

CITY OF PHILADELPHIA, LAW DEPARTMENT CITY OF PHILADELPHIA, LAW  
DEPARTMENT

By: Beverly L. Penn  
Senior Attorney  
Attorney Identification No. 46691  
1515 Arch Street - 16th Floor  
Philadelphia, PA 19102-1595  
(215) 683-5016

CITY OF PHILADELPHIA

vs.

JOY TSIN LAU, INC.  
MABEL CHEN t/a  
JOY TSIN LAU  
1026 RACE STREET  
PHILADELPHIA, PA 19107

: COURT OF COMMON PLEAS  
: CIVIL TRIAL DIVISION  
:  
:  
:  
:  
:

TERM, 2010

: NO.  
:  
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**COMPLAINT IN A CIVIL ACTION IN EQUITY**

**#5070**

You have been sued in court, if you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you in the court without further notice for any money claimed in the complaint or for any other claim or relief requested by plaintiff. You may lose money or property or other rights important to you.

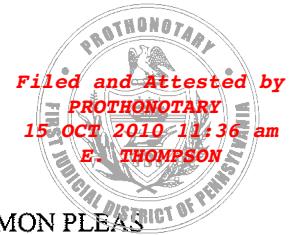
**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.**

**PHILADELPHIA BAR ASSOCIATION  
LAWYER REFERRAL and INFORMATION  
SERVICE  
ONE READING CENTER  
PHILADELPHIA, PA 19107  
(215) 238-1701**

“Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días, de plaza al partir del fecha de la demanda y la notificación. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

**LLEVE ESTA DEMANDA A UN ABOGADO IMMEDIATAMENTE SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELÉFONO A LA OFICINA CUYA DIRECCIÓN SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.**

**SERVICIO DE REFERENCIA E LEGAL  
ONE READING CENTER  
PHILADELPHIA, PA 19107 (215) 238-1701**



By: Beverly L. Penn  
Senior Attorney  
Attorney Identification No. 46691  
1515 Arch Street - 16th Floor  
Philadelphia, PA 19114-1595  
(215) 683-5106

CITY OF PHILADELPHIA	:	COURT OF COMMON PLEAS
	:	CIVIL TRIAL DIVISION
	:	PHILADELPHIA COUNTY
v.	:	
	:	
JOY TSIN LAU, INC.	:	TERM, 2010
MABEL CHEN t/a	:	
JOY TSIN LAU	:	
1026 RACE STREET	:	NO.
PHILADELPHIA, PA 19107	:	

**RULE**

AND NOW, this                      day of                      , 2010 upon consideration of the within Complaint in a Civil Action in Equity and upon motion of plaintiff, City of Philadelphia, a Rule is hereby granted upon the above-named defendants, JOY TSIN LAU, INC. AND MABEL CHEN T/A JOY TSIN LAU to show cause why an injunction should not issue enjoining the said defendants from maintaining or operating a food establishment at 1026 RACE STREET, in the City of Philadelphia, in any manner inconsistent with the Philadelphia Code and requiring defendanst to take whatever action is necessary to bring the subject food establishment into compliance with the Code.

This Rule to Show Cause is returnable and will be heard by the Court on the day of                      , 2010, at 9:00 a.m. in Courtroom 446, City Hall, Philadelphia, PA.

BY THE COURT:

\_\_\_\_\_  
J.

CITY OF PHILADELPHIA, LAW DEPARTMENT

By: Beverly L. Penn

Senior Attorney

Attorney Identification No. 46691

1515 Arch Street - 16th Floor

Philadelphia, PA 19114-1595

(215) 683-5106

CITY OF PHILADELPHIA

v.

JOY TSIN LAU, INC.

MABEL CHEN t/a

JOY TSIN LAU

1026 RACE STREET

PHILADELPHIA, PA 19107

COURT OF COMMON PLEAS  
CIVIL TRIAL DIVISION  
PHILADELPHIA COUNTY

TERM, 2008

NO.

**PERMANENT INJUNCTION**

AND NOW, this                      day of                      , 2010, upon consideration of the Complaint and the hearing held thereupon, it is hereby ORDERED and DECREED that:

1. Defendants, JOY TSIN LAU, INC. AND MABEL CHEN (hereinafter "defendant"), shall immediately CEASE and DESIST from operating the subject food establishment trading as JOY TSIN LAU (hereinafter "subject food establishment") located at 1026 RACE STREET in the City of Philadelphia unless or until the Department of Public Health certifies that the food establishment is in compliance with Title 6 of the Philadelphia Code and Regulations there under ("Health Code").

2. Defendants shall thereafter maintain the subject food establishment in compliance with the requirements of the Health Code, and shall correct in a timely manner any and all violations of which notice is given.

3. If defendants fail to comply with this Order as specified in paragraph one (1), above, the City of Philadelphia and/or its contractors shall be authorized to padlock or take

violations of the Health Code have been corrected. The costs of such action shall be charged to the defendant upon application of the City of Philadelphia.

4. If defendants continue to operate the subject food establishment in violation of Paragraph three (3) above, defendants shall be fined in the amount of Three Hundred Dollars (\$300.00) per day for each and every day each violation has existed at the subject food establishment since the date of the original notices of violation of the Health Code.

5. Defendants shall permit the Department of Public Health to enter on the premises and conduct inspections of the subject food establishment.

6. The Sheriff of Philadelphia County and, if requested, the Philadelphia Police Department, shall assist the Department of Public Health in carrying out the terms of this Order and they are authorized to remove any person who refuses to leave the subject food establishment, using whatever reasonable force is necessary. Any person who interferes with or obstructs the Department of Public Health in the performance of its duties is subject to arrest by the Sheriff and/or Police.

7. An absolute fine in the amount of \$ \_\_\_\_\_ is imposed upon the defendant in favor of the City of Philadelphia. Said fine shall be made payable to the "City of Philadelphia" and is due on or before \_\_\_\_\_. This fine shall be entered as a judgment for plaintiff and against the defendants by the Prothonotary upon praecipe of plaintiff.

8. A conditional fine in the amount of \$ \_\_\_\_\_ is imposed upon defendants. Part or all of said fine shall be made absolute at any future hearing for failure to comply with the terms of the Order entered in this matter.

9. Costs in the amount of \$ \_\_\_\_\_ are imposed upon defendants in favor of the City of Philadelphia. Said costs shall be made payable to the "City of Philadelphia" and are

due on or before \_\_\_\_\_. These costs shall be entered as a judgment for plaintiff and against the defendants by the Prothonotary upon praecipe of plaintiff.

10. Costs in the amount of \$\_\_\_\_\_ are imposed upon defendants in favor of the Department of Public Health. Said costs shall be made payable to the "Department of Public Health - EHS" and are due on or before \_\_\_\_\_. These costs shall be entered as a judgment for plaintiff and against the defendants by the Prothonotary upon praecipe of plaintiff.

11. The failure to comply with Title Six of the Philadelphia Code has resulted in this Complaint in Equity being filed in the Court of Common Pleas and, therefore, a cost of \$315.00 per inspection for all inspections leading up to and conducted during this enforcement action will be assessed pursuant to Section 6-505 of the Regulations Governing Food Establishments.

12. Any person licensed under Title Six of the Health Code who has not paid any fines and costs which have been assessed within ten (10) days, shall have said license suspended and shall cease operation until all fines and costs are paid pursuant to Section 6-103 of the Regulations Governing Food Establishments. Continuous violation of Section 6-103 shall be a separate violation for each day. In order to enforce Section 6-103, the Department of Licenses and Inspections may, without further notice, issue a Cease Operations Order setting forth the unpaid fines and/or Court costs and cause the premises to be vacated of all employees, patrons and occupants until all such charges are paid.

13. The terms of this Order shall be binding on the defendants, agents, employees and all persons acting in or for their behalf or occupying the subject food establishment.

14 A hearing is scheduled for the \_\_\_\_\_ day of \_\_\_\_\_, 2010, at 9:00 a.m. in Courtroom 446, City Hall, Philadelphia, PA, to determine what sanctions are to be imposed against the defendants for non-compliance with any of the terms of the Orders entered in this

matter, including a determination of any fines and costs to be imposed against the defendant and of any further appropriate relief. The defendants shall attend this hearing.

BY THE COURT:

---

J.

CITY OF PHILADELPHIA, LAW DEPARTMENT

By: Beverly L. Penn

Senior Attorney

Attorney Identification No. 46691

1515 Arch Street - 16th Floor

Philadelphia, PA 19114-1595

(215) 683-5106

CITY OF PHILADELPHIA	:	COURT OF COMMON PLEAS
	:	CIVIL TRIAL DIVISION
	:	PHILADELPHIA COUNTY
v.	:	
	:	
JOY TSIN LAU, INC.	:	TERM, 2010
MABEL CHEN t/a	:	
JOY TSIN LAU	:	
1026 RACE STREET	:	NO.
PHILADELPHIA, PA 19107	:	

**COMPLAINT IN CIVIL ACTION IN EQUITY**

1. Plaintiff, City of Philadelphia (hereinafter "City"), is a municipal corporation of the first class of the Commonwealth of Pennsylvania under the Act of April 21, 1949, P.L. 665 §1, et seq.

2. Defendants JOY TSIN LAU, INC. AND MABEL CHEN, (hereinafter "defendant"), are the owners of or otherwise responsible party for the establishment trading as JOY TSIN LAU, located at 1026 RACE STREET, in the City of Philadelphia (hereinafter "subject food establishment").

3. On or about the following dates, the City's Department of Public Health (hereinafter "Department") inspected the subject food establishment, and determined that said food establishment was in violation of Title 6 of the Philadelphia Code and the Regulations there under (hereinafter "Health Code"): Janaury 5, 2010 (Exhibit "A"), April 7, 201 (Exhibit "B"), June 16, 2010 (Exhibit "C") and August 18, 2010 (Exhibit "D").

4. After the above inspections, the Department of Public Health served Inspection Records on defendant directing the timely correction of the Health Code violations noted therein. A copy of said Inspection Records are attached hereto as Exhibits "A", "B", "C" and "D" and the violations cited therein are incorporated herein and made allegations of this Complaint.

5. On or about May 18, 2010, a Compliance Inspection Letter was sent to defendant to discuss the violations and to determine a timetable for correction of any outstanding violations. Defendant failed to comply. A copy of the Compliance Record is attached hereto as Exhibit "E".

6. The condition of the establishment presents a serious and immediate hazard to the safety, health and welfare of the patrons of the food establishment and to the public in general and constitutes a public health nuisance.

7. The defendant has received all Notices and Orders as required by law, but have failed, neglected or refused to abate the Code violations existing at the subject food establishment.

8. The failure to comply with Title Six of the Philadelphia Code has resulted in this Complaint in Equity being filed in the Court of Common Pleas and, therefore, a cost of \$315.00 per inspection for all inspections leading up to and conducted during this enforcement action will be assessed pursuant to Section 6-505 of the Regulations Governing Food Establishments.

9. Any person licensed under Title Six of the Health Code who has not paid any fines and costs which have been assessed within ten (10) days shall have said license suspended and shall cease operation until all fines and costs are paid pursuant to Section 6-103 of the Regulations Governing Food Establishments. Continuous violation of Section 6-103 shall be a separate violation for each day. In order to enforce Section 6-103, the Department of Licenses



and Inspections may, without further notice, issue a Cease Operations Order setting forth the unpaid fines and/or Court costs and cause the premises to be vacated of all employees, patrons and occupants until such charges are paid.

10. Plaintiff lacks a full and adequate remedy at law and irreparable harm may result if this Honorable Court fails to grant the relief requested.

WHEREFORE, plaintiff respectfully prays that this Honorable Court grant an injunction ordering the following relief:

(a) Defendant forthwith cease from using or maintaining the subject premises, or cease allowing the subject premises to be used or maintained in violation of the Code;

(b) Defendant forthwith take whatever action is necessary to bring the subject food establishment into compliance with the Health Code;

(c) Defendant pay a fine in the amount of Three Hundred Dollars (\$300.00) per day for each and every day each violation has existed uncorrected in the subject food establishment since the original notices of violation of the Health Code;

(d) Defendant pay all costs attendant to this action, including reimbursement to the City of Philadelphia for numerous inspections by the Department of Public Health and reimbursement if the Department shall abate or relieve any emergency condition existing in the subject food establishment; and

(e) Such other relief as this Honorable Court may deem appropriate.

Respectfully submitted,

Shelley R. Smith  
City Solicitor

Ann Agnes Pasquariello  
Divisional Deputy City Solicitor

By: /s/ Beverly L. Penn  
Beverly L. Penn  
Senior Attorney

Attorneys for the City of Philadelphia

## VERIFICATION

I, Bernard Finkel, verify that I am the agent for the Plaintiff and that I am authorized to make this verification on its behalf. The statements made in the foregoing pleading are true and correct. I make this verification upon information and belief. I understand that statements made herein are made subject to the penalties of 18 Pa.C.S.A Section 4904 relating to unsworn falsification to authorities.

Date: 10/12/10

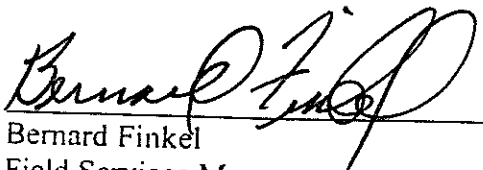
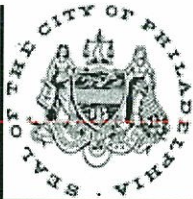
  
Bernard Finkel  
Field Services Manager  
Food Protection Unit  
Department of Public Health

EXHIBIT A





# Food Facility Inspection Report

Philadelphia Dept of Health/Office of Food Protection 500 S. Broad St., www.phila.gov/health/environment/foodprotection.html	No. of Risk Factor/Intervention Violations	2	Date	01/05/2010
	No. of Repeat Risk Factor/Intervention Violations	0	Time In	12:35 PM
	Number of Corrections	4	Time Out	02:10 PM

<b>Food Facility</b> Joy Tsin Lau	<b>Address</b> 1026 RACE ST	<b>Telephone</b> 2155927227	<b>Establishment Type</b> Restaurant: Eat-In	<b>District</b> 1	<b>Sub</b> 2
<b>Licensee</b> Joy Tsin Lau, Inc.	<b>Corporate Officer</b> Joy Tsin Lau, Inc.	<b>License #</b> R2769922	<b>Purpose of Inspection</b> Inspection	<b>Inspection Type</b> Complaint	

## FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

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
Demonstration of Knowledge					Potentially Hazardous Food Time/Temperature				
1	IN	Certification by accredited program, compliance with Code, or correct responses			16	IN	Proper cooking time & temperature		
Employee Health					17	IN	Proper reheating procedures for hot holding		
2	IN	Management awareness; policy present			18	IN	Proper cooling time & temperature		
3	IN	Proper use of reporting; restriction & exclusion			19	IN	Proper hot holding temperature		
Good Hygienic Practices					20	IN	Proper cold holding temperature		
4	IN	Proper eating, tasting, drinking, or tobacco use			21	OUT	Proper date marking & disposition		
5	IN	No discharge from eyes, nose, and mouth			22	IN	Time as a public health control; procedures & record		
Preventing Contamination by Hazards					Consumer Advisory				
6	IN	Hands clean & properly washed			23	IN	Consumer advisory provided for raw or undercooked foods		
7	IN	No bare hand contact with RTE foods or approved alternate method properly followed			Highly Susceptible Population				
8	OUT	Adequate handwashing facilities supplied & accessible			24	IN	Pasteurized foods used; prohibited foods not offered		
Approved Source					Chemical				
9	IN	Food obtained from approved source			25	IN	Food additives: approved & properly used		
10	IN	Food received at proper temperature			26	IN	Toxic substances properly identified, stored & used		
11	IN	Food in good condition, safe, & unadulterated			Conformance with Approved Procedure				
12	IN	Required records available: shellstock tags, parasite destruction			27	IN	Compliance with variance, specialized process, & HACCP plan		
Protection From Contamination					Risk factors are improper 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.				
13	IN	Food separated & protected							
14	IN	Food-contact surfaces: cleaned & sanitized							
15	IN	Proper disposition of returned, previously served, reconditioned, & unsafe food							

## GOOD RETAIL PRACTICES

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

Compliance Status			COS	R	Compliance Status			COS	R
Safe Food and Water					Proper Use of Utensils				
28	IN	Pasteurized eggs used where required			42	IN	Utensils, equipment & linens: properly stored, dried & handled		
29	IN	Water & ice from approved source			43	IN	Single-use & single-service articles: properly stored & used		
30	IN	Variance obtained for specialized processing methods			44	IN	Gloves used properly		
Food Temperature Control					Utensils, Equipment and Vending				
31	IN	Proper cooling methods used; adequate equipment for temperature control			45	OUT	Food & non-food contact surfaces cleanable, properly designed, constructed, & used		
32	IN	Plant food properly cooked for hot holding			46	OUT	Warewashing facilities: installed, maintained, & used; test strips		
33	IN	Approved thawing methods used			47	OUT	Non-food contact surfaces clean		
34	OUT	Thermometer provided & accurate			Physical Facilities				
Food Identification					48	IN	Hot & cold water available; adequate pressure		
35	IN	Food properly labeled; original container			49	IN	Plumbing installed; proper backflow devices		
Prevention of Food Contamination					50	IN	Sewage & waste water properly disposed		
36	IN	Insects, rodents & animals not present; no unauthorized persons			51	IN	Toilet facilities: properly constructed, supplied, & cleaned		
37	OUT	Contamination prevented during food preparation, storage & display			52	IN	Garbage & refuse properly disposed; facilities maintained		
38	IN	Personal cleanliness			53	OUT	Physical facilities installed, maintained, & clean		
39	OUT	Wiping cloths: properly used & stored			54	OUT	Adequate ventilation & lighting; designated areas used		
40	IN	Washing fruit & vegetables			Philadelphia Ordinances				
Proper Use of Utensils					56	IN	Philadelphia Ordinances		
41	IN	In-use utensils: properly stored							

Person in Charge (Signature)

*Chen Chan*

Name Mabel Chan/Owner

Date: 01/05/2009

Inspector (Signature) Bruce Ennels (215)685-2948

*[Signature]*

Date: 01/05/2010





## Food Facility Inspection Report

Philadelphia Dept of Health/Office of Food Protection 500 S. Broad St., www.phila.gov/health/environment/foodprotection.html	No. of Risk Factor/Intervention Violations	2	Date	01/05/2010
	No. of Repeat Risk Factor/Intervention Violations	0	Time In	12:35 PM
	Number of Corrections	4	Time Out	02:10 PM

Food Facility Joy Tsin Lau	Address 1026 RACE ST	Telephone 2155927227	Establishment Type Restaurant: Eat-In	District 1	Sub 2
Licensee Joy Tsin Lau, Inc.	Corporate Officer Joy Tsin Lau, Inc.	License # R2769922	Purpose of Inspection Inspection	Inspection Type Complaint	

### FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Item/Location	Temp	Item/Location	Temp	Item/Location	Temp
Eggs / Refrigerator	36.0 ° F	Pork / Cold-Hold Unit	14.0 ° F	/	
/		/		/	
/		/		/	
/		/		/	
/		/		/	
/		/		/	
/		/		/	
/		/		/	

### OBSERVATIONS AND CORRECTIVE ACTIONS

Item Number	Violations cited in this report must be corrected within the time frames below.
8	Violation of Code: [46.981(h)] No sign or poster posted at all the handwash sinks in the area to remind food employees to wash their hands. The handwash sink in the 1st floor preparation area was blocked by dishes and not accesible at all times for employee use. New Violation.
21	Violation of Code: [46.385(b)] Potentially hazardous ready to eat food, prepared in the food facility and held for more than 48 hours, located in the walk-in boxes, was not date marked. New Violation.
34	Violation of Code: [46.632] Temperature measuring devices for ensuring proper temperatures of equipment are not available or readily accessible in all equipment. New Violation.
37	Violation of Code: [46.321] Food and beverages are not stored at least 6 inches above the floor and inside walk-in boxes. Food items are uncovered inside refrigeration units and inside walk-in boxes. New Violation.
39	Violation of Code: [46.304] Moist wiping cloths observed lying on shelving and not stored in sanitizing solution. New Violation.
45	Violation of Code: [46.673] Microwave ovens, freezer chests, Coleman cooler, trash bag and garden hose for noodle cleaning are not ANSI/NSF approved commercial equipment. New Violation.
45	Violation of Code: [46.672] Food contact surface of wood stumps are not smooth, easily cleanable and resistant to pitting, cracking, or scratching. Cutting boards observed with deep scratches and scoring not allowing for effective cleaning and sanitizing. New Violation.
46	Violation of Code: [46.634] Food facility lacks sanitizer test strips to monitor sanitizer concentration. New Violation.
47	Violation of Code: [46.711(b)(c)] Equipment surfaces need cleaning. New Violation.
53	Violation of Code: [46.901] Walls, ceiling tiles, and floor surfaces need repair. New Violation.
53	Violation of Code: [46.753] Employee clothing stored in large trash container with water in basement food preparation area. New Violation.
54	Violation of Code: [46.544(e)] Hood filters have an accumulation of grease. New Violation.
Remarks	Risk Factors Good Retailing Practices
Summary Statements	This inspection has revealed that the establishment is not in satisfactory compliance and that current management practices have allowed unacceptable public health or food safety conditions. Corrective action is required to eliminate these violations. Compliance status will be assessed upon reinspection.

You are required under Section 6-502 of the Philadelphia Health Code to correct the violations listed as noted above. Your failure to correct these violations may result in the revocation of your health license and other legal action. Reinstatement of a revoked health license will require payment of another license fee. An appeal to these orders may be made to the Board of License and Inspection Review, Municipal Services Building, 1401 JFK Boulevard Philadelphia, PA

Person in Charge (Signature) Mabel Chan/Owner <i>Mabel Chan</i>	Date: 01/05/2009
Inspector (Signature) Bruce Ennels (215)685-2948 <i>Bruce Ennels</i>	Date: 01/05/2010

EXHIBIT B



# Food Facility Inspection Report

Philadelphia Dept of Health/Office of Food Protection  
500 S. Broad St.,  
www.phila.gov/health/environment/foodprotection.html

No. of Risk Factor/Intervention Violations	2	Date	04/07/2010
No. of Repeat Risk Factor/Intervention Violations	1	Time In	12:35 PM
Number of Corrections	3	Time Out	02:00 PM

<b>Food Facility</b> Joy Tsin Lau	<b>Address</b> 1026 RACE ST	<b>Telephone</b> 2155927227	<b>Establishment Type</b> Restaurant: Eat-In	<b>District</b> 1	<b>Sub</b> 2
<b>Licensee</b> Joy Tsin Lau, Inc.	<b>Corporate Officer</b> Joy Tsin Lau, Inc.	<b>License #</b> R2769922	<b>Purpose of Inspection</b> Inspection	<b>Inspection Type</b> Follow-up	

## FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

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>Demonstration of Knowledge</b>			
1	IN	Certification by accredited program, compliance with Code, or correct responses	
<b>Employee Health</b>			
2	IN	Management awareness; policy present	
3	IN	Proper use of reporting; restriction & exclusion	
<b>Good Hygienic Practices</b>			
4	IN	Proper eating, tasting, drinking, or tobacco use	
5	IN	No discharge from eyes, nose, and mouth	
<b>Preventing Contamination by Hazards</b>			
6	IN	Hands clean & properly washed	
7	IN	No bare hand contact with RTE foods or approved alternate method properly followed	
8	IN	Adequate handwashing facilities supplied & accessible	
<b>Approved Source</b>			
9	IN	Food obtained from approved source	
10	IN	Food received at proper temperature	
11	IN	Food in good condition, safe, & unadulterated	
12	IN	Required records available: shellstock tags, parasite destruction	
<b>Protection From Contamination</b>			
13	IN	Food separated & protected	
14	OUT	Food-contact surfaces: cleaned & sanitized	X
15	IN	Proper disposition of returned, previously served, reconditioned, & unsafe food	

Compliance Status		COS	R
<b>Potentially Hazardous Food Time/Temperature</b>			
16	IN	Proper cooking time & temperature	
17	IN	Proper reheating procedures for hot holding	
18	IN	Proper cooling time & temperature	
19	IN	Proper hot holding temperature	
20	IN	Proper cold holding temperature	
21	OUT	Proper date marking & disposition	X
22	IN	Time as a public health control; procedures & record	
<b>Consumer Advisory</b>			
23	IN	Consumer advisory provided for raw or undercooked foods	
<b>Highly Susceptible Population</b>			
24	IN	Pasteurized foods used; prohibited foods not offered	
<b>Chemical</b>			
25	IN	Food additives: approved & properly used	
26	IN	Toxic substances properly identified, stored & used	
<b>Conformance with Approved Procedure</b>			
27	IN	Compliance with variance, specialized process, & HACCP plan	

Risk factors are improper 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.

Compliance Status		COS	R
<b>Safe Food and Water</b>			
28	IN	Pasteurized eggs used where required	
29	IN	Water & ice from approved source	
30	IN	Variance obtained for specialized processing methods	
<b>Food Temperature Control</b>			
31	OUT	Proper cooling methods used; adequate equipment for temperature control	
32	IN	Plant food properly cooked for hot holding	
33	IN	Approved thawing methods used	
34	OUT	Thermometer provided & accurate	
<b>Food Identification</b>			
35	OUT	Food properly labeled; original container	
<b>Prevention of Food Contamination</b>			
36	IN	Insects, rodents & animals not present; no unauthorized persons	
37	OUT	Contamination prevented during food preparation, storage & display	X
38	IN	Personal cleanliness	
39	OUT	Wiping cloths: properly used & stored	
40	IN	Washing fruit & vegetables	
<b>Proper Use of Utensils</b>			
41	IN	In-use utensils: properly stored	

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

<b>Person in Charge (Signature)</b> 	<b>Name</b> Chi Chan/Manager	<b>Date:</b> 04/07/2010
<b>Inspector (Signature)</b> Bruce Ennels (215)685-2948 		<b>Date:</b> 04/07/2010





# Food Facility Inspection Report

Philadelphia Dept of Health/Office of Food Protection  
500 S. Broad St.,  
[www.phila.gov/health/environment/foodprotection.html](http://www.phila.gov/health/environment/foodprotection.html)

No. of Risk Factor/Intervention Violations	2	Date	04/07/2010
No. of Repeat Risk Factor/Intervention Violations	1	Time In	12:35 PM
Number of Corrections	3	Time Out	02:00 PM

<b>Food Facility</b> Joy Tsin Lau	<b>Address</b> 1026 RACE ST	<b>Telephone</b> 2155927227	<b>Establishment Type</b> Restaurant: Eat-In	<b>District</b> 1	<b>Sub</b> 2
<b>Licensee</b> Joy Tsin Lau, Inc.	<b>Corporate Officer</b> Joy Tsin Lau, Inc.	<b>License #</b> R2769922	<b>Purpose of Inspection</b> Inspection	<b>Inspection Type</b> Follow-up	

## FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Item/Location	Temp	Item/Location	Temp	Item/Location	Temp
Fish / Cold-Hold Unit	19.0 ° F	Pork / Refrigerator	43.0 ° F	Beef / Cold-Hold Unit	25.0 ° F
/		/		/	
/		/		/	
/		/		/	
/		/		/	
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/		/		/	

## OBSERVATIONS AND CORRECTIVE ACTIONS

Item Number	Violations cited in this report must be corrected within the time frames below.
14	Violation of Code: [46.674(d)(e)] Chlorine chemical sanitizer residual detected in the final sanitizer rinse cycle of the low temperature sanitizing dishwasher was less than the required 50 ppm, and not 50-100 ppm as required. Management ordered to manually wash, rinse, and sanitize dishes and utensils until adequate chlorine concentration provided by dish machine. Contractor on site to repair chlorine concentration. Corrected On-Site. New Violation.
21	Violation of Code: [46.385(b)] Potentially hazardous ready to eat food, prepared in the food facility and held for more than 48 hours, located in the refrigeration and walk-in box units was not date marked. Repeat Violation.
31	Violation of Code: [46.384(c)(d)] Food facility does not have adequate refrigeration equipment / capacity to maintain all refrigerated foods at a temperature of 41 degrees F or below. Four refrigeration units on the 1st floor kitchen area did not have adequate temperature. All potentially hazardous foods were removed and stored in units maintaining 41 degrees F (in basement). Management called a contractor for repairs and was ordered to discontinue storage of perishable foods in these units. New Violation.
34	Violation of Code: [46.632] Temperature measuring devices for ensuring proper temperatures of equipment are not available or readily accessible in all equipment. New Violation.
35	Violation of Code: [46.282] Working bulk food ingredient storage containers are not labeled with the common name of the food. New Violation.
37	Violation of Code: [46.321] Food/beverages are not stored at least 6 inches above the floor and walk-in boxes. Unwrapped or uncovered food items are stored in refrigeration units. Repeat Violation.
39	Violation of Code: [46.304] Moist wiping cloths observed lying on counter and not stored in sanitizing solution. New Violation.
45	Violation of Code: [46.672] Food contact surface of wood stumps are not smooth, easily cleanable and resistant to pitting, cracking, or scratching. Cutting boards observed with deep scratches and scoring not allowing for effective cleaning and sanitizing. Repeat Violation.
45	Violation of Code: [46.673] Microwave ovens, freezer chests, and Coleman cooler are not ANSI/NSF approved food equipment. Repeat Violation.
47	Violation of Code: [46.711(b)(c)] Food equipment surfaces located in kitchen areas need cleaning (interior and exterior surfaces). Repeat Violation.
51	Violation of Code: [46.981(b)(i)] Urinal is not in operation in Men's room. New Violation.
52	Violation of Code: [46.884] Lid missing from dumpster in rear area. New Violation.
53	Violation of Code: [46.901] Ceiling tiles in kitchen area are not approved surfaces, wall surfaces not in good repair, and floor surfaces need repair. Repeat Violation.
53	Violation of Code: [46.981(e)(m)] Floor surfaces need cleaning. New Violation.
54	Violation of Code: [46.922(a)] Lights in the refrigeration units were not shielded from breakage. New Violation.
Remarks	Risk Factors Good Retailing Practices

Person in Charge (Signature) Chi Chan/Manager

Date: 04/07/2010

Inspector (Signature) Bruce Ennels (215)685-2948

Date: 04/07/2010

Case ID: 101001867  
Control No.: 10102120



## Food Facility Inspection Report

Philadelphia Dept of Health/Office of Food Protection 500 S. Broad St., <a href="http://www.phila.gov/health/environment/foodprotection.html">www.phila.gov/health/environment/foodprotection.html</a>	No. of Risk Factor/Intervention Violations	2	Date	04/07/2010
	No. of Repeat Risk Factor/Intervention Violations	1	Time In	12:35 PM
	Number of Corrections	3	Time Out	02:00 PM

<b>Food Facility</b> Joy Tsin Lau	<b>Address</b> 1026 RACE ST	<b>Telephone</b> 2155927227	<b>Establishment Type</b> Restaurant: Eat-In	<b>District</b> 1	<b>Sub</b> 2
<b>Licensee</b> Joy Tsin Lau, Inc.	<b>Corporate Officer</b> Joy Tsin Lau, Inc.	<b>License #</b> R2769922	<b>Purpose of Inspection</b> Inspection	<b>Inspection Type</b> Follow-up	

### OBSERVATIONS AND CORRECTIVE ACTIONS

<b>Item Number</b>	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.
<b>Summary Statements</b>	This inspection has revealed that the establishment is not in satisfactory compliance and that current management practices have allowed unacceptable public health or food safety conditions. Corrective action is required to eliminate these violations. Compliance status will be assessed upon reinspection.@

You are required under Section 6-502 of the Philadelphia Health Code to correct the violations listed as noted above. Your failure to correct these violations may result in the revocation of your health license and other legal action. Reinstatement of a revoked health license will require payment of another license fee. An appeal to these orders may be made to the Board of License and Inspection Review, Municipal Services Building, 1401 JFK Boulevard Philadelphia, PA

<b>Person in Charge (Signature)</b> 	<b>Name</b> Chi Chan/Manager	<b>Date:</b> 04/07/2010
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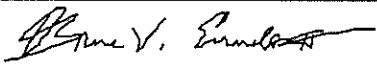
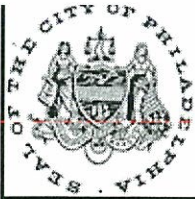
<b>Inspector (Signature)</b> Bruce Ennels (215)685-2948 	<b>Date:</b> 04/07/2010
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EXHIBIT C





# Food Facility Inspection Report

Philadelphia Dept of Health/Office of Food Protection 500 S. Broad St., www.phila.gov/health/environment/foodprotection.html	No. of Risk Factor/Intervention Violations	2	Date	06/16/2010
	No. of Repeat Risk Factor/Intervention Violations	0	Time In	11:20 AM
	Number of Corrections	7	Time Out	01:40 PM

<b>Food Facility</b> Joy Tsin Lau	<b>Address</b> 1026 RACE ST	<b>Telephone</b> 2155927227	<b>Establishment Type</b> Restaurant: Eat-In	<b>District</b> 1	<b>Sub</b> 2
<b>Licensee</b> Joy Tsin Lau, Inc.	<b>Corporate Officer</b> Joy Tsin Lau, Inc.	<b>License #</b> R2769922	<b>Purpose of Inspection</b> Enforcement	<b>Inspection Type</b> Compliance Check	

## FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

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
Demonstration of Knowledge					Potentially Hazardous Food Time/Temperature				
1	OUT	Certification by accredited program, compliance with Code, or correct responses	X		16	IN	Proper cooking time & temperature		
Employee Health					17	IN	Proper reheating procedures for hot holding		
2	IN	Management awareness; policy present			18	IN	Proper cooling time & temperature		
3	IN	Proper use of reporting; restriction & exclusion			19	IN	Proper hot holding temperature		
Good Hygienic Practices					20	OUT	Proper cold holding temperature		
4	IN	Proper eating, tasting, drinking, or tobacco use			21	IN	Proper date marking & disposition		
5	IN	No discharge from eyes, nose, and mouth			22	IN	Time as a public health control; procedures & record		
Preventing Contamination by Hazards					Consumer Advisory				
6	IN	Hands clean & properly washed			23	IN	Consumer advisory provided for raw or undercooked foods		
7	IN	No bare hand contact with RTE foods or approved alternate method properly followed			Highly Susceptible Population				
8	IN	Adequate handwashing facilities supplied & accessible			24	IN	Pasteurized foods used; prohibited foods not offered		
Approved Source					Chemical				
9	IN	Food obtained from approved source			25	IN	Food additives: approved & properly used		
10	IN	Food received at proper temperature			26	IN	Toxic substances properly identified, stored & used		
11	IN	Food in good condition, safe, & unadulterated			Conformance with Approved Procedure				
12	IN	Required records available: shellstock tags, parasite destruction			27	IN	Compliance with variance, specialized process, & HACCP plan		
Protection From Contamination					Risk factors are improper 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.				
13	IN	Food separated & protected							
14	IN	Food-contact surfaces: cleaned & sanitized							
15	IN	Proper disposition of returned, previously served, reconditioned, & unsafe food							

## GOOD RETAIL PRACTICES

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

Compliance Status			COS	R	Compliance Status			COS	R
Safe Food and Water					Proper Use of Utensils				
28	IN	Pasteurized eggs used where required			42	IN	Utensils, equipment & linens: properly stored, dried & handled		
29	IN	Water & ice from approved source			43	IN	Single-use & single-service articles: properly stored & used		
30	IN	Variance obtained for specialized processing methods			44	IN	Gloves used properly		
Food Temperature Control					Utensils, Equipment and Vending				
31	IN	Proper cooling methods used; adequate equipment for temperature control			45	OUT	Food & non-food contact surfaces cleanable, properly designed, constructed, & used		X
32	IN	Plant food properly cooked for hot holding			46	IN	Warewashing facilities: installed, maintained, & used; test strips		
33	IN	Approved thawing methods used			47	OUT	Non-food contact surfaces clean		X
34	OUT	Thermometer provided & accurate		X	Physical Facilities				
Food Identification					48	IN	Hot & cold water available; adequate pressure		
35	IN	Food properly labeled; original container			49	OUT	Plumbing installed; proper backflow devices		
Prevention of Food Contamination					50	IN	Sewage & waste water properly disposed		
36	OUT	Insects, rodents & animals not present; no unauthorized persons			51	IN	Toilet facilities: properly constructed, supplied, & cleaned		
37	OUT	Contamination prevented during food preparation, storage & display		X	52	IN	Garbage & refuse properly disposed; facilities maintained		
38	IN	Personal cleanliness			53	OUT	Physical facilities installed, maintained, & clean		X
39	OUT	Wiping cloths: properly used & stored		X	54	OUT	Adequate ventilation & lighting; designated areas used		X
40	IN	Washing fruit & vegetables			Philadelphia Ordinances				
Proper Use of Utensils					56	OUT	Philadelphia Ordinances		
41	OUT	In-use utensils: properly stored							

Person in Charge (Signature)

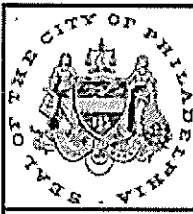
Name Ma Jun

Date: 06/16/2010

Inspector (Signature) Jayatirtha Holavanahlli (215)685-6573

Date: 06/16/2010





# Food Facility Inspection Report

Philadelphia Dept of Health/Office of Food Protection 500 S. Broad St., www.phila.gov/health/environment/foodprotection.html	No. of Risk Factor/Intervention Violations	2	Date	06/16/2010
	No. of Repeat Risk Factor/Intervention Violations	0	Time In	11:20 AM
	Number of Corrections	7	Time Out	01:40 PM

Food Facility Joy Tsin Lau	Address 1026 RACE ST	Telephone 2155927227	Establishment Type Restaurant: Eat-In	District 1	Sub 2
Licensee Joy Tsin Lau, Inc.	Corporate Officer Joy Tsin Lau, Inc.	License # R2769922	Purpose of Inspection Enforcement	Inspection Type Compliance Check	

## FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Item/Location	Temp	Item/Location	Temp	Item/Location	Temp
liquor / Refrigerator	50.2 ° F	wonton soup / Hot-Hold Unit	169.3 ° F	Pork / Prep Area	55.3 ° F
produce / Walk-In Cooler	35.6 ° F	milk / Refrigerator	43.2 ° F	Chicken / Walk-In Cooler	44.8 ° F
shrimp / Prep Area	34.6 ° F	sea food / Walk-In Cooler	-16.0 ° F	sticky rice / Storage	-4.2 ° F
spice / Refrigerator	43.2 ° F	/	/	/	/
/	/	/	/	/	/
/	/	/	/	/	/
/	/	/	/	/	/
/	/	/	/	/	/

## OBSERVATIONS AND CORRECTIVE ACTIONS

Item Number	Violations cited in this report must be corrected within the time frames below.
1	Violation of Code: [46.102] The food facility operator shall be the Person in Charge or shall designate a Person in Charge and shall ensure that a Person in Charge is present at the food facility during all hours of operation. Corrected On-Site. New Violation.
20	Violation of Code: [46.385(a)(2)] Potentially hazardous food was held at 55.3 degrees F rather than 41 degrees F or below as required. Observed prep area cooler containing shrimp, raw pork and chicken held above 41F for more then a day. Food was immediately discarded. New Violation.
34	Violation of Code: [46.632] Temperature measuring devices for ensuring proper temperatures of equipment are not available or readily accessible in all equipment. Repeat Violation.
36	Violation of Code: [46.981(k)(1)] Visible physical evidence of rodent / insect activity observed in the beverage holding area. Observed mouse droppings along floor perimeter in beverage area. New Violation.
37	Violation of Code: [46.321] Food/beverages are not stored at least 6 inches above the floor and walk-in boxes. Repeat Violation.
39	Violation of Code: [46.304] Moist wiping cloths observed lying on counter and not stored in sanitizing solution. Repeat Violation.
41	Violation of Code: [46.302] Food dispensing utensil in the prep area observed in direct contact with food and not having handle stored above the top of the food. New Violation.
45	Violation of Code: [46.671] Observed clothing liners used inside hot holding box. Observed domestic microwave present. Garbage grinder sink observed installed to two basin sink. Observed unapproved bulk food containers (card board made). Repeat Violation.
47	Violation of Code: [46.711(b)(c)] Defrost reach-in freezers. Repeat Violation.
49	Violation of Code: [46.822] Prep sink indirect waste does not drain into catch basin sink with appropriate air gap as needed. New Violation.
53	Violation of Code: [46.901] Ceiling tile in kitchen observed not clean. Sump sink in basement area observed with no lid present. Repeat Violation.
53	Violation of Code: [46.981(a)(b)(c)(g)(n)] Prep area on 1st floor and basement need general cleaning. Repeat Violation.
54	Violation of Code: [46.922(a)] No Lights observed present in basement refrigerator. Repeat Violation.
56	Violation of Code: [10-602(5)(a)(1)] Person in Control of premises has not posted "No Smoking" signs. New Violation.
Remarks	Food License: 3121 209018 04/2011 The establishment currently has three city food safety certified persons.

Person in Charge (Signature) Ma Jun	Date: 06/16/2010
Inspector (Signature) Jayalirtha Holavanahlli (215)685-6573	Date: 06/16/2010



## Food Facility Inspection Report

Philadelphia Dept of Health/Office of Food Protection 500 S. Broad St., <a href="http://www.phila.gov/health/environment/foodprotection.html">www.phila.gov/health/environment/foodprotection.html</a>	No. of Risk Factor/Intervention Violations	2	Date	06/16/2010
	No. of Repeat Risk Factor/Intervention Violations	0	Time In	11:20 AM
	Number of Corrections	7	Time Out	01:40 PM

<b>Food Facility</b> Joy Tsin Lau	<b>Address</b> 1026 RACE ST	<b>Telephone</b> 2155927227	<b>Establishment Type</b> Restaurant: Eat-In	<b>District</b> 1	<b>Sub</b> 2
<b>Licensee</b> Joy Tsin Lau, Inc.	<b>Corporate Officer</b> Joy Tsin Lau, Inc.	<b>License #</b> R2769922	<b>Purpose of Inspection</b> Enforcement	<b>Inspection Type</b> Compliance Check	

### OBSERVATIONS AND CORRECTIVE ACTIONS

<b>Item Number</b>	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.
<b>Summary Statements</b>	This inspection has revealed that the establishment is not in satisfactory compliance and that current management practices have allowed unacceptable public health or food safety conditions. Corrective action is required to eliminate these violations. Compliance status will be assessed upon reinspection.@

You are required under Section 6-502 of the Philadelphia Health Code to correct the violations listed as noted above. Your failure to correct these violations may result in the revocation of your health license and other legal action. Reinstatement of a revoked health license will require payment of another license fee. An appeal to these orders may be made to the Board of License and Inspection Review, Municipal Services Building, 1401 JFK Boulevard Philadelphia, PA

<b>Person in Charge (Signature)</b> 	<b>Name</b> Ma Jun	<b>Date</b> 06/16/2010
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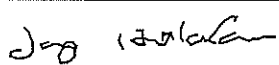
<b>Inspector (Signature)</b> Jayatirtha Holavanahhli (215)685-6573 	<b>Date</b> 06/16/2010
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EXHIBIT D



# Food Facility Inspection Report

Philadelphia Dept of Health/Office of Food Protection 500 S. Broad St., www.phila.gov/health/environment/foodprotection.html	No. of Risk Factor/Intervention Violations	7	Date	08/18/2010
	No. of Repeat Risk Factor/Intervention Violations	0	Time In	11:05 AM
	Number of Corrections	1	Time Out	12:55 PM

<b>Food Facility</b> Joy Tsin Lau	<b>Address</b> 1026 RACE ST	<b>Telephone</b> 2155927227	<b>Establishment Type</b> Restaurant: Eat-In	<b>District</b> 1	<b>Sub</b> 2
<b>Licensee</b> Joy Tsin Lau, Inc.	<b>Corporate Officer</b> Joy Tsin Lau, Inc.	<b>License #</b> R2769922	<b>Purpose of Inspection</b> Inspection	<b>Inspection Type</b> Regular	

## FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

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>Demonstration of Knowledge</b>			
1	OUT	Certification by accredited program, compliance with Code, or correct responses	X
<b>Employee Health</b>			
2	IN	Management awareness; policy present	
3	IN	Proper use of reporting; restriction & exclusion	
<b>Good Hygienic Practices</b>			
4	OUT	Proper eating, tasting, drinking, or tobacco use	
5	IN	No discharge from eyes, nose, and mouth	
<b>Preventing Contamination by Hazards</b>			
6	IN	Hands clean & properly washed	
7	IN	No bare hand contact with RTE foods or approved alternate method properly followed	
8	OUT	Adequate handwashing facilities supplied & accessible	
<b>Approved Source</b>			
9	IN	Food obtained from approved source	
10	IN	Food received at proper temperature	
11	IN	Food in good condition, safe, & unadulterated	
12	OUT	Required records available: shellstock tags, parasite destruction	
<b>Protection From Contamination</b>			
13	OUT	Food separated & protected	
14	IN	Food-contact surfaces: cleaned & sanitized	
15	IN	Proper disposition of returned, previously served, reconditioned, & unsafe food	

Compliance Status		COS	R
<b>Potentially Hazardous Food/Time/Temperature</b>			
16	IN	Proper cooking time & temperature	
17	IN	Proper reheating procedures for hot holding	
18	IN	Proper cooling time & temperature	
19	IN	Proper hot holding temperature	
20	OUT	Proper cold holding temperature	
21	IN	Proper date marking & disposition	
22	IN	Time as a public health control; procedures & record	
<b>Consumer Advisory</b>			
23	IN	Consumer advisory provided for raw or undercooked foods	
<b>Highly Susceptible Population</b>			
24	IN	Pasteurized foods used; prohibited foods not offered	
<b>Chemical</b>			
25	IN	Food additives: approved & properly used	
26	IN	Toxic substances properly identified, stored & used	
<b>Conformance with Approved Procedure</b>			
27	IN	Compliance with variance, specialized process, & HACCP plan	

Risk factors are improper 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

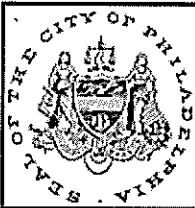
Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.

Compliance Status		COS	R
<b>Safe Food and Water</b>			
28	IN	Pasteurized eggs used where required	
29	IN	Water & ice from approved source	
30	IN	Variance obtained for specialized processing methods	
<b>Food Temperature Control</b>			
31	IN	Proper cooling methods used; adequate equipment for temperature control	
32	IN	Plant food properly cooked for hot holding	
33	IN	Approved thawing methods used	
34	OUT	Thermometer provided & accurate	X
<b>Food Identification</b>			
35	IN	Food properly labeled; original container	
<b>Prevention of Food Contamination</b>			
36	OUT	Insects, rodents & animals not present; no unauthorized persons	
37	OUT	Contamination prevented during food preparation, storage & display	X
38	OUT	Personal cleanliness	
39	OUT	Wiping cloths: properly used & stored	X
40	IN	Washing fruit & vegetables	
<b>Proper Use of Utensils</b>			
41	OUT	In-use utensils: properly stored	

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

<b>Person in Charge (Signature)</b>	<b>Name</b> Chi Chan (signed)	<b>Date:</b> 08/18/2010
<b>Inspector (Signature)</b> Jayatirtha Holavanahalli (215)685-6573	<i>Jay Holavanahalli</i>	<b>Date:</b> 08/18/2010





# Food Facility Inspection Report

Philadelphia Dept of Health/Office of Food Protection 500 S. Broad St., www.phila.gov/health/environment/foodprotection.html	No. of Risk Factor/Intervention Violations	7	Date	08/18/2010
	No. of Repeat Risk Factor/Intervention Violations	0	Time In	11:05 AM
	Number of Corrections	1	Time Out	12:55 PM

<b>Food Facility</b> Joy Tsin Lau	<b>Address</b> 1026 RACE ST	<b>Telephone</b> 2155927227	<b>Establishment Type</b> Restaurant: Eat-In	<b>District</b> 1	<b>Sub</b> 2
<b>Licensee</b> Joy Tsin Lau, Inc.	<b>Corporate Officer</b> Joy Tsin Lau, Inc.	<b>License #</b> R2769922	<b>Purpose of Inspection</b> Inspection	<b>Inspection Type</b> Regular	

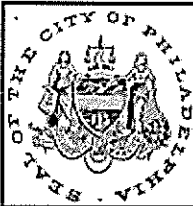
## FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Item/Location	Temp	Item/Location	Temp	Item/Location	Temp
beverage / Refrigerator	57.2 ° F	soup / Hot-Hold Unit	173.2 ° F	Beef / Prep Area	41.0 ° F
vegetable / Prep Area	47.0 ° F	Chicken / Walk-In Cooler	33.2 ° F	Beef / Walk-In Cooler	41.0 ° F
frozen meat / Walk-In Cooler	2.8 ° F	crab / Storage	4.2 ° F	flour paste / Prep Area	50.8 ° F
/		/		/	
/		/		/	
/		/		/	
/		/		/	
/		/		/	

## OBSERVATIONS AND CORRECTIVE ACTIONS

Item Number	Violations cited in this report must be corrected within the time frames below.
1	Violation of Code: [46.102] The food facility operator shall be the Person in Charge or shall designate a Person in Charge and shall ensure that a Person in Charge is present at the food facility during all hours of operation. Corrected On-Site. New Violation.
4	Violation of Code: [46.151(a)] Food employee observed eating or tasting food in the prep area. New Violation.
8	Violation of Code: [46.941(a)-(e)] The food facility does not have a handwash sink conveniently located in the bar area. New Violation.
8	Violation of Code: [46.941(a)-(e)] Paper towel dispenser empty at the handwash sink in the employee toilet area. New Violation.
12	Violation of Code: [46.364(c)] Shellstock tags are not maintained for 90 days from the date the container is emptied. New Violation.
13	Violation of Code: [46.281] Several containers of raw/cooked observed stored in prep area reach in cooler without sanitary coverings. New Violation.
20	Violation of Code: [46.385(a)(2)] Food was held at 47.6 - 53.1 degrees F rather than 41 degrees F or below as required. Two reach-in refrigeration units, one in prep area and the other in basement prep area observed not maintaining temperature below 41F. Vegetables and flour observed stored at the time of inspection. New Violation.
34	Violation of Code: [46.632] Temperature measuring devices for ensuring proper temperatures of equipment are not available or readily accessible in all equipment. Repeat Violation.
36	Violation of Code: [46.981(k)(l)] Visible physical evidence of rodent / insect activity observed in the prep/bar areas. -Several fruit flies observed in bar/basement prep areas. -Several mouse droppings observed inside employee toilet room. New Violation.
37	Violation of Code: [46.321] Food/beverages are not stored at least 6 inches above the floor and walk-in boxes. Repeat Violation.
38	Violation of Code: [46.152] Food employees observed not wearing or wearing ineffective hair restraints, such as nets, hats, or beard restraints. New Violation.
39	Violation of Code: [46.304] Moist wiping cloths observed lying on counter and not stored in sanitizing solution. Repeat Violation.
41	Violation of Code: [46.302] Serving utensils located in prep area stored with food contact surfaces exposed to hand contact when retrieved for service. New Violation.
45	Violation of Code: [46.672] Garbage grinder observed installed to prep sink. Unapproved bulk food containers observed present. Domestic microwave observed present. Repeat Violation.
46	Violation of Code: [46.634] Food facility lacks sanitizer test strips to monitor sanitizer concentration. New Violation.
47	Violation of Code: [46.711(b)(c)] Food equipment surfaces located in kitchen areas need cleaning(interior and exterior surfaces). Repeat Violation.

<b>Person in Charge (Signature)</b> Chi Chan (signed)	<b>Date:</b> 08/18/2010
<b>Inspector (Signature)</b> Jayatirtha Holavanahhli (215)685-6573	<b>Date:</b> 08/18/2010



## Food Facility Inspection Report

Philadelphia Dept of Health/Office of Food Protection 500 S. Broad St., www.phila.gov/health/environment/foodprotection.html		No. of Risk Factor/Intervention Violations	7	Date	08/18/2010
		No. of Repeat Risk Factor/Intervention Violations	0	Time In	11:05 AM
		Number of Corrections	1	Time Out	12:55 PM
Food Facility Joy Tsin Lau	Address 1026 RACE ST	Telephone 2155927227	Establishment Type Restaurant: Eat-In	District 1	Sub 2
Licensee Joy Tsin Lau, Inc.	Corporate Officer Joy Tsin Lau, Inc.	License # R2769922	Purpose of Inspection Inspection	Inspection Type Regular	
<b>OBSERVATIONS AND CORRECTIVE ACTIONS</b>					
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.				
49	Violation of Code: [46.822] Pre sink indirect waste is not drained into catch basin sink having air gap. New Violation.				
52	Violation of Code: [46.884] Lid missing from dumpster in rear area. Repeat Violation.				
53	Violation of Code: [46.921] Sump sink observed not lided. Prep area in basement needs general floor cleaning. Broom observed stored on ground. Repeat Violation.				
54	Violation of Code: [46.922(a)] Lights in the refrigeration units were not present. Repeat Violation.				
56	Violation of Code: [10-602(5)(a)(1)] Person in Control of premises has not posted "No Smoking" signs. New Violation.				
Remarks	Food License: 3121 209018 04/2011				
Summary Statements	This inspection has revealed that the establishment is not in satisfactory compliance and that current management practices have allowed unacceptable public health or food safety conditions. Corrective action is required to eliminate these violations. Compliance status will be assessed upon reinspection.@				
You are required under Section 6-502 of the Philadelphia Health Code to correct the violations listed as noted above. Your failure to correct these violations may result in the revocation of your health license and other legal action. Reinstatement of a revoked health license will require payment of another license fee. An appeal to these orders may be made to the Board of License and Inspection Review, Municipal Services Building, 1401 JFK Boulevard Philadelphia, PA					
Person in Charge (Signature)			Name Chi Chan (signed)	Date: 08/18/2010	
Inspector (Signature) Jayatirtha Holavanahlli (215)685-6573			Jay Holavanahlli	Date: 08/18/2010	

EXHIBIT E

## CITY OF PHILADELPHIA

DEPARTMENT OF PUBLIC HEALTH  
Public Health Services  
321 University Avenue, 2nd Floor  
Philadelphia, PA 19104

### Office of Food Protection

Telephone (215) 685-7495  
Fax (215) 382-1210

Mabel Chan
Joy Tsin Lau 1026 Race St. Phila., PA 19107

5/18/2010

Dear : Mabel Chan

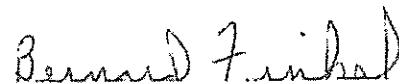
Recent inspection(s) *performed* by the Philadelphia Department of Public Health indicate a failure to ensure that public health standards for a safe and sanitary operation of your establishment are being maintained. Inspections were conducted on 4/18/10 and 4/7/2010. Corrective actions are required to bring the establishment into compliance with Title 6 of the Philadelphia Code and the Regulations Governing Food Establishments. Additionally, for establishments required to have an individual who holds a "Food Establishment Personnel Food Safety Certificate", subject to revocation, this individual did not fulfill their responsibility to ensure these conditions did not occur.

An additional inspection to determine compliance is offered to you upon your request and submission of the required re-inspection costs of \$190.00. If this inspection confirms that your establishment is in compliance with the Health Code, this office will take no further enforcement action.

However, if this inspection determines that your establishment is NOT in compliance. You may be subject to the following actions: the establishment license is subject to revocation; fines may be imposed directly; and a Complaint in Equity in the Court of Common Pleas of Pennsylvania may be filed. In the event such a complaint is filed, a cost of \$315.00 per inspection for all inspections leading up to and conducted during enforcement action will be assessed. These sanctions are specified in Sections 6-103 and 6-505 of the Health Code.

Submit the attached "Compliance Inspection Request Form" within ten (10) calendar days of the date of this letter to request a re-inspection. Failure to respond to this notice will result in appropriate enforcement action. If you have any questions regarding this matter, please call 215-685-7497.

Sincerely,



Bernard Finkel,  
Asst. Chief