



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF AGRICULTURE  
AND RURAL DEVELOPMENT

GARY MCDOWELL  
DIRECTOR

January 15, 2021

**ORDER TO CEASE AND DESIST FOOD OPERATIONS**

The Director of the Michigan Department of Agriculture and Rural Development (MDARD), pursuant to a finding of IMMEDIATE DANGER TO THE PUBLIC HEALTH has determined that continued operation of indoor dining at **Bernita Mae Café** at 80 3<sup>rd</sup> St N Sand Lake MI 49343, an MDARD licensed food establishment, constitutes an IMMEDIATE and SUBSTANTIAL DANGER TO THE PUBLIC HEALTH.

Section 2113 of the Food Law provides that the Director may order the immediate cessation of operation of a food establishment upon a determination that continued operation would create an imminent or substantial hazard to the public health.

Upon review of the Kent County Health Department finding of IMMEDIATE DANGER TO THE PUBLIC HEALTH AND REQUIRING CORRECTIVE ACTION issued on December 7, 2020, the MDARD Director has made the following findings:

1. Bernita Mae Café is open to the public and allowing inside dining with no restrictions.
2. The food establishment is not requiring persons to wear a face mask.
3. Kent County Health Department has determined that Bernita Mae Café activity poses an imminent danger to the public health.

Pursuant to the Director's authority under MCL 289.2113(1), the MDARD Director has determined that the continued operation of this food establishment creates an IMMEDIATE AND SUBSTANTIAL DANGER TO THE PUBLIC HEALTH.

Therefore, Bernita Mae Café is hereby ORDERED TO IMMEDIATELY CEASE AND DESIST ALL FOOD OPERATIONS.

This order is effective immediately and remains in effect until such time as an evaluation demonstrates the conditions have been abated.

Failure to comply with this Order is a violation of the Food Law Pursuant to MCL 289.2113(3), Bernita Mae Café may request an administrative hearing regarding MDARD's issuance of this Order. To request an administrative hearing, contact Brad Deacon, Director of Legal Affairs and Emergency Management at 517-284-5729 or [deaconb9@michigan.gov](mailto:deaconb9@michigan.gov) by January 22, 2021.

Gary McDowell, Director  
Michigan Department of Agriculture and Rural Development