



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

Civil Division  
400 City Hall  
15 West Kellogg Blvd.  
Saint Paul, Minnesota 55102

Telephone: 651 266-8710  
Facsimile: 651 298-5619

December 9, 2010

### NOTICE OF VIOLATION

Khaffak Ansari  
Stryker Ave Food Market  
605 Stryker Avenue  
St. Paul, MN 55107

RE: All licenses held by Stryker Ave Food Market, Inc. d/b/a Stryker Ave Food Market for the premises located at 605 Stryker Avenue in Saint Paul  
License ID #19970000208

Dear Khaffak Ansari:

The Department of Safety and Inspections (DSI) will recommend adverse action against all licenses held by Stryker Ave Food Market, Inc. d/b/a Stryker Ave Food Market for the premises located at 605 Stryker Avenue in Saint Paul. The basis for the recommendation is as follows:

**On September 16, 2010, the Department of Safety and Inspections (DSI) - Environmental Health Division conducted an inspection of your establishment and cited you two (2) Critical-Minor and two (2) Critical-Major Environmental Health code violations one of which was: Cold food not maintained at 41 degrees Fahrenheit or less (master-bilt display cooler: packaged hot dogs, kielbasa, cheese, sausage, etc....had surface temperatures ranging from 51°F – 52°F – infrared readings). Sandwich display cooler: packaged sandwiches and burritos had surface temperatures ranging from 53°F - 57°F (infrared readings). Turbo-air cooler holding sandwich condiments and personal food: mayo 50°F, jam 50°F (internal temperatures).**

**On September 17, 2010, you were sent a Notice of New Critical Violations listing these violations and stating that they needed to be corrected. You were then informed that a re-inspection would take place on or after October 16, 2010.**

**On October 25, 2010, the Environmental Health Division of DSI conducted a re-inspection and cited you for the same CRITICAL – Major violation that had not been corrected by the October 16, 2010 deadline: Cold food not maintained at 41 degrees Fahrenheit or less (master-bilt display cooler: hot dogs 51°F, kielbasa 50°F, cheese sticks 50°F (infrared readings)). Sandwich display cooler: ambient temperature 59°F, Italian sandwich 59°F, White Castle burgers 59°F, Breakfast sandwich 58°F, burrito 58°F (infrared readings). The sandwiches from the display cooler were discarded.**

**This is a violation of Minnesota Administrative Rules part 4626.0395: “Immediately maintain all cold readily perishable food at 41 degrees Fahrenheit or less.”**

As a result, per Saint Paul Legislative Code §310.05 (m) (9), the licensing office will recommend a \$250.00 matrix penalty.

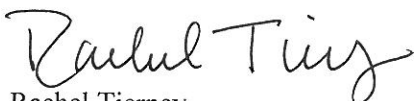
At this time, you have three options on how to proceed:

1. If you wish to admit to the violation and you do not contest the penalty you need to do two things:
  - 1) Pay the \$250.00 matrix penalty. You can send the payment to the Department of Safety and Inspections (DSI) located at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, December 20, 2010**. A self-addressed envelope is enclosed for your convenience.
  - 2) You also need to contact Kim Carlton, R.S., Environmental Health Specialist at (651) 266-8989 by **Monday, December 20, 2010**, to schedule a re-inspection in order to verify that the violation has been corrected. Payment of the \$250.00 matrix penalty and correction of the violation will be considered a waiver of the hearing to which you are entitled.
2. If you wish to admit the facts but you contest the \$250.00 matrix penalty, you may have a public hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a public hearing. I will need to receive your letter by **Monday, December 20, 2010**. The matter will then be scheduled before the City Council for a public hearing to determine whether to impose the \$250.00 matrix penalty and license suspension. You will have an opportunity to appear before the Council and make a statement on your own behalf.
3. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (ALJ). At that hearing both you and the City will appear and present witnesses, evidence and cross-examine each other's witnesses. After receipt of the ALJ's report (usually within 30 days), a public hearing will need to be scheduled. At that time, the City Council will decide whether to adopt, modify or reject the ALJ's report and recommendation. If this is your choice, please advise me no later than **Monday, December 20, 2010**, and I will take the necessary steps to schedule the administrative hearing.

**If you have not contacted me or the inspector by that date, I will assume that you are not contesting the imposition of the \$250.00 matrix penalty and license suspension. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.**

If you have questions about these options, please feel free to contact me at 266-8710.

Sincerely,



Rachel Tierney  
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI  
Bill Gunther, Environmental Health Manager  
Khaffak Ansari, 1131 Benton Way, Arden Hills, MN 55112  
Lydia Nobello, Community Organizer, West Side Citizens Organization, 127 Winifred Street West  
St. Paul, MN 55107-2128

STATE OF MINNESOTA )  
 ) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY )

Julie Kraus, being first duly sworn, deposes and says that on the 9th day of December, she served the attached **NOTICE OF VIOLATION** placing a true and correct copy thereof in an envelope addressed as follows:

Khaffak Ansari  
Stryker Ave Food Market  
605 Stryker Avenue  
St. Paul, MN 55107

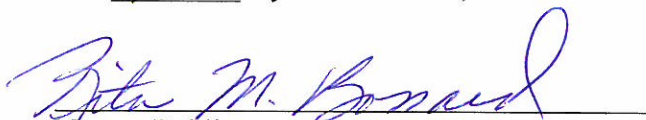
Khaffak Ansari  
1131 Benton Way  
Arden Hills, MN 55112

Lydia Nobello, Community Organizer  
West Side Citizens Organization  
127 Winifred Street West  
St. Paul, MN 55107-2128

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.

  
Julie Kraus

Subscribed and sworn to before me  
this 9th day of December, 2010

  
Notary Public

