



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF AGRICULTURE
AND RURAL DEVELOPMENT

GARY MCDOWELL
DIRECTOR

December 4, 2020

ORDER TO CEASE AND DESIST FOOD OPERATIONS

The Director of the Michigan Department of Agriculture and Rural Development (MDARD), pursuant to a finding that the **D&R Daily Grind** was operating in violation of a Cease and Desist Order issued by the Kalamazoo County Health & Community Services Department, has determined that continued operation of D&R Daily Grind at 8712 Portage Rd, Portage MI 49002, an MDARD licensed food service establishment, constitutes an **IMMINENT** 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 Kalamazoo County Health & Community Services 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 Kalamazoo County Health & Community Services Department finding of **IMMINENT DANGER TO THE PUBLIC HEALTH AND REQUIRING CORRECTIVE ACTION** issued on December 1, 2020, the MDARD Director has made the following findings:

1. D&R Daily Grind is open to the public and allowing inside dining with no restrictions.
2. D&R Daily Grind is openly advertising that they are open for inside dining.

Based on the evidence provided by the Kalamazoo County Health & Community Services 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 **IMMINENT AND SUBSTANTIAL DANGER TO THE PUBLIC HEALTH**.

Therefore, D&R Daily Grind 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), D&R Daily Grind 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 11, 2020.

A handwritten signature in blue ink that reads "Gary McDowell".

Gary McDowell, Director
Michigan Department of Agriculture and Rural Development