discharge from eyes, nose, and mouth		
Preventing Contamination by Hands				
8	IN OUT N/O	Hands clean & properly washed		
9	IN OUT N/A N/O	No bare hand contact with RTE food or a pre-approved alternative procedure properly allowed		
10	IN OUT	Adequate handwashing sinks properly supplied and accessible		
Approved Source				
11	IN OUT	Food obtained from approved source		
12	IN OUT N/A N/O	Food received at proper temperature		
13	IN OUT	Food in good condition, safe, & unadulterated		
14	IN OUT N/A N/O	Required records available: shellstock tags, parasite destruction		
Protection from Contamination				
15	IN OUT N/A N/O	Food separated and protected		
16	IN OUT N/A	Food-contact surfaces; cleaned & sanitized		

Compliance Status			COS	R
17	IN OUT	Proper disposition of returned, previously served, reconditioned & unsafe food		
Time/Temperature Control for Safety				
18	IN OUT N/A N/O	Proper cooking time & temperatures		
19	IN OUT N/A N/O	Proper reheating procedures for hot holding		
20	IN OUT N/A N/O	Proper cooling time and temperature		
21	IN OUT N/A N/O	Proper hot holding temperatures		
22	IN OUT N/A N/O	Proper cold holding temperatures		
23	IN OUT N/A N/O	Proper date marking and disposition		
24	IN OUT N/A N/O	Time as a Public Health Control; procedures & records		
Consumer Advisory				
25	IN OUT N/A	Consumer advisory provided for raw/undercooked food		
Highly Susceptible Populations				
26	IN OUT N/A	Pasteurized foods used; prohibited foods not offered		
Food/Color Additives and Toxic Substances				
27	IN OUT N/A	Food additives: approved & properly used		
28	IN OUT N/A	Toxic substances properly identified, stored, & used		
Conformance with Approved Procedures				
29	IN OUT N/A	Compliance with variance/specialized process/HACCP		

Risk factors are important practices or procedures identified as the most prevalent contributing factors of foodborne illness or injury. Public health interventions are control measures to prevent foodborne illness or injury.

GOOD RETAIL PRACTICES

Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.

Mark "X" in box if numbered item is not in compliance

Mark "X" in appropriate box for COS and/or R

COS=corrected on-site during inspection

R=repeat violation

			COS	R
Safe Food and Water				
30		Pasteurized eggs used where required		
31		Water & ice from approved source		
32		Variance obtained for specialized processing methods		
Food Temperature Control				
33		Proper cooling methods used; adequate equipment for temperature control		
34		Plant food properly cooked for hot holding		
35		Approved thawing methods used		
36		Thermometers provided & accurate		
Food Identification				
37		Food properly labeled; original container		
Prevention of Food Contamination				
38		Insects, rodents, & animals not present		
39		Contamination prevented during food preparation, storage & display		
40		Personal cleanliness		
41		Wiping cloths: properly used & stored		
42		Washing fruits & vegetables		

			COS	R
Proper Use of Utensils				
43		In-use utensils: properly stored		
44		Utensils, equipment & linens: properly stored, dried, & handled		
45		Single-use/single-service articles: properly stored & used		
46		Gloves used properly		
Utensils, Equipment and Vending				
47		Food & non-food contact surfaces cleanable, properly designed, constructed, & used		
48		Warewashing facilities: installed, maintained, & used; test strips		
49		Non-food contact surfaces clean		
Physical Facilities				
50		Hot & cold water available; adequate pressure		
51		Plumbing installed; proper backflow devices		
52		Sewage & waste water properly disposed		
53		Toilet facilities: properly constructed, supplied, & cleaned		
54		Garbage & refuse properly disposed; facilities maintained		
55		Physical facilities installed, maintained, & clean		
56		Adequate ventilation & lighting; designated areas used		

Person in Charge (Signature) *[Signature]* Date: 5-1-18

Inspector (Signature) *[Signature]* Follow-up: YES NO (Circle one) Follow-up Date:

