



**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 3

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

No. of Risk Factor/Intervention Violations: 8  
No. of Repeat Risk Factor/Intervention Violations: 0  
Score (optional): N/A  
Date: 6/13/19  
Time In: 10:30  
Time Out: 1:35

Establishment: Joyful Garden Address: 829 N Tatnall St City/State: Wilmington De Zip Code: 19801 Telephone: 571 1889  
License/Permit #: 11440320 Permit Holder: Joyful Garden Inc Purpose of Inspection: Complaint Est. Type: FE Risk Category: Med

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

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

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

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

Person in Charge (Signature) Desong Xu

Date: 6/13/19

Inspector (Signature) NCC EHSII 044

Follow-up: YES NO (Circle one) Follow-up Date: 6/24/19



**DELAWARE HEALTH AND SOCIAL SERVICES**  
Division of Public Health

**Inspection Report**

Page 2 of 3

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

License/Permit #

None  
NH40320 #1044

Date

6/13/19

Establishment

Japin Garden

Address

829 N Tatnall St.

City/State

Wilmington DE

Zip Code

19801

Telephone

571-1889

**OBSERVATIONS AND CORRECTIVE ACTIONS**

Item Number

110-20190612-002472 RAW MEAT

Complainant bought ribs from restaurant. Not fully cooked.

Upon inspection, inspector spoke to person in charge about complaint. Person in charge called a translator since he was having difficulty communicating in English with inspector.

Translator explained for person in charge (PIC) how ribs are cooked. Pork spare ribs are first cooked in a roaster oven in kitchen, after cooking they are frozen. When a customer orders spare ribs, the spare ribs are taken out of the freezer and microwaved for five minutes. After being removed from microwave, the spare ribs are fried in deep fryer. Once removed from fryer, the spare ribs are placed in wok on stove and red barbecue sauce is added, the spare ribs are tossed around in sauce. Food employees do not check the internal temperature of pork spare ribs after cooking or reheating. No probe food thermometer is available on site.

Inspector had food employee prepare an order of pork spare ribs to observe preparation. Observed frozen ribs microwaved, fried, and tossed in sauce in wok on stove. Inspector checked internal temperature of ribs, the internal temperature of the ribs ranged from 170°F - 180°F.

Person in charge presented Certificate from ServSafe for food protection manager. Person in charge was asked through translator - what the internal temperature is for cooking pork and reheating. PIC was unable to answer what the cooking and reheating temperature should be.

36 4-302.12 (PE) No food thermometer is available

38 6-501.11 (PE) Large flies observed in kitchen

1 2-102.11 (PE) PIC did not demonstrate knowledge of cooking and reheating temperature for pork spare ribs

Person in Charge (Signature)

X Desong Xu

Date:

6/13/19

Inspector (Signature)

KICENH11044

Date:

6/13/19



**Inspection Report**

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

License/Permit #

#4114  
~~11403~~ None

Date

6/13/19

Establishment

Joyful Garden

Address

829 N Tatnall St

City/State

Washington DE

Zip Code

19801

Telephone

5711889

**OBSERVATIONS AND CORRECTIVE ACTIONS**

Item Number

During the complaint inspection, it has been discovered that a change of ownership took place a month ago. New ownership is Joyful Garden 829 Inc.

New owners have been given charge of ownership application.

§ 901.11 (PB) New ownership has been told that must cease and desist operations until they have a valid permit issued by Division of Public Health

closure <sup>sign</sup> has been posted on door of food establishment.

Person in Charge (Signature)

X Desong Xu

Date:

6/13/19

Inspector (Signature)

NCE HS11044

Date:

6/13/19



**DELAWARE HEALTH AND SOCIAL SERVICES**  
Division of Public Health

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**Food Establishment Inspection Report**

Page 1 of 3

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

No. of Risk Factor/Intervention Violations: 0  
No. of Repeat Risk Factor/Intervention Violations: 0  
Score (optional): N/A

Date: 6/14/19  
Time In: 7:00  
Time Out: 7:00

Establishment: Dufal Garden Address: 829 N Tatnall St City/State: Wilmington De Zip Code: 19801 Telephone: 571 1889  
License/Permit #: New Permit Holder: Dufal Garden 829 Inc/De Fang Yu Purpose of Inspection: Takeover Est. Type: fe Risk Category: Med

**FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS**

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

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

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

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**GOOD RETAIL PRACTICES**

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Approved thawing methods used					
36					
Thermometers provided & accurate					
<b>Food Identification</b>					
37					
Food properly labeled; original container					
<b>Prevention of Food Contamination</b>					
38	X				
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					

Compliance Status		COS		R	
<b>Proper Use of Utensils</b>					
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In-use utensils; properly stored					
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Utensils, equipment & linens; properly stored, dried, & handled					
45					
Single-use/single-service articles; properly stored & used					
46					
Gloves used properly					
<b>Utensils, Equipment and Vending</b>					
47	X				
Food & non-food contact surfaces cleanable, properly designed, constructed, & used					
48					
Warewashing facilities; installed, maintained, & used; test strips					
49					
Non-food contact surfaces clean					
<b>Physical Facilities</b>					
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): De Fang Yu

Date: 6/14/19

Inspector (Signature): NCCETS11044

Follow-up: YES NO (Circle one) Follow-up Date: 6/24/19



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## Food Establishment Inspection Report

Page 2 of 3

Delaware Division of Public Health Office of Food Protection 417 Federal St., Dover, DE 19901		License/Permit # <u>New</u>	Date <u>6/14/19</u>
Establishment <u>Joyful Garden</u>	Address <u>829 N Tainall St</u>	City/State <u>Wilmington DE</u>	Zip Code <u>19801</u> Telephone <u>5711889</u>

### TEMPERATURE OBSERVATIONS

Item/Location	Temp	Item/Location	Temp	Item/Location	Temp
<u>Pizza rolls and</u>	<u>51°F</u>				
<u>Wonton in</u>	<u>51°F</u>				
<u>sandwich refrigerator</u>					

### OBSERVATION AND CORRECTIVE ACTIONS

Item Number	Violations cited in this report must be corrected within the time frames below or as stated in Section 8-405.11 of the Food Code
<u>21</u>	<u>3-501.16 (P) food items listed above holding above 41°F - was discarded</u>
<u>47</u>	<u>4-501.110 Sandwich refrigerator holding at 45°F - must be 41°F or less</u>
<u>47</u>	<u>4-101.19c Cardboard found on refrigerator and freezer shelves</u>
	<u>This inspection report will serve as your temporary permit until August 31, 2019. You will be invoiced \$100 for the permit. Failure to pay may result in closure.</u>
	<u>This permit is approved with the agreement that the following items will be corrected:</u>
	<u>- install handsink at front dispense area and towards end of</u>
	<u>cool line near food prep sink</u>
	<u>- seal any raw wood to make smooth, easily cleanable</u>
	<u>- microwave must be commercial grade</u>
	<u>- indirect air gap needed at food prep sink</u>
	<u>- meat cutter must be commercial grade</u>
	<u>- wooden shelf must be easily cleanable (sealed)</u>
	<u>✓ splash guard needed between handsink and 3 compartment sink</u>
	<u>- restroom ceiling tiles - smooth, easily cleanable</u>
	<u>Permit holder request 6 months to complete listed items.</u>
	<u>8-301.11 (PE) New permit has been issued to Joyful Garden 829 loc</u>
	<u>- person in charge will prove cutting is commercial grade or</u>
	<u>replace vegetable cutting board</u>

Person in Charge (Signature) <u>X De Feng Yu</u>	Date: <u>6/14/19</u>
Inspector (Signature) <u>NCEH511014</u>	Date: <u>6/14/19</u>



**DELAWARE HEALTH AND SOCIAL SERVICES**  
Division of Public Health

**Inspection Report**

Page 3 of 3

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

License/Permit #

New

Date

6/14/19

Establishment

Joyful Garden

Address

829 N Tatnell St

City/State

Wilmington DE

Zip Code

19801

Telephone

371-1889

**OBSERVATIONS AND CORRECTIVE ACTIONS**

Item Number

36 4-302.12 (PE) food thermometer is now available  
1 2-102.11 (PE) Translator has been educated on proper cooking temperature for pork spare ribs and reheating temperature, she will educate food employees

Outstanding violation

38 16-501.111 (PE) Large flies observed in kitchen  
- clean and sanitize food contact surfaces before use  
- protect food and food contact surfaces

Person in Charge (Signature)

X De Feng Yu

Date:

6/14/19

Inspector (Signature)

NCOEHS11044

Date:

6/14/19