



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 **Sunrise Family Diner** at 2375 E Grand River Ave, Howell, MI 48843, 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 Livingston County Health Department finding of IMMEDIATE DANGER TO THE PUBLIC HEALTH AND REQUIRING CORRECTIVE ACTION issued on January 8, 2021, the MDARD Director has made the following findings:

1. Sunrise Family Diner is open to the public and allowing inside dining with no restrictions.
2. The food establishment is not requiring customers to wear a face mask.
3. The food establishment is not requiring persons to socially distance.
4. Livingston County Health Department has determined that Sunrise Family Diner 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, Sunrise Family Diner 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), Sunrise Family Diner 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 by January 22, 2021.

Gary McDowell, Director
Michigan Department of Agriculture and Rural Development