

# **Enough to Make You Sick, Revisited**

*An Analysis of 2005 Westchester County and New York  
Metropolitan Supermarket Inspections*

STATE SENATOR JEFF KLEIN  
RANKING MINORITY MEMBER  
CONSUMER PROTECTION COMMITTEE



## **Enough to Make You Sick, Revisited**

### *An Analysis of 2005 Westchester County and New York Metropolitan Supermarket Inspections*

In the spring of 2000, then-Assemblyman Jeff Klein shined a spotlight on filthy conditions in New York City supermarkets and retail food stores with a report entitled ***Enough to Make You Sick***. That report outlined widespread sanitary violations and rampant insect and rodent infestations at an alarming number of city supermarkets. Klein's report and subsequent public hearings led to the passage of tough new supermarket safety legislation later that year. Unlike restaurants, which are inspected by city and county health departments, supermarket sanitation requirements are uniform across the state and enforced by state inspectors from the Department of Agriculture and Markets. To demonstrate that dirty supermarkets are not only a New York City problem, Senator Klein has shifted his focus to the supermarkets of Westchester County in 2005. He learned that rodents, insects and other pests know no geographic boundaries and can be found wherever sanitation standards and food safety training are lax.

### **2000 Supermarket inspection reforms**

The supermarket safety law authored by Klein went into effect at the end of 2000 and now requires that every supermarket and retail food store in the state be inspected at least once a year. Troubled supermarkets failing two consecutive inspections are singled out for more frequent biannual inspections and other remediation services from the Department of Agriculture and Markets. If those efforts fail and a store cannot or will not clean up its act, the law gives the department the authority to revoke the state food processing license of any licensed establishment that fails three consecutive inspections. If an establishment is operating under an expired or revoked license, the department can seek an injunction ordering that store to cease any food processing operations which require a license under article 20-c of the agriculture and markets law or to close down altogether until any unsanitary conditions are corrected. Similarly, if a retail food establishment is not required to be licensed because it only sells pre-packaged foods and conducts no food preparation or processing operations of its own, the department can still protect the safety of our retail food supply after three consecutive inspection failures by seeking an injunction ordering the store to cease all retail operations until its unsanitary conditions are corrected.

## **Does my supermarket post its inspection results?**

Klein's experience studying New York's supermarkets has taught him the value of public awareness. Before the 2000 report, many shoppers never questioned the safety of the food they bought at their local supermarket and never suspected that they might be bringing home more than just groceries in their bags. Five years later, consumers use a more critical eye to judge the cleanliness of their supermarket's public areas and rely on inspection postings to make sure that safe food handling and storage procedures are being followed behind the scenes.

One of the most visible changes for New York consumers as a consequence of the new law is that every supermarket and retail food store is now required to post the date and results of their most recent state sanitary inspection. The law does not require supermarkets to post a list of their particular violations, but simply whether it has passed or failed its most recent inspection. A supermarket is deemed to have passed inspection if no critical deficiencies in its sanitary conditions or food handling procedures are found by state inspectors. Less serious general deficiencies are cited in the inspection reports but cannot, on their own, result in a failing grade. Customers who want more information can ask store management to see a copy of the actual inspection report filed by the state inspector which outlines any general or critical deficiencies and furnishes details about any food seizures and possible rodent and insect problems that were observed.

Compliance with the new supermarket posting requirement got off to a slow start around the state, with 24% not posting in New York City and 22% failing to post statewide in the first full year after the law took effect. Some stores may have been slow to post because of a lack of information about the new law, but many repeat offenders were cited on several consecutive inspections for failure to post. A major problem with enforcing the new posting law is that failure to post only constitutes a general deficiency. A store could not fail its inspection or incur a financial penalty simply for failing to comply with the new posting law, as they could if they failed to correct a critical deficiency. Fortunately, state inspectors seem to have solved the problem through better education of store managers, because non-compliance with the posting requirement has plunged to below 1% in 2005. In Westchester County, only one supermarket was cited for violating the posting law in 1048 inspections.

## **Will my supermarket be shut down if it fails an inspection?**

The existing process for revoking a supermarket's state license gives store owners far more than the three chances the department is required to provide. Despite the department's increased authority under the 2000 to close down or revoke the licenses of habitually unsanitary supermarkets after three consecutive inspection failures, Klein has found cases in New York City of the department waiting for five or even six failures before even starting to revoke a store's license. This delay can add several months to the revocation process and unnecessarily expose consumers to food that is stored and processed under unsanitary conditions. Fortunately for the shoppers of Westchester County, such drastic action is rarely necessary. Of the 1048 supermarkets and retail food stores in Westchester County, 120 (11.45%) had failed their most recent inspection, but most were able to clean up their acts by their next inspection, and almost all were compliant with state sanitation standards within three inspections.

New York recognizes that each supermarket and retail food store represents a family's livelihood; so, before moving to revoke a supermarket license or close an unlicensed store, the department will attempt remediation. This often involves educating store owners and personnel about proper food handling and pest control procedures. After a store fails two consecutive inspections, a fine is levied by the state and a compliance session is scheduled so a representative from the department can meet with store representatives to discuss the steps that need to be taken to solve the store's pest problems or any other recurring critical violations. One additional inspection is likely to be scheduled before the session and another will always be scheduled a short time afterwards so the department can ascertain whether or not the corrections discussed at the compliance session have been implemented. Under this system, it is possible for a store to fail up to four consecutive inspections before the state can determine whether or not remediation efforts have been successful. However, after the second failure, escalating fines are imposed after each failed inspection.

If remediation does not succeed and the store still cannot pass inspection, the department will schedule an administrative hearing during which the store owner can offer evidence as to why his or her license should not be revoked. Ideally, the department should schedule a revocation hearing as soon as possible after a store fails to implement the corrections that were discussed and agreed upon at the compliance session.

Before the revocation hearing takes place, at least one additional pre-hearing inspection is conducted. If the store passes its pre-hearing inspection, its revocation hearing is postponed with a warning that it will be

rescheduled if the store fails a future inspection. If the store fails its pre-revocation hearing, the hearing takes place as scheduled and the store's license is typically revoked. After revocation, a post-hearing inspection is scheduled to make sure that the store is no longer conducting those food processing activities which require a license. If the store passes this inspection, it may apply for a new license. It is generally allowed to operate while application for the new license is pending.

If a supermarket continues to process food under a revoked or expired license, the department must go to court seeking an injunction ordering the store to cease all retail food sales and food processing operations until it passes a state inspection. If the store ignores that injunction, the department must go to court again to have the store owner held in contempt of court. With retail food stores that do not conduct any licensable food processing operations, the department follows the same remediation and fine assessment procedures. If those efforts fail, no administrative hearing is necessary. The department can go directly to court seeking an injunction to close the establishment down until it passes an inspection.

## **Pests and the public health**

### **Rat Facts**

- Carry bubonic plague, typhus and germs that cause food poisoning.
- Also carry fleas which are dangerous carriers of disease.
- Most common in New York are brown rats, also known as Norway rats or sewer rats. They are among the fiercest of all rat species.
- Live under floors and in walls and are shaken from underground by subway vibrations, making them more plentiful around busy transit lines,
- Mark Nealon, restaurant safety consultant, "I tell restaurant owners : Try to keep three feet away from the dead rat. The flea can detect drops in body temperature and they are looking for a new warm body. That's why cats aren't good. They get rid of rats and mice, but they're susceptible to fleas." (NY Daily News, June 2, 1998)

### **Mouse Facts**

- Like rats, carry disease-producing organisms such as salmonella on their feet and in their intestinal tracts.
- Fresh droppings in food areas are virulent, more likely to cause disease.

Rodents have plagued mankind since prehistoric times and continue to be a major problem for the food industry today. The rodents most troubling to the supermarkets and other members of the food industry are Norway rats, roof rats and house mice.

Rodents are highly resourceful creatures and can survive in almost any environment. A Norway rat can jump up to four feet, survive a 50 foot drop, burrow down to four feet underground, swim up to a half mile in open water and tread water for three days, climb trees or vines and travel along telephone and power lines. Most frightening is their ability to enter a building through an opening as small as 1/2 inch square. An ordinary house mouse has less impressive physical talents but needs an opening of only 1/4 inch in diameter to gain entry to a building.

There are an estimated 250 million rats in the United States -- about one for every person. The ratio of rats to humans is even higher in major cities like New York because urban squalor and poor sanitation in overcrowded cities attract rodents which feed off garbage and food waste. Fueling the rat population explosion is the fact the American urban rats can produce ten offspring every six or seven weeks. Norway rats, the dominant rat species in the eastern states, will eat almost any food, but prefer garbage, meat, fish, cereals, nuts, fruit, vegetables and pastries. House mice, even more common than rats in the U.S., will also eat a variety of foods including cereals, grains, nuts, seeds, butter, meat, insects, pastries and candy. A single rat eats between 25 and 27 pounds of food per year, and can contaminate or defile a great deal more. Rodents defile and contaminate food and other materials through gnawing, chewing, body contact and by the discharge of bodily wastes. An average rat sheds between 500,000 and 1 million hairs and produces about 25,000 droppings in a year. A rat also dribbles about a pint of urine a month, or 1 1/2 gallons per year.

In addition to their tendency to instill terror and revulsion in humans, rats and mice are also riddled with parasites and can pass along as many as 35 known diseases, including rat-bite fever, salmonella food poisoning and leptospirosis, a flu-like illness. In their capacity as disease carriers, these three species of rodents have been responsible for more human illness, death and destruction in the last 1000 years than all of the world's wars and revolutions combined.

### **Diseases Carried by Rodents**

- Leptospirosis (Weil's disease)
- Hanta virus
- Listeriosis
- Plague
- Rabies
- Salmonellosis (bacterial food poisoning)
- Trichinosis
- Tularaemia
- Toxoplasmosis
- Schistosomiasis
- Melioidosis
- Histoplasmosis
- Leishmaniasis
- Lymphocytic choriomeningitis
- Rickettsial pox
- Lyme disease
- Chagas disease
- Murine typhus
- Scrub typhus
- Flea-borne typhus
- Siberian tick typhus
- Argentine hemorrhagic fever
- Bolivian hemorrhagic fever
- Hemorrhagic fever with renal syndrome
- Lassa fever
- Rat-bite fever
- Tick-borne relapsing fever
- Venezuelan hemorrhagic fever

- Streptobacillus moniliformis
- Heliobacter cinaedi
- Dwarf tapeworm disease
- Rat tapeworm disease
- Dog tapeworm disease
- Ringworm

Thankfully, many rodent-borne diseases are rare in the United States, but others, like salmonella and trichinosis are quite common and often go unreported if the victim does not require hospitalization. Like many other foodborne pathogens, they cause only mild illness in previously healthy victims, with symptoms ranging from slight discomfort to diarrhea, fever, vomiting, abdominal cramps and dehydration. However, children, the elderly, pregnant women and those suffering from conditions such as AIDS, diabetes or cancer, are less able to fight off these infectious diseases and the results can be fatal.

Rodents invade food establishments in search of food and shelter. To control them, a supermarket must:

1. Eliminate any possible entry points by keeping doors closed tightly and windows and floor drains screened.
2. Eliminate rodents' hiding places by keeping the establishment neat and clear of garbage and debris.
3. Eliminate their food supply by keeping food storage areas free of spills, storing open food in covered containers and keeping stored food off the floor and away from walls.

### **Cockroach Facts**

- Can transport many types of bacteria, including Staphylococcus, Streptococcus, Salmonella & Clostridium.
- Carry bacteria from garbage areas onto food equipment and utensils.
- Live in dirty crevices, making it easier to pick up and spread germs.
- Attracted to moisture, so most likely to be found in kitchens and bathrooms.
- Often contaminate much more food than they actually consume.
- Telltale odor caused by cockroach excrement, scent gland excretions and regurgitated foods.

Another major category of supermarket pest is the cockroach. Of ancient origin, cockroaches are flat, fast, nocturnal insects that seek out warm, moist, secluded areas. Domestic species of cockroaches rarely or never fly; instead they are carried in bags, cartons (particularly corrugated) and packages of food. Beverage containers and cartons are a particularly important means of cockroach transportation because they are often contaminated with spilled syrups or malts which attract the bugs. Empty and unrinsed soft drink and beer containers in supermarkets, restaurants, bars and homes form a chain of infestation. More than 200 cockroach nymphs have been found in a single soft drink bottle returned to a supermarket for its deposit. Cockroaches often become established in dark and damp basements or crawl spaces and they may enter a building around utility pipes, air ducts, ventilators or under doors.

Cockroaches contaminate food, imparting an unpleasant odor and taste, and also transmit disease organisms through their droppings and bodily secretions. Among the cockroach's many unsavory habits is a dangerous

tendency to track germs from underground sewers through our kitchens, restaurants and supermarkets. Like rats, they are commonly implicated in the transmission of salmonella, a cause of food poisoning. Salmonella bacteria can survive in cockroach droppings for three or four years. Cockroach droppings may also contain the parasite toxoplasmosis. Parasitic toxoplasmosis causes mild symptoms in sufferers but is linked to birth defects if contracted by a pregnant woman. In laboratory tests, the hepatitis B antigen has also survived up to nine days in cockroach droppings.

In addition to transmitting disease, cockroach exposure also triggers an allergic reaction in about 7.5% of the population. In these people, cockroach contaminated food causes symptoms similar to those associated with a food allergy and may be misdiagnosed as a food allergy. Inhaling airborne particles from cockroach droppings can also trigger allergic reactions or an asthma attack in asthmatics.

### **Fly Facts**

- Carriers of germs that cause salmonella, malaria, sleeping sickness, dysentery and parasitic worms.
- Attracted to feces, rotting meat, garbage.
- Dangerous because wings make them mobile and able to spread more contaminants more quickly.
- Audrey Cross, public health professor at Columbia University, “The fly flies in the toilet, then walks on food. Many times they’ve picked up human fecal matter and are spreading it on the food with their hairy little legs.” (NY Daily News, June 2, 1998)

Flies may not look as dangerous as rodents and cockroaches, but they can do just as much damage to the food supply. Their ability to fly enables these pesky little bugs to visit a greater variety of food and water sources, spreading filth and contamination across wide areas. Like cockroaches, their habit of traveling back and forth between kitchens and bathrooms is ideal for the spread of bacteria and other pathogens. In supermarkets, flies are most likely to congregate in the meat and deli areas where exposed meat products and dirty meat processing equipment offer a plentiful food supply.

### **No relief of supermarket pest problems**

One of the most shocking things Klein discovered in his original analysis of supermarket inspections reports was that rodents, insects and other pests had easy access to food in more than a quarter of city supermarkets. In fact, the most frequent critical violation cited by inspectors was insect, rodent, bird and vermin activity in locations that may cause contamination of food, which was found in 28% of all inspections performed in 1999 and 27% of all inspections performed in 2000. Critical violations, as opposed to less serious



general violations, pose a direct danger to the safety of the food and the presence of one or more critical violations will cause an establishment to receive a failing grade. To constitute a critical violation and cause an establishment to fail its inspections, the rodent, insect or other pest activity in a supermarket must be observed in the areas where food is stored or displayed.

Unfortunately the pest problem is not confined to New York City supermarkets and it hasn't gone away since the passage of Klein's law. In 2005 state sanitary inspections, the most commonly cited critical deficiency in New York City, Westchester, Rockland and Nassau counties was insect, rodent, bird and vermin activity that may contaminate food. This violation denotes pest activity that is in close enough proximity to the food supply to pose a risk of contamination.

Pest problems near the food supply remain widespread throughout the New York metropolitan area and were the most common critical deficiency cited in supermarket sanitary inspections. The only counties in the metropolitan New York area where supermarket pests were not the primary reason for failure were Staten Island and Suffolk County. In Westchester County, 20.85% of supermarket inspections were failed for pest activity in 2005, a percent that was virtually unchanged from 2003. This rate is twice as high as Rockland County where 10.41% of supermarket inspections cited pest activity and significantly higher than the state pest activity rate of 14.64%. It is, however, comparable to the supermarket pest activity rates in the New York City boroughs of Queens (18.43%), Brooklyn (22.85%) and Manhattan (23%); and better than its closest city neighbor, the Bronx where 26.01% of supermarket inspections cited critical levels of pest activity.

See Figure 1 below for a comparison of selected supermarket sanitary violations from 2003 and 2005 based on sanitary inspections by the New York State Department of Agriculture and Markets. Critical violations that involve pests include 4F insect/rodent/bird/vermin activity that may cause contamination, 2A rodent defiled foods or ingredients, and 2B insect infested foods or ingredients. Other important critical violations include 2D other adulterated/unfit food or ingredients and 4A contact equipment surfaces unclean or not sanitized, which means that equipment and surfaces that come into direct contact with food are not properly cleaned and sanitized between uses, creating the potential for cross-contamination. Most surprising is that some levels of pest activity only constitute a general deficiency. Evidence of rodents observed (14A) and Insects, birds, other vermin observed in establishment (14B) are not enough, by themselves, to trigger a failing grade. These violations can include dead insects and rodents, as well as live pests found in areas where food is not directly

handled. Pest activity only rises to the level of a critical deficiency when it is in close proximity to the food stored, sold and prepared in supermarkets and retail food stores.

Figure 1. Selected supermarket sanitary violations in 2005 and 2003, by percent of inspections

	<b>4A</b>	<b>4F</b>	<b>2A</b>	<b>2B</b>	<b>2D</b>	<b>14A</b>	<b>14B</b>	<b>13D</b>
	<b>Contact equipment surfaces unclean or unsanitized</b>	<b>Insect, rodent, bird, vermin activity</b>	<b>Rodent defiled food seized</b>	<b>Insect infested food seized</b>	<b>Other adulterated, unfit food seized</b>	<b>Evidence of rodents observed</b>	<b>Insects, birds, or vermin observed</b>	<b>Failure to post most recent inspection result</b>
<b>Statewide 2005</b>	<b>5.93</b>	<b>14.64</b>	<b>1.44</b>	<b>0.84</b>	<b>0.99</b>	<b>18.63</b>	<b>22.54</b>	<b>0.06</b>
Nassau 2005	3.45	9.87	0.5	0.92	0.5	12.74	15.44	0.08
Nassau 2003	9.78	11.77	1.32	0.82	0.82	14.92	10.94	25.7
Rockland 2005	9.89	10.41	0.52	2.6	2.6	10.41	13.02	0
Rockland 2003	12.77	15.55	1.11	7.22	1.11	5.55	1.66	34.44
Suffolk 2005	5.12	3.43	0.24	0.06	0.6	3.37	4.27	0
Suffolk 2003	6.81	5.24	0.13	0	0.52	4.98	5.37	24.9
<b>Westchester 2005</b>	<b>6.07</b>	<b>20.85</b>	<b>1.78</b>	<b>0.47</b>	<b>0.47</b>	<b>15.85</b>	<b>23.83</b>	<b>0.11</b>
<b>Westchester 2003</b>	<b>12.1</b>	<b>20.87</b>	<b>2.29</b>	<b>0.83</b>	<b>0.62</b>	<b>19.83</b>	<b>20.25</b>	<b>23.59</b>
Bronx 2005	7.98	26.01	1.42	0.81	0.99	20.66	30.11	0
Bronx 2003	7.9	21.58	2.61	0.41	0.82	28.65	24.32	23.91
Brooklyn 2005	7.96	22.85	2.2	1.93	1.11	34.11	42.61	0.14
Brooklyn 2003	8.87	22.08	1.89	1.69	0.78	32.74	28.4	24.89
Manhattan 2005	7.66	23	2.15	0.94	1.24	23.54	29.49	0.06
Manhattan 2003	4.91	23.14	2.56	1.8	1.31	22.48	26.58	29.58
Queens 2005	4.06	18.43	3.29	0.8	0.96	25.99	31.34	0
Queens 2003	7.31	19.77	4.07	2.12	2.06	27.87	25.19	23.68
S.I. 2005	6.91	6.7	0.62	0	0.41	8.17	13.62	0
S.I. 2003	12.65	4.81	0	0	0	12.65	5.42	22.89

## **What should be done to address this problem?**

The remediation and education process seems to be effective with the supermarkets in Westchester County as most of the failing supermarkets Klein examined were able to correct their critical deficiencies and pass on their second or third try. For supermarkets that cannot clean up their acts before three consecutive failed inspections, Klein has introduced legislation that would require the department to revoke a supermarket's retail food processing license after three strikes, or failures. In Klein's experience, most food sellers are trying to run a safe and clean operation that attracts as many customers as possible, and will make every effort to implement the necessary corrections if they fail. For the state's most hardened supermarket scofflaws, who cannot be bothered with the requirements of proper sanitation, only the severe financial threat posed by an imminent shutdown is enough to produce the dramatic turnaround necessary to adequately protect the shopping public from food-borne illness.

## **The 10 Dirtiest Supermarkets in Westchester County, in alphabetical order**

### **52-56 East Third St. Grocery**

52-56 East 3<sup>rd</sup> St.; Mount Vernon

A May 24, 2005 inspection found 20-50 fresh mouse droppings on the retail food shelves, alongside the pasta products and soft drinks. A cat was also noted in the rear storage area.

### **JG Deli & Food**

383 South Broadway; Yonkers

A July 21, 2005 inspection found numerous pest violations. Approximately 3-5 live cockroaches were seen walking on the customer service counter, 5-8 live cockroaches were found on glue boards underneath the retail chips display rack, and 8-10 more were noted in food storage bags in the deli food preparation area. Live flies were also noted, with 30-40 flying around in the retail and food storage areas, and 15-30 more flying around and landing on food contact surfaces in the deli food prep area. A rat carcass was also found at the entrance of the beverage storage room in the basement.

**Met Foods**

333 Fulton Ave.; Mount Vernon

An inspection conducted on July 2, 2005 found 50-100 fresh mouse droppings on store shelves throughout the retail area. Thirty pounds of coconut flakes, Nestles Morsels and Mini Kisses being offered for sale on store shelves were found to be rodent-defiled with mouse droppings, gnaw marks and urine stains. These items were seized and destroyed. Ice cream, frozen foods and packaged deli meat products were also found to be stored at temperatures insufficient to prevent spoilage. These items were restored to their proper temperatures during the inspection. A dirty basement housing unused equipment and other debris was cited as a likely harborage for rodents, insects or vermin.

**Pak Asian Grocery**

2150 Central Park Ave.; Yonkers

A June 30, 2005 inspection turned up 20-50 fresh mouse droppings on retail shelves and an additional 20-50 fresh mouse droppings scattered around the perimeter of the retail display floor. Between 25 and 50 older mouse droppings were also found on the retail floor and on the racks used to display snack foods. A crowded basement where unused equipment is stored was cited as a likely harborage for rodents, insects or vermin.

**Riverdale Food**

264 Riverdale Ave.; Yonkers

On August 8, 2005, an inspector found a dead mouse carcass on a glue board underneath the chips display rack in the retail area of the store. He also noted 5-8 mouse droppings on the dog food display shelf and 3-5 mouse droppings on the canned biscuit display shelf. Live flies were also noted flying about in the retail area. An additional 30-40 mouse droppings of various ages were found in the deli preparation area in a cabinet under the equipment wash sink.

**Roland Super Food**

260 Warburton Ave.; Yonkers

A June 8, 2005 re-inspection prompted by a consumer complaint about dust from neighboring construction getting into the foods found 5-10 fresh mouse droppings in a deli food cabinet and 20-50 fresh mouse droppings on retail food shelves alongside various snack foods. Older mouse droppings were also present with 10-20 found in the deli cabinet and 5-10 on a retail shelf. A cat was noted in the establishment and a crowded storage area was cited as a likely harborage for rodents, insects or vermin.

### **Tavares Grocery**

178 Stevens Ave.; Mount Vernon

A September 28, 2005 re-inspection found a grime-encrusted meat grinder and a variety of pest-related violations. Approximately 10-20 fresh mouse droppings were found in the equipment storage cabinets in the food preparation area. Between 20 and 30 live cockroaches were noted in a door frame of the toilet room in the food preparation area less than three feet away from food preparation tables and the walk-in meat cooler. An additional 5-10 cockroaches were seen walking along the floor and table legs at the equipment wash sink. Approximately 10-20 live flies were present in the food preparation area and were seen landing on food preparation counters, and 10-20 more were found in the toilet room where they were seen landing on soiled surfaces and in a soiled cat litter box.

### **Tineo Family Grocery**

2 Lafayette Ave.; New Rochelle

An August 5, 2005 inspection found 5-10 fresh mouse droppings on the top counter of the deli cold case, 5-10 live cockroaches on the toilet area door frames and two empty bags of rodent-defiled bread on the deli counter. The sink in the toilet area also lacked hot water for adequate hand washing and the establishment was conducting food processing activities, by cooking foods on the premises for retail sale, without a valid state license.

### **United Deli & Grocery**

18-20 West 1<sup>st</sup> St.; Mount Vernon

A July 13, 2005 inspection found five fresh mouse droppings on a retail shelf and a fresh mouse carcass on the floor of the rear storage area. Hand wash sinks in the toilet and deli prep area lacked hot water, as did the sink used to wash food contact equipment. Inspectors also found cockroach droppings on the walls in the rear of the establishment.

**Valentine Deli Grocery**

943 2<sup>nd</sup> St.; Peekskill

A September 6, 2005 re-inspection resulted in the seizure and destruction of 14 pounds of beetle and beetle larvae-infested chick peas and 7 pounds of beef and chicken-filled pastry products stored at an unsafe temperature for an unknown amount of time. Numerous pest violations were also cited, including 10-20 live beetles and beetle larvae found on a retail shelf alongside various bean products, 20-30 fresh mouse droppings on retail shelves containing canned foods and snack cakes, an additional 10-20 fresh mouse droppings on the bottom shelf of the deli prep table, and at least 5 live flies in the deli food preparation area. Two mouse carcasses were found on a glue board in the kitchen area and 20-30 dead flies were found hanging from a fly strip in the deli area. A deli meat slicer and equipment wash sink were also found to be excessively soiled and inadequately sanitized.

**Appendix 1. Senator Jeff Klein's Terrible Ten**

The 10 Dirtiest Supermarkets in Westchester County \*

<b>Tradename</b>	<b>Address</b>	<b>City</b>	<b>Failures</b>	<b>Critical</b>	<b>General Deficiencies</b>
<b>Riverdale Food</b> mouse droppings on dog food & canned biscuit display shelves, 30-40 more under deli sink	264 Riverdale Ave	<b>Yonkers</b>	8-Aug	4F	14B live flies
<b>52-56 East 3rd St Grcry</b> 20-50 fresh mouse droppings on retail shelves with noodle & soda products	52-56 East 3rd St	<b>Mount Vernon</b>	24-May	4F	14C cat
<b>Met Foods</b> rodent-defiled foods & 50-100 mouse droppings on shelves, improper temps in freezer & deli	333 S Fulton Ave	<b>Mount Vernon</b>	2-Jul	2A 4F 6B	
<b>JG Deli&amp;Food</b> live cockroaches in food storage bags, on customer service counter and below chip display 45-70 live flies in deli prep, retail & storage areas, rat carcass in basement beverage storage	383 S Broadway	<b>Yonkers</b>	21-Jul	4F	14B 14C fly strip, cat
<b>Pak Asian Grocery</b> 20-50 fresh mouse droppings on retail shelves, 20-50 more around retail floor perimeter	2510 Central Park Ave	<b>Yonkers</b>	30-Jun	4F	14B old droppings on snacks
<b>Roland Super Food</b>	260 Warburton Ave	<b>Yonkers</b>	8-Jun	4F	14A 14C old droppings, cat

5-10 mouse droppings in deli cabinet, 20-50 on retail shelf with snack foods

**United Deli&Grocery** 18-20 W 1st St **Mount Vernon** 13-Jul 3D 4F 4H 14B roach droppings  
5 fresh mouse droppings on retail shelf, fresh mouse carcass at rear storage area floor, no hot water in sinks

**Tavares Grocery** 178 Stevens Ave **Mount Vernon** 28-Apr & 28-Sep 4A 4F  
25-40 live cockroaches, 10-20 fresh mouse droppings and live flies in prep area

**Tineo Family Grocery** 2 Lafayette Ave **New Rochelle** 5-Aug 3D 4F 14B roach droppings  
5-10 fresh mouse dropping in deli cold case, 2 empty bags of gnawed bread on deli counter  
5-10 live cockroaches in toilet room, no hot water in toilet hand wash sink

**Valentine Deli Grocery** 943 2nd St **Peekskill** 31-May & 6-Sep 2B 4A 4F 4H 6B 14A 14B dead mice, flies  
beetle-infested chick peas, 20-30 mouse dropping, beetles & larvae on shelves  
dirty meat slicer & equipment sink, beef and chicken filled pastries temperature defiled

\* Based on an analysis of 2005 state sanitary inspection reports



**Figure 3. Senator Klein’s Dishonorable Mention List – Supermarkets that passed re-inspection but have continuing pest problems \***

<b>M&amp;Ms Deli&amp;Grocery</b>	50 Cliff St	<b>Yonkers</b>	11-Jul	4A 4F	14B live flies
dirty deli slicer, 50-75 fresh mouse droppings around perimeters of kitchen and storage areas					
5-10 old mouse droppings in kitchen cabinet			passed 26-Oct		14A
<i>unused equipment stored in a way that creates a likely rodent, insect, vermin harborage</i>					
<b>Marmolejos Deli Grocery</b>	105 Mount Vernon Ave	<b>Mount Vernon</b>	28-Apr	4F 4H	
10-20 fresh mouse droppings in deli prep, 2 empty rodent gnawed bags under chips display					
equipment wash sink not operational/obstructed					
5-10 old mouse droppings in food prep area			passed 4-Nov		14A 14B
6-10 dead flour beetles on retail flour shelf					
<b>La Frontera Grocery</b>	219 E Main St	<b>Mount Kisco</b>	16-Aug & 18-Oct	4F	14B live flies
5-7 live cockroaches & egg sack in retail produce display					
3-5 dead cockroaches in basement walls			passed 18-Nov		14B
<b>A&amp;P 194</b>	Welcher Ave & South St	<b>Peekskill</b>	25-May & 6-Sep	2B 4F 6B	14B live flies
beetle-infested cat food seized, beetles & larvae on store shelves, 78 lbs of temperature-abused food destroyed					
5-10 old mouse droppings in receiving area			passed 29-Nov		14A

\* Based on an analysis of 2005 state sanitary inspection reports