



# Western Upper Peninsula Health Department

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TO: Editor, Daily Mining Gazette  
Houghton, MI 49931

DATE: December 31, 2020

REGARDING: Clarification of Facts and Hope for the New Year

CONTACT: Kate Beer, Health Officer, (906) 482-7382, ext. 143

Dear Sir,

First, I am writing to clarify the facts surrounding the issuance of fines to Café Rosetta in Calumet, MI. To date, the food establishment has received two citations totaling \$5,000, from the Michigan Department of Health and Human Services (MDHHS).

The Western Upper Peninsula Health Department (WUPHD) provides local inspection and licensure of food establishments under the Michigan Food Law, as delegated under contract with the State of Michigan, through Michigan Department of Agriculture and Rural Development (MDARD).

WUPHD received over 100 complaints from local residents that stated Cafe Rosetta was operating in violation of current Emergency Epidemic Orders, issued by Michigan Department of Health and Human Services, by allowing indoor dining. Upon investigation of these complaints, WUPHD issued a warning order finding imminent danger to public health, giving the owner a chance to limit service to takeout only. The owner ignored the warning and WUPHD issued an Order to Cease and Desist Food Operations, which was also ignored.

The matter was referred to the MDARD and MDHHS. MDARD followed-up up with their own Cease and Desist order that went unanswered and was followed by an Emergency Suspension Order of their food license. This suspension was recently upheld by an Administrative Law Judge.

MDHHS issued an administrative citation and a civil fine of \$1,000 for violation of the Emergency Orders and later a second civil fine of \$4,000 for failure to comply. As far as WUPHD is aware, no further fines or penalties were levied after Cafe Rosetta filed an appeal of their license suspension.

**WUPHD has not issued any fines or penalties related to this facility.**

Our approach is always to provide prevention education first. During this time, out of over 400 restaurants in our five-county jurisdiction, the WUPHD has referred only four establishments to MDARD and MDHHS, based upon consumer complaints. Three of these establishments worked with agency staff to re-open for takeout within days of the referrals. Cafe Rosetta is the only establishment that continued to provide indoor dining rather than takeout only. One additional establishment has recently opened in violation of their signed compliance agreement. The majority of our licensed food

establishments are following the Emergency Epidemic Orders, working with the community to prevent further spread of the COVID-19 virus.

Second, I am writing to encourage our communities to continue to come together to fight this virus. Our goal has not changed: mitigation of the spread of COVID-19, ensuring that our local and regional healthcare systems are not overwhelmed, until a solution can be found.

There is new hope on the horizon as local healthcare entities are receiving and administering COVID-19 vaccine. Granted, vaccinating the almost 70,000 residents of our district will take time, but certainly the promise of getting back to some form of “normal” provides considerable motivation for us all.

We have been fighting this virus together for almost a year. Our children attending school in person, the ability to visit our parents and grandparents in nursing homes, holding large community events, and yes, eventually going in public without a mask are certainly worth fighting for a little bit longer.

Sincerely,

Kate Beer, Health Officer

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