



March 12, 2021

CERTIFIED MAIL

Country Cupboard
1200 Willow Grove Rd.
Felton, DE 19943-2910

Notice of Administrative Penalty

Dear Country Cupboard:

The following Notice of Violation is issued under the authority of the Secretary, Delaware Health and Social Services pursuant to 16 Del. C. §122 (3) and the Declaration of a State of Emergency for the State of Delaware Due to a Public Health Threat, including its modifications.

Notice of Violation

The Division of Public Health has received numerous complaints about Country Cupboard, resulting in site visits on July 14, 2020 and November 30, 2020; education over the phone on October 20, 2020; and a previous administrative penalty levied on December 10, 2020.

Following additional complaints, the Division of Public Health (DPH) conducted a site visit to the above referenced location on January 25, 2021, to assess compliance with the current restrictions in place to reduce transmission of COVID-19. DPH inspectors provided education to Country Cupboard during this visit to assist with compliance. During the visit, DPH inspectors observed the following violations:

- Lack of appropriate face coverings among staff, in violation of the Twenty-Seventh Modification of the Declaration of a State of Emergency for the State of Delaware and the Governor's Phase 2 Reopening Plan.
- Lack of reopening plan, in violation of the Twenty-Seventh Modification of the Declaration of a State of Emergency for the State of Delaware and the Governor's Phase 2 Reopening Plan.

Notice of Administrative Penalty

Under 16 Del. C. §107(a) the Department of Health and Social Services has the authority to impose an administrative penalty upon any business that refuses, fails or neglects to perform the duties required of it. The penalty shall be \$100.00 to \$1,000.00 per Violation per day and may result in closure of the facility. Due to the repeated refusal to comply with COVID-19 requirements, Country Cupboard is hereby assessed an Administrative Penalty.

Country Cupboard
March 12, 2021
Page 2

The administrative penalty assessed is \$500.00. This penalty is payable to the "State of Delaware" and must be received within 30 days of receipt of this notice. DPH does not accept the validity of any disclaimer of liability that may accompany your payment of this penalty. Payment must be sent to the following address:

CENTRAL BILLING
Division of Public Health
417 Federal St
Dover, DE 19901-3635

If you wish to contest this administrative penalty, you may request an administrative hearing before an Administrative Hearing Officer. Your written request must be sent to the address listed above within 30 calendar days of receipt of this notice.

Failure to remit payment or request an administrative hearing within 30 days of receipt of this letter may result in additional legal action.

Country Cupboard is subject to unannounced DPH COVID-19 compliance checks. Failure to grant reasonable access to DPH staff will result in immediate closure of the facility.

Any questions regarding this warning or how to gain compliance may be directed to Mr. Jamie Mack at 302-744-4832.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Rattay MD". The signature is fluid and cursive.

Karyl T. Rattay, MD, MS, FAAP
Director

Pc: Jamie Mack, Section Chief, Health Systems Protection
Joanna Suder, DAG