



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

February 16, 2012

NOTICE OF VIOLATION

Deetta Darras
Maison Darras
401 Robert Street North, Ste. #205
St. Paul, MN 55102

RE: All licenses held by Darras Incorporated d/b/a Maison Darras for the premises located at 401 Robert Street North, Ste. #205, in Saint Paul
License ID #20080000383

Dear Deetta Darras:

The Department of Safety and Inspections (DSI) will recommend adverse action against all licenses held by Darras Incorporated d/b/a Maison Darras for the premises located at 401 Robert Street North, Ste. #205 in Saint Paul. The basis for the recommendation is as follows:

On December 12, 2011, the Department of Safety and Inspections (DSI) - Environmental Health Division conducted an inspection of your establishment and cited you for two (2) CRITICAL-MAJOR Environmental Health Code violations: 1) The mechanical refrigeration equipment is holding potentially hazardous food at temperatures over 41 degrees Fahrenheit (*ambient temperature of display cooler is 45.4°F*) and 2) Cold food not maintained at 41 degrees Fahrenheit or less (*temperature of sandwiches are 44.5°F to 45.5°F*).

On December 14, 2011, 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 January 11, 2012.

On January 27, 2012, the Environmental Health Division of DSI conducted a re-inspection of your establishment and cited you for the same two (2) CRITICAL-MAJOR Environmental Health Code violations that had not been corrected by the January 11, 2012 deadline: 1) The mechanical refrigeration equipment is holding potentially hazardous food at temperatures over 41 degrees Fahrenheit (*ambient temperature of display cooler is 52.3°F*) and 2) Cold food not maintained at 41 degrees Fahrenheit or less (*food temperatures are 45.3°F to 47.5°F*).

These are violations of Minnesota Administrative Rules part 4626.0395: 1) "Provide adequate, approved mechanical refrigeration to maintain cold potentially hazardous foods at 41 degrees Fahrenheit except during preparation, cooking or cooling" and 2) "Maintain all cold potentially hazardous foods at 41 degrees Fahrenheit or below under mechanical refrigeration, to prevent bacterial growth and/or toxin production....."

Maison Darras
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As a result, per Saint Paul Legislative Code §310.05 (m) (9), the licensing office will recommend a \$250.00 matrix penalty for the two (2) violations and suspension of your licenses until the violations are corrected.

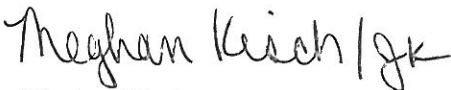
At this time, you have three options on how to proceed:

1. If you wish to admit to the violation and you do not contest the penalty you need to do two (2) 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, February 27, 2012**. A self-addressed envelope is enclosed for your convenience.
 - 2) You also need to contact Fong Lor, R.S. Environmental Health Specialist at (651) 266-9098 by **Monday, February 27, 2012**, to schedule a re-inspection in order to verify that the violations have been corrected. Payment of the \$250.00 matrix penalty and correction of the violations 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 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, February 27, 2012**. 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 suspensions. 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). You will need to send me a letter disputing the facts and requesting an administrative hearing by **Monday, February 27, 2012**. 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 you have not contacted me or the Environmental Health Specialist by Monday, February 27, 2012, I will assume that you are not contesting the imposition of the \$250.00 matrix penalty and license suspensions. 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,



Meghan Kisch
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI
Bill Gunther, Environmental Health Manager
Deetta Darras, 112204 James Court, Chaska, MN 55318
Maureen Ramirez, Director, CapitolRiver Council District 17, US Bank Center, 101 E. 5th Street, Ste. 240,
Saint Paul, MN 55101

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

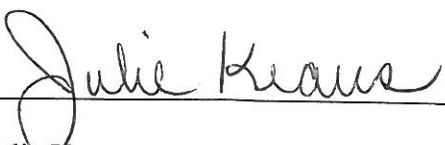
Julie Kraus, being first duly sworn, deposes and says that on the 16th day of February, she served the attached **NOTICE OF VIOLATION** by placing a true and correct copy thereof in an envelope addressed as follows:

Deetta Darras
Maison Darras
401 Robert Street North, Ste. #205
St. Paul, MN 55102

Deetta Darras
112204 James Court
Chaska, MN 55318

Maureen Ramirez, Director
CapitolRiver Council District 17
US Bank Center
101 E. 5th Street, Ste. 240,
Saint Paul, MN 55101

(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 16th day of February, 2012



Notary Public

