



April 20, 2018

Olvidio Rivera
Bacalao Super Market II
1200 Maryland Ave.
Wilmington, DE 19805

Dear Mr. Olvidio Rivera:

Closure of Food Establishment for Imminent Health Hazard

The Division of Public Health (DPH) formally mandates that you cease and desist all food establishment activities effective immediately at Bacalao Super Market II, Wilmington, DE. Delaware law, 16 Del. C § 122 establishes the authority for Department of Health and Social Services to regulate food establishments. On April 17, 2018, imminent health hazards were identified during a routine inspection. In accordance with 8-404.11 of the State of Delaware Food Code, imminent hazards exist due to the following gross unsanitary conditions:

- Rodent infestation
- Trash accumulation

Prior to resuming operation, Bacalao Super Market II shall be inspected by DPH.

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

*This is @
Three J Food Market
N 16/196 - Closed
7/25/18
They changed ownership
without notifying us.
we found out on 7/25/18*



DELAWARE HEALTH AND SOCIAL SERVICES

Division of Public Health

ME ✓

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 (8-406.11) 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	4/17/18
		No. of Repeat Risk Factor/Intervention Violations	0	Time In	2:30
		Score (optional)	N/A	Time Out	3:30
Establishment	Address	City/State	Zip Code	Telephone	
Three J Food Market	620 Maryland Ave	Wilmington, DE	19805	(302) 656-2650	
License/Permit #	Permit Holder	Purpose of Inspection	Est. Type	Risk Category	
N161196	Franklin Robinson	Complaint	FF	Med	

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Compliance Status		Compliance Status	
IN	OUT	IN	OUT
Supervision			
1	IN	17	IN
2	IN	18	IN
Employee Health			
3	IN	19	IN
4	IN	20	IN
5	IN	21	IN
Good Hygienic Practices			
6	IN	22	IN
7	IN	23	IN
8	IN	24	IN
9	IN	Consumer Advisory	
10	IN	25	IN
Approved Source			
11	IN	Highly Susceptible Populations	
12	IN	26	IN
13	IN	Food/Color Additives and Toxic Substances	
14	IN	27	IN
Protection from Contamination			
15	IN	28	IN
16	IN	Conformance with Approved Procedures	
<p>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.</p>			

GOOD RETAIL PRACTICES

Safe Food and Water		Proper Use of Utensils	
IN	OUT	IN	OUT
30	IN	43	IN
31	IN	44	IN
32	IN	45	IN
Food Temperature Control			
33	IN	46	IN
34	IN	Utensils, Equipment and Vending	
35	IN	47	IN
36	IN	48	IN
Food Identification			
37	IN	49	IN
Prevention of Food Contamination			
38	IN	Physical Facilities	
39	IN	50	IN
40	IN	51	IN
41	IN	52	IN
42	IN	53	IN
		54	IN
		55	IN
		56	IN

Person in Charge (Signature) Ana Genao

Date: 4/17/18

Inspector (Signature) April R Johnson FLSI

Follow-up: YES NO (Circle one) Follow-up Date: TBD



Inspection Report

Delaware Division of Public Health Health Systems Protection 417 Federal St., Dover, DE 19901		License/Permit # <u>NJ161196</u>	Date <u>4/17/18</u>
Establishment <u>Three J Food Market</u>	Address <u>1232 Haverland Ave</u>	City/State <u>Wilmington, DE</u>	Zip Code <u>19805</u>
		Telephone <u>(301)</u>	

OBSERVATIONS AND CORRECTIVE ACTIONS

Item Number	
	(AKA Basalar II)
	<p>On April 17, 2018 a complaint was made on Three J Food Market. The Department of Agriculture contacted the Health Department regarding sanitation of facility. The complainant also stated that there is water in the basement. The department of Licensing and Inspection Business and Consumer division accompanied the Health Department during complaint.</p> <p>During the investigation mouse droppings were found in front of the display cases, in shelf under shelves, water on floor in basement, cat litter box with feces also found. Trash stored in back of store in hallway, due to not having trash disposal service. Water heater is leaking carbon monoxide, therefore the building is condemned as dangerous and unsafe by the City of Wilmington Dept of Licenses and Inspections - Building division.</p> <p>A cease and desist letter will be sent to the new owner Olvidio Rivera. Along with the citations from the City of Wilmington - L + I Division Building. The new owner must complete a change of ownership application and correct the violations stated above before re-opening. Contact the Health Department for an application and @ prior to opening.</p> <p>New Owner Olvidio Rivera [REDACTED]</p> <p>Pest Control service contract, Trash service contract, clean and sanitize areas with trash and feces.</p>

Person in Charge (Signature) <u>Ina Genao</u>	Date: <u>4/17/18</u>
Inspector (Signature) <u>[Signature]</u>	Date: <u>4/17/18</u>



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 <u>0</u>	Date <u>4/25/18</u>
		No. of Repeat Risk Factor/Intervention Violations <u>0</u>	Time In <u>1:00</u>
		Score (optional) <u>N/A</u>	Time Out <u>1:45</u>
Establishment <u>Three J Food Market</u>	Address <u>1200 Maryland Ave</u>	City/State <u>Wilmington, DE</u>	Zip Code <u>19805</u>
License/Permit # <u>N1161196</u>	Permit Holder <u>Franklin Rodriguez</u>	Purpose of Inspection <u>Complaint - Follow-up</u>	Est. Type <u>FE</u>
			Telephone <u>(302) 656-2650</u>
			Risk Category <u>Med</u>

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

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

Compliance Status		COS		R	
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					
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			
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) Wilfredo Ferronk Date: 4/25/18

Inspector (Signature) Paul R Johnson Follow-up: YES NO (Circle one) Follow-up Date: _____



Inspection Report

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

License/Permit # N1161196

Date 4/25/19

Establishment
Three J Food Market

Address
1200 Maryland Ave

City/State
Wilmington, DE

Zip Code
19825

Telephone
(302) 656-2650

OBSERVATIONS AND CORRECTIVE ACTIONS

Item
Number

Three J Food Market has been taken over by Wilfredo A. Fernandez the owner of Bacalo Super Market. The facility is now Bacalo Supermarket II. Currently the owner will not be making/preparing food for sale in deli area. They will be only sale meat (raw) to customers. No sale of water ice that needs to be scooped. The owner has obtained APM as their Pest service. They received weekly service, however it has changed to bi-weekly. No mouse droppings observed during re-inspection. Litter box removed from basement. No water observed on floor in basement. Water heater still being repaired to prevent carbon monoxide and repair other violations from city of Wilmington L+I Building division. Trash Tech is now providing weekly services. All trash discarded properly in trash receptacle outside of facility.

The state of Delaware Division of Public Health will no longer regulate this facility while there is no preparation of food. Contact the Health Department if food preparation begins. Three J Food Market now Bacalo supermarket may not sale prepared food, due to not having a permit from the Health Department. This facility may resume operation with the sale of retail items and deli meats and cheeses that are sliced.

Person in Charge (Signature) Wilfredo Fernandez

Date: 4/25/19

Inspector (Signature) Paul Johnson FHS

Date: 4/25/19



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Inspection Report

Delaware Division of Public Health
Community Environmental Health Services
417 Federal St, Dover DE 19901

License/Permit # N161196

Date 7/25/18

Establishment <u>Three J Food Market</u>	Address <u>1200 Maryland Ave</u>	City/State <u>Wilmington, DE</u>	Zip Code <u>19805</u>	Telephone <u>(302) 565-2650</u>
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OBSERVATIONS AND CORRECTIVE ACTIONS

Item
Number

This F.E. has a new owner and name. On 4/25/18, during a complaint follow-up I met the new owner Wilfredo A. Fernandez. He stated that the new name of the F.E. is Bacalo Supermarket II. Currently the owner is only slicing deli meat. No food preparation in this supermarket.

This F.E. Three J. Food Market is closed.

Person in Charge (Signature)

Date

Inspector (Signature) April Johnson (ell)

Date 7/25/18