



CITY OF SAINT PAUL  
INTERDEPARTMENTAL MEMORANDUM

DATE: 07/07/11  
TO: Christine Rozek  
FROM: Bill Gunther *WAG*  
RE: Sugar Buzzers  
1771 Energy Park Drive  
Inspection Number: 11 147325  
Inspection Date: 06/29/11

**REQUEST FOR LICENSE ADVERSE ACTION**

The Environmental Health Division conducted a re-inspection of the facility at 1771 Energy Park Drive on 06/29/11 and is recommending license adverse action (Section 331A.11 of the Saint Paul Legislative Code). The food code violations listed below were noted as being uncorrected during the inspection. A copy of the full inspection report is attached.

The following penalties are being recommended:

---

Location: -

Violation 1 Severity: CRITICAL (Major) Comply By: 06/23/11 Notice # 2

RECOMMENDED PENALTY: \$250

Handwashing lavatories are not accessible for use, convenient or of sufficient number. A PART WAS MISSING FOR THE HANDWASHING SINK, RENDERING IT USELESS. FOOD PREP HAD BEEN OCCURRING.

Handwashing lavatory must be accessible to employees at all times. Do not store items in, on or near the handwashing lavatories. (MN 4626.1110) THE HANDWASHING SINK NEEDS TO BE FULLY FUNCTIONAL PRIOR TO ANY FOOD BEING PREPARED. HANDS MUST BE WASHED WITH SOAP PRIOR TO PUTTING ON DISPOSABLE GLOVES.

---

The penalties listed above were based on the food code penalty guideline and the following mitigating or aggravating factors:

**Potential for harm or imminent threat to public health:**

Contamination of food from dirty hands is the major cause of foodborne illness.

**Extent of deviation from statutory or regulatory requirements:**

There were no operational hand washing facilities in this food establishment.

**Degree of willfulness or negligence:**

The establishment did have a sink but it was totally inoperable and there is no way that they could use it without getting additional parts for it. They were clearly told that they needed an approved, operable sink. They were thus preparing food in the booth without washing their hands.

**History of noncompliance or compliance:**

The establishment was clearly told that they could not prepare food without an operable hand sink during the initial inspection. On the follow-up inspection, they were preparing food and still did not have an operable sink.

In addition, they were preparing food without first washing it; unwashed apples for caramel apples and unwashed lemons for lemonade.

**Demonstration of good faith efforts to correct a violation:**

There was an non-operable sink on the initial inspection and they were clearly told that they needed to have an operable sink by the next inspection. On the follow-up inspection, they had put in another non-operable sink.

cc: Bill Gunther  
Ricardo X. Cervantes