



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

RE: NOTICE OF VIOLATION ISSUED FOR OPERATING WITHOUT A VALID PERMIT

Dear Permit Holder,

Our records indicate your facility is operating without a valid permit from the New Mexico Environment Department (NMED) due to non-payment of your permit fee. After expiration of an annual permit, a Food Establishment or Food Processing Plant may NOT operate until a new permit is issued, unless the renewal form and annual permit fee, if applicable, were received by NMED on or before the expiration date of the permit.

Therefore, you are hereby notified to cease operation of your Food Establishment or Food Processing Plant until NMED has issued your facility a new permit to operate. Failure to fully comply with 7.6.2 NMAC may result in NMED taking further enforcement action against your facility. If you are no longer in operation, please contact the NMED office listed on the attached invoice so the permit can be properly closed.

A \$25.00 late fee has been added to your past due invoice in accordance with Section 8-303.15 of 7.6.2 NMAC.

If the permit and late fees are not paid within 30 days of the expiration of the permit, a new permit application must be submitted in accordance with Section 8-303.15 (E) of 7.6.2 NMAC for review and approval to NMED before the facility can re-open.

If you'd like to pay online and you did not receive an email explaining how to do so, please contact your local Field Office to update your profile and gain access to the online payment portal. Field Office contact information can be found online at www.env.nm.gov/contact-us/.

If you continue to operate your facility without a valid permit, NMED may seek relief in District Court. A Civil Penalty of up to five hundred dollars (\$500) for each violation of the Food Service Sanitation Act. Each and every violation of the provisions of that act shall constitute a separate offense, NMSA 1978, §25-1-12(B).

If you have questions concerning this letter, please contact the NMED Office listed on the attached invoice.

Please note that your facility will appear on the Department's Enforcement Watch as a result of this NOV (see: <https://www.env.nm.gov/enforcement-watch/>). Further, the Department will issue a press release to local media highlighting your facility as appearing on this webpage. Your facility will remain on the Enforcement Watch website as an active matter until this matter is fully resolved, including the payment of the assessed civil penalty

Best Regards,

A handwritten signature in blue ink, appearing to read "wch", is written over a horizontal line.

William Chavez, Bureau Chief
Environmental Health Bureau
New Mexico Environment Department

Pursuant to the NMED Delegation Order dated March 24, 2023, the Cabinet Secretary has delegated the authority to issue the Notice of Violation to the Bureau Chief.