



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF AGRICULTURE
AND RURAL DEVELOPMENT

GARY MCDOWELL
DIRECTOR

December 17, 2020

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 by the Livingston County Health Department, has determined that continued operation of **All Star Coney Island** at 934 S. Michigan Ave. Howell, MI 48843, an MDARD licensed food service establishment, constitutes an IMMEDIATE and SUBSTANTIAL DANGER TO THE PUBLIC HEALTH.

This food service establishment operates under a food service license issued by MDARD and referred for approval by the delegated authority of the Livingston County Health Department.

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 December 11, 2020, the MDARD Director has made the following findings:

1. All Star Coney Island is open to the public and allowing inside dining.
2. All Star Coney Island is openly advertising that they are open for inside dining.
3. Livingston County Health Department has determined that All Star Coney Island activity poses an imminent danger to the public health.

Based on the evidence provided by the Livingston County Health Department and 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, All Star Coney Island 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), All Star Coney Island 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 December 24, 2020.

Gary McDowell, Director
Michigan Department of Agriculture and Rural Development