

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

COUNTY OF ALLEGHENY, a political  
subdivision of the Commonwealth of  
Pennsylvania,

Plaintiff,

vs.

THE CRACKED EGG, LLC,  
Defendant.

CIVIL DIVISION – EQUITY

No. GD-20- *9809*

**COMPLAINT IN CIVIL ACTION - EQUITY**

Code 020

Filed on behalf of Plaintiff

Counsel of Record for Plaintiff:

Michael A. Parker, Esq.  
Pa. Id. No.: 90979  
Solicitor  
Allegheny County Health Department

Vijyalakshmi Patel, Esq.  
Pa. Id No.: 319945  
Assistant Solicitor  
Allegheny County Health Department

301 39<sup>th</sup> Street, Bldg. #7  
Pittsburgh, PA 15201  
Tel.: 412-578-2653

**Certificate of Location**

This Equity Complaint affects a tract  
of real property located at 4131  
Brownsville Road, Brentwood,  
Allegheny County, Pennsylvania,  
designated as Parcel I.D. No. 0188-  
N-00133 in the Real Estate Office of  
Allegheny County.

By: *Vijyalakshmi Patel*  
Counsel for Plaintiff,  
Allegheny Co. Health Dept.

DEPT OF COURT RECORDS  
CIVIL/FAMILY DIVISION  
ALLEGHENY COUNTY PA

2020 SEP 16 PM 3:47

FILED

T109666  
16 September 2020  
15:47:44  
GD-20-009809

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA**

COUNTY OF ALLEGHENY, a political	)	
subdivision of the Commonwealth of	)	CIVIL DIVISION – EQUITY
Pennsylvania,	)	
	)	
Plaintiff,	)	No.: GD-20-
	)	
vs.	)	
	)	
THE CRACKED EGG, LLC,	)	
	)	
Defendant.	)	

**NOTICE TO DEFEND**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERRAL SERVICE,  
The Allegheny County Bar Association  
11th Floor Koppers Building, 436 Seventh Avenue  
Pittsburgh, Pennsylvania 15219  
Telephone: (412) 261-5555  
[www.acbalrs.org](http://www.acbalrs.org)

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA**

COUNTY OF ALLEGHENY, a political	)	
subdivision of the Commonwealth of	)	CIVIL DIVISION – EQUITY
Pennsylvania,	)	
	)	
Plaintiff,	)	No.: GD-20-
	)	
vs.	)	
	)	
THE CRACKED EGG, LLC,	)	
	)	
Defendant.	)	

**COMPLAINT IN CIVIL ACTION – EQUITY**

AND NOW comes the County of Allegheny, acting by and through the Allegheny County Health Department (hereinafter “Department” or “ACHD”) and its undersigned attorneys, and brings this action pursuant to the ACHD’s Rules and Regulations, Article III, Food Safety (Allegheny County Code of Ordinances Chapter 830) (hereinafter “Article III”), against Defendant, The Cracked Egg, LLC, and in support thereof avers the following:

**PARTIES**

1. Plaintiff is the County of Allegheny, a home rule county and political subdivision of the Commonwealth of Pennsylvania, acting by and through the ACHD, a local health department organized under the Local Health Administration Law, 16 P.S. §§ 12001-12029, whose powers and duties include the enforcement of laws relating to public health and food and environmental safety within Allegheny County.

2. Upon information and belief, Defendant The Cracked Egg, LLC operates a food facility, The Crack’d Egg, at 4131 Brownsville Road, Pittsburgh, PA, 15227 (lot and block number 0188-N-00133).

3. The property that The Crack'd Egg operates from is owned by Tri-River Associates II, LLC.

### **BACKGROUND**

4. The ACHD is a local health department organized under the Local Health Administration Law, 16 P.S. §§ 12001-12029 (hereinafter, "LHAL"), whose powers and duties include the enforcement of laws relating to public health within Allegheny County, including, but not limited to ACHD Article III, Food Safety.

5. The LHAL requires that whenever the ACHD's director finds a nuisance detrimental to the public health, the director must order that that nuisance be abated. 16 P.S. § 12012(d).

6. Pursuant to the Pennsylvania Disease Prevention and Control Law of 1955 (hereinafter "DPCL"), the ACHD has primary responsibility for the prevention and control of communicable and non-communicable diseases in Allegheny County. 35 P.S. § 521.3(a).

7. Section 5 of the DPCL states, "Upon receipt by a local board or department of health or by the department, as the case may be, of a report of a disease which is subject to isolation, quarantine, or any other control measure the local board or department of health or the department shall carry out the appropriate control measures in such a manner and in such a place as is provided by rule or regulation." 35 P.S. § 521.5.

8. The DPCL authorizes the State Advisory Health Board to promulgate rules and regulations concerning, "...the communicable diseases which are subject to isolation, quarantine, or other control measures..." 35 P.S. § 521.16(a)(3).

9. The ACHD is a "local health authority" as that term is defined by State Advisory Health Board promulgated regulations. See 28 Pa. Code § 27.1.

10. As a county department of health organized under the LHAL, the ACHD is a "local

morbidity reporting office” or “LMRO”, as that term is defined by the State Advisory Health Board at 28 Pa. Code § 27.1.

11. The State Advisory Health Board has issued a regulation regarding communicable disease control measures which states:

a. “The Department or local health authority shall direct isolation of a person or an animal with a communicable disease or infection; surveillance, segregation, quarantine or modified quarantine of contacts of a person or an animal with a communicable disease or infection; and any other disease control measure the Department or the local health authority considers to be appropriate for the surveillance of disease, when the disease control measure is necessary to protect the public from the spread of infectious agents.

b. The Department and local health authority will determine the appropriate disease control measure based upon the disease or infection, the patient's circumstances, the type of facility available and any other available information relating to the patient and the disease or infection.

c. If a local health authority is not an LMRO, it shall consult with and receive approval from the Department prior to taking any disease control measure.”

28 Pa. Code § 27.60.

12. COVID-19 is a highly infectious, communicable disease caused by a new coronavirus not previously seen in humans. It is a respiratory disease with symptoms including fever, cough, shortness of breath, and difficulty breathing.

13. On March 6, 2020, Pennsylvania Governor Tom Wolf, finding that threat from COVID-19 constitutes a threat of imminent disaster to the health of the citizens of the Commonwealth, made a statewide disaster declaration concerning the COVID-19 pandemic.

14. On March 12, 2020, Allegheny County made a county-wide emergency declaration due to the COVID-19 pandemic according to the ratification by county council.

15. Based on a determination that universal face coverings were an appropriate

control measure for COVID-19, the *Order of the Secretary of the Pennsylvania Department of Health Requiring Universal Face Coverings* (hereinafter, “Universal Face Coverings Order”), was issued by the Commonwealth of Pennsylvania on July 1, 2020.

16. Section 2 of the Universal Face Coverings Order requires the use of face coverings at indoor locations where the public is generally admitted and while engaged in work, including at restaurants.

17. Based on a determination that certain limitations on the occupancy of food service facilities were an appropriate control measure for COVID-19, the *Order of the Secretary of the Pennsylvania Department of Health Directing Targeted Mitigation Measures* (hereinafter, “Targeted Mitigation Order”) (the Universal Face Coverings Order and the Targeted Mitigation Order shall hereinafter collectively be referred to as the “COVID-19 Control Measure Orders”) was issued by the Commonwealth of Pennsylvania on July 15, 2020.

18. Section 1.B.i of the Targeted Mitigation Order requires, *inter alia*, restaurants to limit occupancy to 25% of stated fire code maximum occupancy for indoor dining and to limit occupancy at discrete indoor events or gatherings to 25 persons.

19. Section 1.B.ii of the Targeted Mitigation Order indicates that the occupancy limits imposed by Section 1.B.i include restaurant staff.

20. Section 1.B.iii of the Targeted Mitigation Order requires restaurants to employ social distancing, masking, and other mitigation measures to protect workers and patrons.

21. Section 7 of the Targeted Mitigation Order states, “Enforcement of this Order will begin on the effective date. All Commonwealth agencies involved in the licensing or inspection of any of the above-described facilities are directed to increase their enforcement efforts to ensure compliance with these critical mitigation measures. All local officials currently involved

or able to be involved in the Commonwealth's enforcement efforts are called upon to enforce these critical mitigation measures.

22. On October 5, 2015, the ACHD issued a permit to The Cracked Egg, LLC for the operation of The Crack'd Egg, client number 201510290005.

23. From July 1, 2020 through the present, The Cracked Egg, LLC has repeatedly violated orders issued by the Commonwealth of Pennsylvania and the ACHD's Article III at The Crack'd Egg.

24. The ACHD has initiated this suit to seek all remedies available under Article III and the ACHD's Rules and Regulations Article XVI, Environmental Health Civil Penalties, (hereinafter "Article XVI") regarding COVID-19 violations. Furthermore, ACHD seeks those remedies including injunctive relief and the imposition of civil penalties.

**COUNT 1:  
VIOLATION OF COMMONWEALTH OF PENNSYLVANIA COVID-19  
CONTROL MEASURE ORDERS:  
UNIVERSAL FACE COVERING AND OTHER MITIGATION MEASURES**

25. The averments set forth in Paragraphs 1-24 are incorporated by reference as though fully set forth below.

26. In accordance with the COVID-19 Control Measure Orders, The Crack'd Egg must require all employees and patrons to wear face coverings when on the premises of the facility, employ proper social distancing measures, and cease using the bar area for customer seating.

27. On or about June 19, 2020, the ACHD began receiving complaints from the public regarding failure to comply with the COVID-19 Control Measure Orders at The Crack'd Egg. To date, the ACHD has received 16 complaints concerning failure to comply with the COVID-19 Control Measure Orders at The Crack'd Egg.

28. In response to these citizen complaints, the ACHD sent representatives to investigate the compliance status of The Crack'd Egg on July 1, 2020. During that onsite visit, ACHD representatives observed public-facing employees not wearing masks when interacting with customers and multiple customers not wearing masks as they entered the facility. These observations were documented in an Inspection Report, dated July 1, 2020, and attached hereto as Exhibit "A".

29. During the July 1, 2020 onsite visit at The Crack'd Egg, the ACHD representatives provided guidance on control measure order compliance.

30. Despite the compliance guidance provided to The Crack'd Egg on July 1, 2020, the ACHD continued to receive citizen complaints about failure to comply with COVID-19 control measure orders issued by the Governor and the County at the The Crack'd Egg.

31. On July 28, 2020, due to the continued citizen complaints, ACHD representatives conducted another onsite inspection for COVID-19 assessment. During this onsite inspection, ACHD representatives observed employees and patrons not wearing face masks. These observations were documented in a COVID-19 Assessment Report, dated July 28, 2020, and attached hereto as Exhibit "B".

32. On August 5, 2020, due to continued citizen complaints, ACHD representatives conducted a third onsite inspection. During this onsite inspection, ACHD representatives observed food safety violations of Article III and COVID-19 violations, including public-facing employees working without wearing face masks, patrons admitted into facility without face masks, permitting the use of a bar area, and failure to sufficiently space apart outdoors seats. These observations were documented in an Inspection Report, dated August 5, 2020, and attached hereto as Exhibit "C".

33. During the August 5, 2020 onsite visit at The Crack'd Egg, the ACHD representatives



provided guidance on control measure order compliance and provided the facility with a COVID-19 Safety Procedures for Businesses poster to be posted at the facility.

34. On August 7, 2020, ACHD representatives conducted a follow-up onsite inspection. During this onsite inspection, ACHD representatives observed food safety violations of Article III and COVID-19 violations, including public-facing employees working without wearing face masks, patrons admitted into facility without face masks, and failure to sufficiently space apart outdoors seats. These observations were documented in an Inspection Report, dated August 7, 2020, and attached hereto as Exhibit "D".

35. During the August 7, 2020 onsite visit at The Crack'd Egg, the ACHD representatives provided guidance on control measure order compliance and corrective actions for the violations identified.

36. On August 11, 2020, ACHD representatives conducted a partial onsite reinspection to assess COVID-19 compliance. During this onsite inspection, ACHD representatives observed public-facing employees working without wearing face masks and a patron admitted into the facility without a face mask. These observations were documented in an Inspection Report, dated August 11, 2020, and attached hereto as Exhibit "E".

37. Due to continued non-compliance with the COVID-19 Control Measure Orders observed on the August 11<sup>th</sup> Inspection, the ACHD determined that The Crack'd Egg's failure to comply with the COVID-19 Control Measure Orders constituted an imminent danger to the public health and, on August 11, 2020, issued, pursuant to the authority granted by Article III § 337.1, an immediate permit suspension order to The Crack'd Egg (hereinafter "Permit Suspension Order"). The Permit Suspension Order is attached hereto as Exhibit "F".

38. These recorded instances during which The Crack'd Egg operated in violation of the

COVID-19 Control Measure Orders, as averred in Paragraphs 28-36, necessitated the commencement of this enforcement action.

**COUNT 2:  
VIOLATION OF ARTICLE III § 337.1:  
PERMIT SUSPENSION**

39. The averments set forth in Paragraphs 1-38 are incorporated by reference as though fully set forth below.

40. Article III § 337.1 states as follows:

If the Director finds there is imminent danger to the public health the permit shall immediately be suspended. Any person whose permit has been suspended under this section shall upon written request be entitled to a hearing pursuant to Article XI, "Hearings and Appeals", of the Allegheny County Rules and Regulations. Upon suspension or revocation of a permit, the Director shall immediately post a notice of permit suspension or revocation in plain view at all customer entrances to the premises. Such notice shall not be concealed or removed. Removal shall be only at the direction of the Department. A person whose permit has been suspended shall have the permit reinstated upon completion of the corrective action required by the Director and an inspection verifying such corrections. It shall be unlawful to operate a food facility with a suspended permit.

41. On August 13, 2020 and on subsequent dates, an organization entitled Entrepreneurs Against Tyranny posted on social media that The Crack'd Egg will host an event at its premises on August 24, 2020. The social media posts are attached hereto as Exhibit "G".

42. On August 21, 2020, the ACHD issued a warning letter to The Crack'd Egg that opening the facility will result in violations of the Department's Article III (hereinafter "Warning Letter"). The Warning Letter is attached here to as Exhibit "H".

43. During on-site observations conducted on August 24, 2020 through August 28, 2020, inclusive, August 31, 2020 through September 4, 2020, inclusive, and September 10, 2020, ACHD representatives observed continued operations at The Crack'd Egg in violation of the Permit

Suspension Order. During those on-site observations, ACHD representatives also observed continued violations of the COVID-19 Control Measure Orders. The observations were documented in a series of memorandums and photographs attached hereto as Exhibit "I".

44. On August 26, 2020, August 27, 2020, and August 28, 2020, The Crack'd Egg concealed the closure placard placed by the ACHD on its facility, in violation of Article III § 337.1.

45. On August 31, 2020, September 1, 2020, September 2, 2020, September 3, 2020, September 4, 2020, and September 10, 2020, the closure placard placed by the ACHD on The Crack'd Egg was not posted, in violation of Article III § 337.1.

46. The Crack'd Egg blatantly advertised its deliberate intention to operate and actual operation in spite of the Permit Suspension Order on Facebook. Those advertisements were posted to The Crack'd Egg's Facebook page on August 12, 2020, August 17, 2020, August 31, 2020, and September 1, 2020. PDF copies of those Facebook posts are collectively attached hereto as Exhibit "J".

47. To date, The Cracked Egg, LLC has not filed an appeal of the Permit Suspension Order with the ACHD.

48. These recorded instances during which The Crack'd Egg violated Article III § 337.1 by operating and either concealing or removing the closure placard, as averred in Paragraphs 43-45, necessitated the commencement of this enforcement action.

**WHEREFORE**, the ACHD respectfully requests this honorable Court to find in favor of Plaintiff Allegheny County and against Defendant The Cracked Egg, LLC on all Counts averred in this Complaint and grant the following relief:

- a. Enter judgment declaring The Cracked Egg, LLC failed to comply with the

Commonwealth of Pennsylvania's COVID-19 Control Measure Orders and Article III § 337.1.

b. Enjoin The Crack'd Egg from operating until a COVID-19 compliance plan is submitted to and approved by the ACHD.

c. Direct The Cracked Egg, LLC to pay to the ACHD Food Safety Fund civil penalties consistent with Article XVI §1605 and Article III §337.4(D) prior to re-opening for violations of its ACHD permit.

d. Grant any such other relief as the Court deems necessary and/or appropriate.

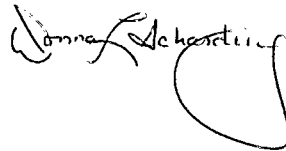
Date: 9/14/2020

By: Vijya Patel  
Vijyalakshmi Patel, Esq.  
Attorney for the Plaintiff Allegheny County  
301 39th Street, Bldg. No. 7  
Pittsburgh, PA 15201-1891  
Tel.: 412-578-2653  
Email: Vijya.Patel@AlleghenyCounty.US

VERIFICATION

I, Donna L. Scharding, certify that I am authorized to make this verification on Plaintiff's behalf. I hereby verify that the averments made in the foregoing COMPLAINT IN CIVIL ACTION – EQUITY are true and correct to the best of my knowledge, information, and belief. I understand that this verification is made subject to the penalties provided in 18 P.S. § 4904, relating to unsworn falsification to authorities.

9-14-20  
Date: \_\_\_\_\_



By: \_\_\_\_\_  
Donna Scharding  
Food Safety Program Manager  
Allegheny County Health Department  
For the Plaintiff



**ALLEGHENY COUNTY HEALTH DEPARTMENT**

FOOD SAFETY PROGRAM  
 3901 PENN AVE,  
 PITTSBURGH, PA 15224  
 PHONE: 412-578-8044 FAX: 412-578-8190

**FOOD SAFETY ASSESSMENT REPORT**

**Client ID:** 201510290005      **Client Name:** The Crack'd Egg  
**Address:** 4131 Brownsville Road      **Inspection Date:** 07/01/2020  
**City:** Pittsburgh      **State:** PA    **Zip:** 15227      **Purpose:** Complaint  
**Municipality:** Brentwood      **Inspector:** Nakkeow, Varangkorn      **Permit Exp. Date:** 10/31/2020  
**Category Code:** 211-Restaurant without Liquor      **Priority Code:** H  
**Re-Inspection:** No - Inspector      **Re-Inspection Date:**

Food Safety Assessment Categories	◆	Assessment Status				Violation Risk		
		S	NO	NA	V	High	Med.	Low
1 Food Source/Condition								
2 Cooking Temperatures #								
3 Consumer Advisory								
4 Reheating Temperatures #								
5 Cooling Food #								
6 Hot Holding Temperatures #								
7 Cold Holding Temperatures #								
8 Facilities to Maintain Temperature								
9 Date Marking of Food								
10 Probe-Type Thermometers								
11 Cross-Contamination Prevention #								
12 Employee Health #								
13 Employee Personal Hygiene #								
14 Cleaning and Sanitization #								
15 Water Supply								
16 Waste Water Disposal								
17 Plumbing								
18 Handwashing Facilities								
19 Pest Management #								
20 Toxic Items								
21 Certified Food Protection Manager								
22 Demonstration of Knowledge								
23 Contamination Prevention - Food, Utensils and Equipment								
24 Fabrication, Design, Installation and Maintenance								
25 Toilet Room								
	0	0	0	0	0	0	0	0

General Sanitation	◆	Assessment Status				Violation Risk		
		S	NO	NA	V	High	Med.	Low
26 Garbage and Refuse								
27 Floors								
28 Walls and ceilings								
29 Lighting								
30 Ventilation								
31 Dressing rooms and Locker rooms								
32 General Premises								
33 Administrative					x			
	0	0	0	0	1	0	0	0
# U.S. Centers for Disease Control and Prevention "high risk" for	0	0	0	0	1			

◆ - Diamond Exceptional  
 Client # 201510290005

S - Satisfactory NO - Not Observed NA - Not Applicable V- Violation





# ALLEGHENY COUNTY HEALTH DEPARTMENT

FOOD SAFETY PROGRAM  
3901 PENN AVE,  
PITTSBURGH, PA 15224  
PHONE: 412-578-8044 FAX: 412-578-8190

## FOOD SAFETY ASSESSMENT REPORT

### INSPECTION DETAILS

<b>Inspector Name:</b> Nakkeow , Varangkorn	<b>Balance Amount:</b> \$0.00
<b>Placarding:</b> Inspected & Permitted	<b>Contact:</b> Kimberly & Don Waigar
<b>Start Time:</b> 09:50:00 AM	<b>End Time:</b> 11:00:00 AM
<b>Phone:</b>	(412) 881-3000

**Violation:** 33 Administrative

**Comments:**

- Facility is not complying with the mask usage guidelines. 3 - 4 public facing employees not wearing masks when interacting with customers.
- Multiple customers observed entering the facility with no mask on during inspection.

**Food Code Section(s):** 330

**Corrective Action:** Wear a mask or a facial covering.

**Other Assesment observations and comments:**

**Exceptional Observations:**

#### **General Comments:**

- Inspection conducted as a follow-up to multiple received complaints of no mask usage. Facility owner present at the time of inspection. Multiple employees observed without masks or facial covering. No enforcement of mask usage for customers entering the facility. Owner, as of today, will speak to her public-interfacing employees about wearing a mask. Owner will continue to provide disposable surgical masks. Signs are placed at the reception desk and on the sign board outside. Discussed mask usage guidelines, who and where a mask needs to be worn, and policy going forward. Owner feels it is a violation of personal rights to force employees to wear a mask. See attached files.

Update: 7/7/2020

Facility kitchen is large enough to accomodate three employees without crowding. Owner stated that there is no more than 2 cooks and a single dish washer present at any given time.



ALLEGHENY COUNTY HEALTH DEPARTMENT

FOOD SAFETY PROGRAM

COVID-19 ASSESSMENT REPORT

3901 PENN AVE,
PITTSBURGH, PA 15224
PHONE: 412-578-8044 FAX: 412-578-8190

Client ID: 201510290005
Address: 4131 Brownsville Road
City: Pittsburgh
Municipality: Brentwood
Category Code: 211-Restaurant without Liquor

Client Name: The Crack'd Egg
State: PA Zip: 15227

Date: 07/28/2020
Purpose: COVID-19 Assessment
Assessor: K012983

Table with 3 columns: Assessment Categories, Satisfactory, Unsatisfactory. Rows include Indoor occupancy (25%), Tables 6 feet apart, Closed bar seating, Face coverings by staff, Table service only, Zero tobacco usage, Closed by 11:00 pm, and summary rows for 6/6 and 1/1.

ASSESSMENT DETAILS

Assessor: K012983 Contact: Kimberly & Don Waigar
Start Time: 12:10:00 PM End Time: Phone: (412) 881-3000

Unsatisfactory

Face coverings by staff

Comments: Masks not required for staff or patrons. Masks are made available though.

Other assessment observations and comments:

- Tables 6 feet apart Satisfactory
Every other table sat.
Closed bar seating Satisfactory
N/A
Table service only Satisfactory
N/A







ALLEGHENY COUNTY HEALTH DEPARTMENT

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PITTSBURGH, PA 15224

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FOOD SAFETY ASSESSMENT  
REPORT

Client ID: 201510290005  
Address: 4131 Brownsville Road  
City: Pittsburgh  
Municipality: Brentwood  
Category Code: 211-Restaurant without Liquor  
Re-Inspection: Yes - Inspector

Client Name: The Crack'd Egg  
State: PA Zip: 15227  
Inspector: Nakkeow, Varangkorn  
Re-Inspection Date: 08/06/2020

Inspection Date: 08/05/2020  
Purpose: Initial, Compla  
Permit Exp. Date: 10/31/2020  
Priority Code: 1

Food Safety Assessment Categories	◆	Assessment Status				Violation Risk		
		S	NO	NA	V	High	Med.	Low
1 Food Source/Condition					x			x
2 Cooking Temperatures #		x						
3 Consumer Advisory		x						
4 Reheating Temperatures #			x					
5 Cooling Food #					x	x		x
6 Hot Holding Temperatures #		x						
7 Cold Holding Temperatures #					x	x		
8 Facilities to Maintain Temperature		x						
9 Date Marking of Food					x			x
10 Probe-Type Thermometers		x						
11 Cross-Contamination Prevention #		x						
12 Employee Health #		x						
13 Employee Personal Hygiene #		x						
14 Cleaning and Sanitization #					x	x		x
15 Water Supply		x						
16 Waste Water Disposal		x						
17 Plumbing		x						
18 Handwashing Facilities		x						
19 Pest Management #					x			x
20 Toxic Items					x		x	
21 Certified Food Protection Manager		x						
22 Demonstration of Knowledge					x		x	
23 Contamination Prevention - Food, Utensils and Equipment		x						
24 Fabrication, Design, Installation and Maintenance					x			x
25 Toilet Room		x						
	0	15	1	0	9	3	2	6

General Sanitation	◆	Assessment Status				Violation Risk		
		S	NO	NA	V	High	Med.	Low
26 Garbage and Refuse					x			x
27 Floors		x						
28 Walls and ceilings		x						
29 Lighting		x						
30 Ventilation					x			x
31 Dressing rooms and Locker rooms				x				
32 General Premises		x						
33 Administrative					x			
	0	4	0	1	3	0	0	2

# U.S. Centers for Disease Control and Prevention "high risk" for

◆ - Diamond Exceptional  
Client # 201510290005

S - Satisfactory NO - Not Observed NA - Not Applicable V- Violation





# ALLEGHENY COUNTY HEALTH DEPARTMENT

FOOD SAFETY PROGRAM  
3901 PENN AVE,  
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PHONE: 412-578-8044 FAX: 412-578-8190

## FOOD SAFETY ASSESSMENT REPORT

### INSPECTION DETAILS

**Inspector Name:** Nakkeow , Varangkorn      **Balance Amount:** \$0.00  
**Placarding:** Inspected & Permitted      **Contact:** Kimberly & Don Waigar  
**Start Time:** 09:50:00 AM      **End Time:** 12:40:00 PM      **Phone:** (412) 881-3000

**Violation:**      1 Food Source/Condition

**Comments:**      \*LOW RISK\*  
- Bulk storage of dry ingredients such as a flour stored in a three-compartment plastic rolling bin in the basement preparation area.. No labels present for the bulk items.

**Food Code Section(s):** 303

**Corrective Action:** - Properly label.

**Violation:**      5 Cooling Food

**Comments:**      \*HIGH RISK\*\*\*  
- Plastic gallon sized container of sausage gravy and a 2/3 insert pan of home fries found cooling improperly. Temperature of the home fries between 77-96°F after 3 hours. Sausage gravy, temperatures reported by the operator between 72-77°F after 3 hours, when taken by the inspector, temperatures found at 85°F. Products discarded during inspection.

\*LOW RISK\*

- Cooling charts incorrectly filled out and time/temperatures not met during monitoring.  
- Incorrect cooling procedures in place. Ice baths used do not meet the level of the food and the containers do not provide sufficient amounts of ice/water. Containers are almost equal in size.

**Food Code Section(s):** 304

**Corrective Action:** Use approved means such as blast chillers or adding ice to a condensed food.

**Corrective Action:** Cool cooked foods in uncovered metal containers 4 inches or less in depth or in pieces smaller than 4 pounds.

**Violation:**      7 Cold Holding Temperatures

**Comments:**      \*HIGH RISK\*\*\*  
- Portions of sliced cheeses wrapped in plastic found stored at 53°F in the upper compartment of the preparation cooler across from the cook line of the kitchen. Product moved to the lower compartment of the preparation cooler.

**Food Code Section(s):** 303

**Corrective Action:** Food must be held at 41° F or below

**Violation:**      9 Date Marking of Food

**Comments:**      \*LOW RISK\*  
- Prepared foods found stored and labeled with preparation dates and no discard dates throughout the facility.

**Food Code Section(s):** 304

**Corrective Action:** Properly label foods

**Corrective Action:** Discard date = Preparation date + 6 days.



# ALLEGHENY COUNTY HEALTH DEPARTMENT

FOOD SAFETY PROGRAM

3901 PENN AVE,  
PITTSBURGH, PA 15224

PHONE: 412-578-8044 FAX: 412-578-8190

## FOOD SAFETY ASSESSMENT REPORT

**Violation:**

**14 Cleaning and Sanitization**

**Comments:**

\*HIGH RISK\*\*\*

- Deli slicer in the basement preparation area found soiled with a layer of old food debris on the backside of the cutting blade. Operator cleaned the unit during inspection.

\*LOW RISK\*

- Facility lacks test strips for low temperature chlorine dish machine behind the breakfast bar.  
- Gaskets of the lower compartments of the preparation coolers found soiled with food debris present.

- Unidentifiable pink slime found present along the inside lip of the ice machine chute.

**Food Code Section(s):** 312

**Corrective Action:**

Clean and sanitize food-contact surfaces of equipment and utensils after each use and following any interruption of operations, during which time, contamination may have occurred utilizing the following procedure:

1. Wash- hot soapy water.
2. Rinse-clear water.
3. Sanitize-approved sanitizer and water.
4. Air-dry.

**Corrective Action:**

Clean and maintain non-food-contact surfaces of equipment

**Corrective Action:**

Provide appropriate test strips or monitoring equipment

**Violation:**

**19 Pest Management**

**Comments:**

\*LOW RISK\*

- Screen door in the basement that leads to the rear of the facility has multiple gaps present between the door and the frame. Visible light comes through around the door when closed. Seal.

**Food Code Section(s):** 319

**Corrective Action:**

Eliminate harborage area, food sources, and entry sites

**Violation:**

**20 Toxic Items**

**Comments:**

\*MEDIUM RISK\*\*

- Kitchen:

-- Stainless steel polish stored above the hand sink/preparation where eggs are being actively cooled under running water next to the dish machine.

-- Spray cleaner stored on top of the ice machine and food preparation table next to the pass.

-- Compressed gas canisters and torch stored above the preparation table next to the right side range burners where food is being actively cooled.

- Basement:

-- Chemical cleaning agents, such as Comet stored above the preparation area across from the walk-in.

**Food Code Section(s):** 325

**Corrective Action:**

Store chemicals below or separate from food and food contact surfaces

**Violation:**

**22 Demonstration of Knowledge**

**Comments:**

\*MEDIUM RISK\*\*

- Kitchen manager unaware of proper cooling procedures.

**Food Code Section(s):** 336

**Corrective Action:**

Temperature Control - Cooling.



# ALLEGHENY COUNTY HEALTH DEPARTMENT

FOOD SAFETY PROGRAM

3901 PENN AVE,  
PITTSBURGH, PA 15224

PHONE: 412-578-8044 FAX: 412-578-8190

## FOOD SAFETY ASSESSMENT REPORT

**Violation:**

**24 Fabrication, Design, Installation and Maintenance**

**Comments:**

\*LOW RISK\*

- Facility is using milk crates throughout the facility to elevate food items, such as cases of eggs and pancake batter from the floor in the walk-in cooler.
- Facility is using milk crates behind the breakfast bar to elevate utensils and single service articles from the floor.

**Food Code Section(s):** 309

**Corrective Action:** Repair / replace equipment

**Violation:**

**26 Garbage and Refuse**

**Comments:**

\*LOW RISK\*

- Dumpster stored on grass and dirt next to the paved parking lot behind the facility.

**Food Code Section(s):** 318

**Corrective Action:** Provide smooth, well-drained, easily cleaned surface

**Violation:**

**30 Ventilation**

**Comments:**

\*LOW RISK\*

- Cooking equipment not completely installed under the ventilation hood. Overhang not present along the left side of the ventilation hood over the range burners.

**Food Code Section(s):** 323

**Corrective Action:** Install equipment completely under hood / Provide sufficient overhang

**Violation:**

**33 Administrative**

**Comments:**

- Failure to comply with mandate requiring face coverings. Three employees working without masks or other face coverings.
- Failure to comply with requirement of patrons/guests entering into the facility with mask or face covering. Two guests observed entering the facility, not wearing a mask or face covering.
- Failure to comply with spacing and seating. Breakfast bar in-use and lack of spacing of outdoor seats. Breakfast bar accommodates five guests and seats are not spaced apart.

**Food Code Section(s):** 330

**Corrective Action:** Comply with government guidelines.

**Other Assessment observations and comments:**

**Exceptional Observations:**

**General Comments:**

Inspection conducted with Rachel Casteel, EHS I, in response to repeated complaints of no mask/facial covering usage. Facility does not require employees to wear a mask. No supply of masks observed during inspection. Public facing employees observed not wearing masks. Guests not wearing masks allowed into the facility without notice to have a mask or facial covering put on. Breakfast bar in-use for guest seating and dining. Bar accommodates five guests, but do not space out the seating. Facility does not have the COVID-19 Safety Procedures for Businesses poster posted. Discussed COVID-19 operating procedures and guidelines with the manager after report review. Facility given 24 hours for compliance, reinspection scheduled for 8/6/2020 to ensure compliance. Facility provided with the poster for COVID-19 Safety Procedures for Businesses to have filled out and displayed. In regards to the kitchen temperatures, ambient air temperature 88°F and spacing is available for distancing. Spacing of in-use tables is in adequate for the outdoor dining area. See uploaded images. Indoor dining and use of tables could not be identified due to decreased facility traffic.



ALLEGHENY COUNTY HEALTH DEPARTMENT

FOOD SAFETY PROGRAM  
 3901 PENN AVE,  
 PITTSBURGH, PA 15224  
 PHONE: 412-578-8044 FAX: 412-578-8190

FOOD SAFETY ASSESSMENT  
 REPORT

Client ID: 201510290005 Client Name: The Crack'd Egg  
 Address: 4131 Brownsville Road Inspection Date: 08/07/2020  
 City: Pittsburgh State: PA Zip: 15227 Purpose: Reinspection  
 Municipality: Brentwood Inspector: Nakkeow, Varangkorn Permit Exp. Date: 10/31/2020  
 Category Code: 211-Restaurant without Liquor Priority Code: H  
 Re-Inspection: Yes - Inspector Re-Inspection Date: 08/10/2020

Food Safety Assessment Categories	◆	Assessment Status					Violation Risk		
		S	NO	NA	V	High	Med.	Low	
1 Food Source/Condition					x	x			
2 Cooking Temperatures #									
3 Consumer Advisory									
4 Reheating Temperatures #									
5 Cooling Food #					x		x		
6 Hot Holding Temperatures #									
7 Cold Holding Temperatures #					x	x			
8 Facilities to Maintain Temperature									
9 Date Marking of Food					x			x	
10 Probe-Type Thermometers									
11 Cross-Contamination Prevention #									
12 Employee Health #									
13 Employee Personal Hygiene #									
14 Cleaning and Sanitization #		x							
15 Water Supply									
16 Waste Water Disposal									
17 Plumbing									
18 Handwashing Facilities									
19 Pest Management #					x			x	
20 Toxic Items					x		x		
21 Certified Food Protection Manager									
22 Demonstration of Knowledge					x		x		
23 Contamination Prevention - Food, Utensils and Equipment									
24 Fabrication, Design, Installation and Maintenance					x			x	
25 Toilet Room									
	0	1	0	0	8	2	3	3	

General Sanitation	◆	Assessment Status					Violation Risk		
		S	NO	NA	V	High	Med.	Low	
26 Garbage and Refuse					x			x	
27 Floors									
28 Walls and ceilings									
29 Lighting									
30 Ventilation					x			x	
31 Dressing rooms and Locker rooms									
32 General Premises									
33 Administrative					x				
	0	0	0	0	3	0	0	2	

# U.S. Centers for Disease Control and Prevention "high risk" for

0	1	0	0	11
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◆ - Diamond Exceptional S - Satisfactory NO - Not Observed NA - Not Applicable V - Violation  
 Client # 201510290005





# ALLEGHENY COUNTY HEALTH DEPARTMENT

FOOD SAFETY PROGRAM

3901 PENN AVE,  
PITTSBURGH, PA 15224

PHONE: 412-578-8044 FAX: 412-578-8190

## FOOD SAFETY ASSESSMENT REPORT

### INSPECTION DETAILS

**Inspector Name:** Nakkeow, Varangkorn      **Balance Amount:** \$0.00  
**Placarding:** Inspected & Permitted      **Contact:** Kimberly & Don Waigar  
**Start Time:** 10:00:00 AM      **End Time:** 01:00:00 PM      **Phone:** (412) 881-3000

**Violation:** **1 Food Source/Condition**

**Comments:** \*HIGH RISK\*\*\*  
- Manufactured vacuum packaged frozen beef found thawing in the middle compartment of the three-bowl sink located in the basement preparation area. Water temperature 55°F and the source of the water is the drain from the ice machine. Discontinue practice. Water from ice machine drain is considered waste water.  
- Pooled eggs being served to highly susceptible populations.  
  
-- Re-inspection comment:  
- Bins labeled with common name of products.

**Food Code Section(s):** 301 ; 302

**Corrective Action:** Discard/remove food that is not in sound condition or not from an approved source.

**Violation:** **5 Cooling Food**

**Comments:** \*MEDIUM RISK\*\*  
- Falsified temperatures on cooling charts identified. Listed "homies" or home fries to be at 40°F, but when checked, the temperatures range between 52-55°F depending on location inside the insert pan. Pan found stored covered in the basement walk-in cooler.  
- Improper cooling procedures in-place for cooling. Ice baths incorrectly setup. Ice and water do not reach the top level. Facility is placing ice in an equally sized pan under the product to be cooled and ice on top of the product container in an effort to cool. Discontinue practice.

**Food Code Section(s):** 304

**Corrective Action:** Monitor cooling temperatures of leftover food or foods prepared in advance

**Corrective Action:** Record cooling temperature on charts

**Corrective Action:** Retain cooling charts for at least 30 days

**Corrective Action:** Properly chart food temperatures.

**Violation:** **7 Cold Holding Temperatures**

**Comments:** \*HIGH RISK\*\*\*  
- Pooled eggs found at 45°F in the upper compartment of the preparation located across from the range burners at the end of the cook line.

**Food Code Section(s):** 303

**Corrective Action:** Food must be held at 41° F or below

**Violation:** **9 Date Marking of Food**

**Comments:** \*LOW RISK\*  
- Facility is date-marking with +7 days to the preparation date.

**Food Code Section(s):** 304

**Corrective Action:** Properly label foods

**Corrective Action:** Discard date = Preparation date + 6 days.



ALLEGHENY COUNTY HEALTH DEPARTMENT

FOOD SAFETY PROGRAM  
3901 PENN AVE,  
PITTSBURGH, PA 15224  
PHONE: 412-578-8044 FAX: 412-578-8190

FOOD SAFETY ASSESSMENT  
REPORT

**Violation:** 19 Pest Management  
**Comments:** \*LOW RISK\*  
- Screen door in the basement that leads to the rear of the facility has multiple gaps present between the door and the frame. Visible light comes through around the door when closed. Seal.

**Food Code Section(s):** 318

**Corrective Action:** Eliminate harborage area, food sources, and entry sites

**Violation:** 20 Toxic Items  
**Comments:** \*MEDIUM RISK\*\*  
- Stainless steel polish stored above the hand sink/preparation where eggs are being actively cooled under running water next to the dish machine.

**Food Code Section(s):** 325

**Corrective Action:** Store chemicals below or separate from food and food contact surfaces

**Violation:** 22 Demonstration of Knowledge  
**Comments:** \*MEDIUM RISK\*\*  
- Owner is unaware of proper cooling procedures. Owner is taking the servsafe course on Monday, 8/10/2020.

**Food Code Section(s):** 336

**Corrective Action:** Temperature Control - Cooling.

**Violation:** 24 Fabrication, Design, Installation and Maintenance  
**Comments:** \*LOW RISK\*  
- Facility is using milk crates throughout the facility to elevate food items, such as cases of eggs and pancake batter from the floor in the walk-in cooler.  
- Facility is using milk crates behind the breakfast bar to elevate utensils and single service articles from the floor.  
- Facility is using milk crates in the lower compartment of the preparation cooler across from the range burner at the end of the cook line.

**Food Code Section(s):** 309

**Corrective Action:** Resurface / replace

**Corrective Action:** Provide approved, NSF standard equipment

**Violation:** 26 Garbage and Refuse  
**Comments:** \*LOW RISK\*  
- Dumpster stored on grass and dirt next to the paved parking lot behind the facility.

**Food Code Section(s):** 318

**Corrective Action:** Provide smooth, well-drained, easily cleaned surface

**Violation:** 30 Ventilation  
**Comments:** \*LOW RISK\*  
- Cooking equipment not completely installed under the ventilation hood. Overhang not present along the left side of the ventilation hood over the range burners. Kitchen temperature between 87-88°F.

**Food Code Section(s):** 323

**Corrective Action:** Install equipment completely under hood / Provide sufficient overhang



## ALLEGHENY COUNTY HEALTH DEPARTMENT

FOOD SAFETY PROGRAM  
3901 PENN AVE,  
PITTSBURGH, PA 15224  
PHONE: 412-578-8044 FAX: 412-578-8190

## FOOD SAFETY ASSESSMENT REPORT

### Violation:

### **33 Administrative**

### **Comments:**

- Failure to comply with mandate requiring face coverings. Five employees working without masks or other face coverings.
- Failure to comply with spacing and seating. Spacing of tables for outdoor seating are not adequately spaced apart. Guests observed grouped up in the patio dining area.
- Failure to comply with requirement of patrons/guests entering into the facility with mask or face covering. Two guests observed entering the facility, not wearing a mask or face covering.
- Tables stated to be not in-use are not marked with indicators. Owner stated that tables to be used are marked with welcome signs.

**Food Code Section(s):** 330

**Corrective Action:** Comply with government guidelines and mandates.

### **Other Assessment observations and comments:**

#### **14 Cleaning and Sanitization Satisfactory**

- Deli slicer in the basement preparation area is clean.
- Test strips provided for the breakfast bar area.
- No pink slime identified inside the ice machine chute.

### **Exceptional Observations:**

### **General Comments:**

Administrative conference with the owner, Kim Waigand, regarding COVID-19 guidelines and policies. Discussed corrective actions to the violations identified. Inspection conducted with Rachel Casteel, EHS I, and Janet Russo, EH Supervisor in regards to complaints of no mask usage in the facility by public facing employees. Public facing employees observed not wearing masks. Guests not wearing masks allowed into the facility without notice to have a mask or facial covering put on.





ALLEGHENY COUNTY HEALTH DEPARTMENT

FOOD SAFETY PROGRAM  
 3901 PENN AVE,  
 PITTSBURGH, PA 15224  
 PHONE: 412-578-8044 FAX: 412-578-8190

FOOD SAFETY ASSESSMENT  
 REPORT

Client ID: 201510290005 Client Name: The Crack'd Egg  
 Address: 4131 Brownsville Road Inspection Date: 08/11/2020  
 City: Pittsburgh State: PA Zip: 15227 Purpose: Partial ReInsp  
 Municipality: Brentwood Inspector: Nakkeow, Varangkorn Permit Exp. Date: 10/31/2020  
 Category Code: 211-Restaurant without Liquor Priority Code: H  
 Re-Inspection: Pending - Inspector Re-Inspection Date:

Food Safety Assessment Categories	◆	Assessment Status				Violation Risk		
		S	NO	NA	V	High	Med.	Low
1 Food Source/Condition								
2 Cooking Temperatures #								
3 Consumer Advisory								
4 Reheating Temperatures #								
5 Cooling Food #								
6 Hot Holding Temperatures #								
7 Cold Holding Temperatures #								
8 Facilities to Maintain Temperature								
9 Date Marking of Food								
10 Probe-Type Thermometers								
11 Cross-Contamination Prevention #								
12 Employee Health #								
13 Employee Personal Hygiene #								
14 Cleaning and Sanitization #								
15 Water Supply								
16 Waste Water Disposal								
17 Plumbing								
18 Handwashing Facilities								
19 Pest Management #								
20 Toxic Items								
21 Certified Food Protection Manager								
22 Demonstration of Knowledge								
23 Contamination Prevention - Food, Utensils and Equipment								
24 Fabrication, Design, Installation and Maintenance								
25 Toilet Room								
	0	0	0	0	0	0	0	0

General Sanitation	◆	Assessment Status				Violation Risk		
		S	NO	NA	V	High	Med.	Low
26 Garbage and Refuse								
27 Floors								
28 Walls and ceilings								
29 Lighting								
30 Ventilation								
31 Dressing rooms and Locker rooms								
32 General Premises								
33 Administrative					x			
	0	0	0	0	1	0	0	0

# U.S. Centers for Disease Control and Prevention "high risk" for

◆ - Diamond Exceptional S - Satisfactory NO - Not Observed NA - Not Applicable V - Violation

Client # 201510290005





# ALLEGHENY COUNTY HEALTH DEPARTMENT

FOOD SAFETY PROGRAM  
3901 PENN AVE,  
PITTSBURGH, PA 15224  
PHONE: 412-578-8044 FAX: 412-578-8190

## FOOD SAFETY ASSESSMENT REPORT

### INSPECTION DETAILS

<b>Inspector Name:</b> Nakkeow , Varangkorn	<b>Balance Amount:</b> \$0.00
<b>Placarding:</b> Closure/Imminent Hazard	<b>Contact:</b> Kimberly & Don Waigar
<b>Start Time:</b> 12:30:00 PM	<b>End Time:</b> 01:45:00 PM
<b>Phone:</b>	(412) 881-3000

**Violation:** 33 Administrative

**Comments:** 330.1b  
- Failure to comply with mask or facial covering guidelines. 4 employees who take orders and deliver food to guests observed not wearing facial coverings. Facility owner observed not wearing a facial covering. Observed one guest enter the facility without a mask or facial covering and proceeded to seat himself.  
- Facility will remain closed for 7 days. Do not conceal or remove the closure placard. A reinspection must be requested and an inspection must be conducted prior to permit reinstatement.

337.1

- Summary Suspension/Imminent Hazard If the Director finds there is imminent danger to the public health the permit shall immediately be suspended.

PA Disease Prevention and Control Law, Section 521.5

Order of the Secretary of the Pennsylvania Department of Health for Universal Face Coverings, dated July 1, 2020

**Food Code Section(s):** 330

**Corrective Action:** Employees and patrons are to properly wear face covering as described in the Order of the Secretary of the Pennsylvania Department of Health for Universal Face Coverings, dated July 1, 2020.

The facility must provide a written copy of its COVID-19 prevention plan prior to reopening. The facility must provide information on how it will comply to all COVID-19 orders and guidance issued by the Commonwealth and the Allegheny County Health Department.

**Other Assessment observations and comments:**

**Exceptional Observations:**

**General Comments:**

Facility ordered closed per the Food Safety Program. Appeals can be sent to the address listed below. EH Supervisor, Janet Russo, and EH Specialist I, Zachery Prokocki-Loomis, present for the inspection.

**Address:**

Dr. Debra Bogen  
542 Fourth Ave  
Pittsburgh, PA 15219

Partial re-inspection conducted in response to violations pertaining to COVID-19 orders and guidance issued by the Commonwealth and the Allegheny County Health Department.

COUNTY OF



ALLEGHENY

RICH FITZGERALD  
COUNTY EXECUTIVE

August 11, 2020

The Crack'd Egg  
Kimberly & Don Waigand  
4131 Brownsville Road  
Pittsburgh, PA 15227

Re: Client# 201510290005  
The Crack'd Egg  
4131 Brownsville Road  
Brentwood, 15227

Dear Kimberly & Don Waigand,

An inspection of your facility on 08/11/2020 indicates an imminent hazard to the public health.

THEREFORE, IN ACCORDANCE WITH ARTICLE III, SECTION 337, YOUR HEALTH PERMIT IS SUSPENDED AND YOU ARE **ORDERED TO CLOSE** THE FACILITY IMMEDIATELY UPON RECEIPT OF THIS NOTICE. IT IS ILLEGAL TO OPERATE A FOOD FACILITY IN ALLEGHENY COUNTY WITHOUT A HEALTH PERMIT.

Failure to close will result in immediate initiation of an enforcement action. Notice of permit suspension shall be posted in plain view and shall not be removed or concealed except by direction of the Department.

In order to have the health permit reinstated, you must correct all emergency violations and submit to this office the attached form requesting an inspection and reinstatement of the health permit.

Article XI - "Hearings and Appeals" provides for your right for a hearing if aggrieved by this notice. Requests for a hearing must be made in writing and filed with the Department within thirty (30) days upon receipt of this notice.

Please Contact me at (412)578-7919 to resolve this matter.

Sincerely,

J Russo  
Environmental Health Supervisor

Food Safety Program  
3901 Penn Avenue, Building 1  
Pittsburgh, Pennsylvania 15224-1318  
Phone: (412) 578-8044  
Fax: (412) 578-8190  
www.achd.net



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21 Events

Events



AUG 24 E.A.T & GREET Crack'd Egg  
Public · Hosted by E.A.T

Invite

Monday, August 24, 2020 at 10:00 AM EDT  
Next Week · 20-29°C Partly Cloudy

Crack'd Egg  
4131 Brownsville Rd, Pittsburgh, PA 15227

Show Map

18 Going · 44 Interested

Details

Patriots...E.A.T is heading to western Pa August 24, 2020 10:00am Crack'd Egg In Brentwood...Come out and have breakfast w/ the E.A.T and help us relaunch another amazing PA business...See You There!

Crackdegg.com

4131 Brownsville Road  
Pittsburgh, Pa 15227

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Hosted by



E.A.T

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Crack'd Egg

American Restaurant · 4.434 likes

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207 guests



Food Trucks Part 2

Sun, Sep 13 EDT at Whitehall F...  
243 guests



South Hills Cars and Coffee C...

Sunday EDT at Crazy Horse Co...  
245 guests



Chicken & Ham Bar-B-Q - Driv...

Sat. Sep 12 EDT at Bellegrave ...  
155 guests

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8/21/2020

E.A.T & GREET Crack'd Egg



**Crack'd Egg**  
American

Family owned and opera October 2015! Fresh Foo Service, Family Friendly. C a Fine Experience. Dog Fi the outside seating area. Day Cracking with US

- 4131 Brownsville Rd Pittsburgh, PA 1522
- <http://crackdegg.co>

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**E.A.T**

August 13 at 9:56 AM

Patriots...E.A.T is heading to western Pa August 24, 2020 10:00am [Crack'd Egg](#) In Brentwood...Come ou: and have breakfast w/ the E.A.T and help us relaunch another amazing PA business...See you there!!

<https://facebook.com/events/s/eat-greet-crackd-egg/1668898766594053/?ti=icl>

[Crackdegg.com](http://Crackdegg.com)

4131 Brownsville Road  
Pittsburgh, Pa 15227

65

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8/20/2020

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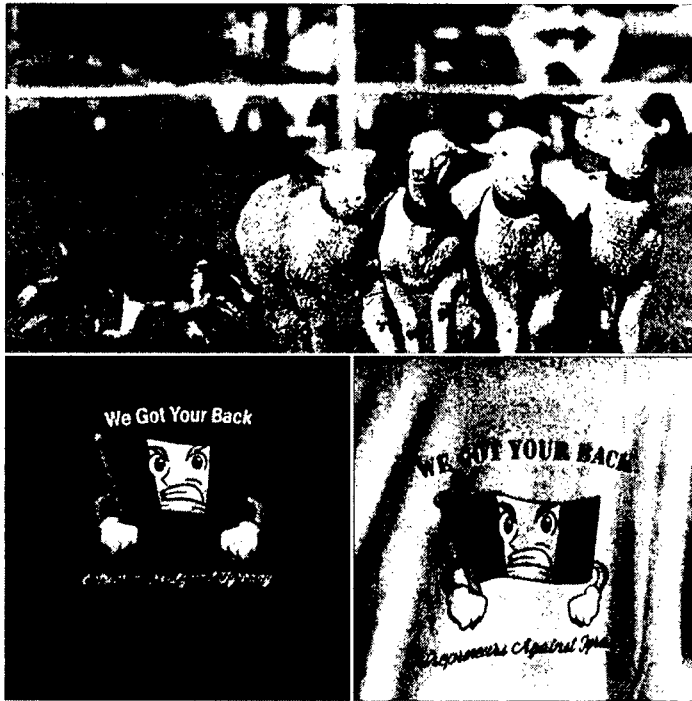
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Senator Doug Mastriano  
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1 Comment 4 Shares

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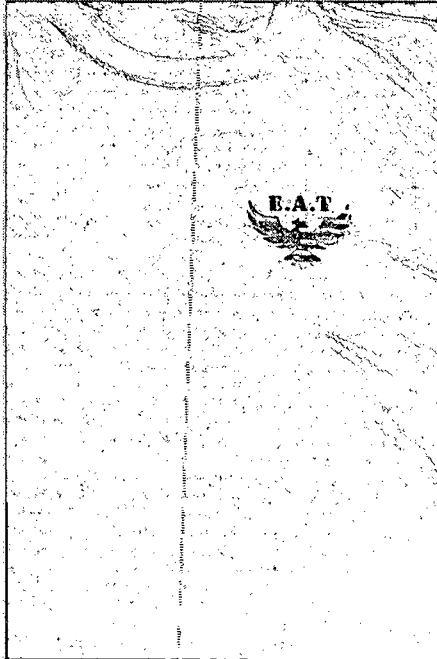
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21 hrs ·

Our new Team shirts....We will make E.A.T shirts available if there is a request for them.



94

29 Comments 1 Share

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Government Official



Senator Doug Mastriano

Government Official



Taste Of Sicily

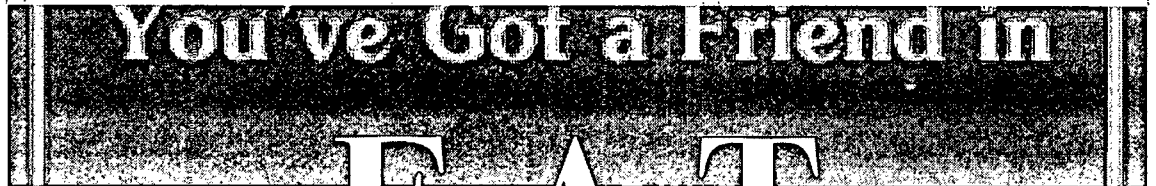
Italian Restaurant



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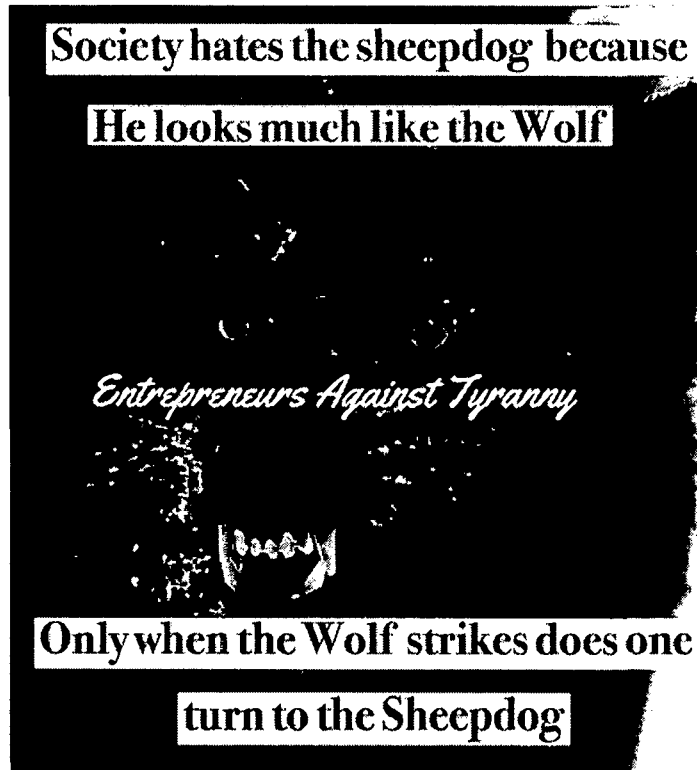
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80


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E.A.T. 6

1d

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Vicky Stowe DeVyver Awesome 1

23h

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August 19 at 12:47 PM ·

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Italian Restaurant

 Nicole Fuschino WJAC  
Journalist

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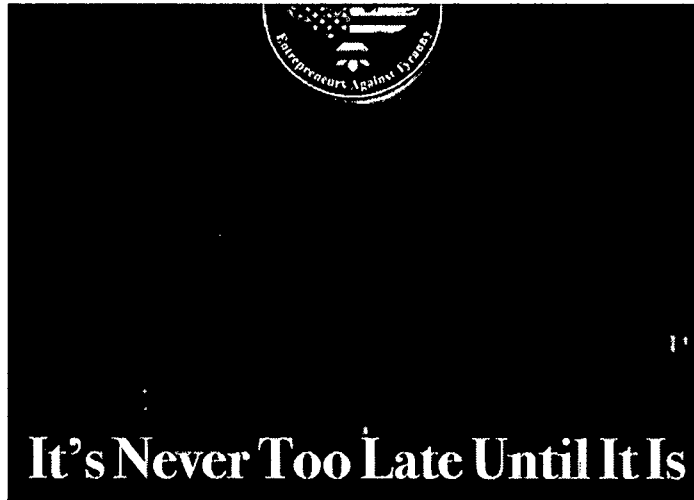
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- Michelle Rachal I thought immediately that this was similar to the bat signal! 19h 2
- Jennifer Pershall Horrocks You all ROCK! 1d 1 Reply

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Open your businesses....The Farm show a 100+ year tradition and Government doesn't care, you think they care about you?



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Author  
E.A.T Anette Witman Love that idea  
1d 1

View 1 more reply

Bonnie Oswald-Schaeffer Thats BS.  
Love the animals,  
But... See More  
1d 2

View 15 more comments

E.A.T  
August 18 at 11:37 AM

# E.A.T Will Be On The Wendy Bell Show Sunday August 23, 2020 @ 2:00pm

64

6 Comments 38 Shares

Like

Comment

Share

Most Relevant

Tracy Goralczyk Woo hoo!!! ill spread the word  
2d 2  
2 Replies

Terri Waughtel Omgsh that's awesome  
2d 3

View 2 more comments

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174

113 Comments 155 Shares

Like

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Most Relevant

**Author**  
E.A.T Here's one of them....more to come



Varangkorn Nakkoow

Environmental Health Specialist at Allegheny County Health Department  
Former Environmental Health Specialist at Allegheny County Health Department

3d 12

15 Replies

**Melissa Solomon** It's funny how overnight these people were trained and out in community. Allegheny county let their residents and businesses down

3d 7

**Mike Bro** Melissa Solomon because it's mostly Dem  
3d 4

**Stephen T Roth** Melissa Solomon it sad they can not see the harm they are doing as good little soldier in Wolf and Levine army against the talking virus. But the soldiers in Germany also believe they were helping to combat the Typhoid virus at first. A slippery slo... See More

3d 4

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- 3d 4

**Madigan James Bokka** What is the process if a business refuses to comply (probably on constitutional grounds)? I'm guessing, fine to start with. REfuse to pay, it keeps going up rapidly with penalties. Eventually a summons to court - ah there's where it could get interesti... See More

2 Replies
- 3d 4

**Tess Teresa Vedilago** How about turning the tables on them and giving the the third degree on why they are doing what they are doing, what's your education, what's your authority hear, have some official Id ....and video it all.

2d 4

**Jean Booze** What are they charged with??

3d 2

Most Relevant is selected, so some replies may have been filtered out.

Author  
**E.A.T Jean Booze Exactly**

3d 3

View 6 more replies
- Chris Lisa Hawbaker** Stay encouraged and stay open!! It was good meeting you Sat. at Freedom Fest!

3d 12
- Linda Greene** Shame . This is America.

3d 11
- Jim Hrehowsik** When is the rally?

3d 1

View 2 more replies

Author  
**E.A.T Jim Hrehowsik Amazing!!**

3d 2

View 1 more reply
- Rachel Moyer** 'Why does it take three of them? Couldn't just one person come investigate?

3d 9

6 Replies
- Samuel Lazar** Where is this business? They need support! Address?

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3d 10  
 Most Relevant is selected, so some replies may have been filtered out.

Crack'd Egg Crack'd Egg as you can see I wasn't protecting them with wearing a mask...they approached me!  
 3d 9

View 3 more replies

Joe Mcginley File a suit. You have every right to be open under constitution.  
 3d 4

Eileen Ritter Gestapo!  
 3d 8

Brian Burke What exactly is/was their reason ?  
 3d 4

Hugh Fehrenbacher The next time they walk in. Everyone should just surround them and scream like the liberal wackos do.  
 3d 7

Scott Hetrick Expose them all !  
 3d 4

Jared Hessom Do these people look professional at all?  
 3d 2

Terri Waughtel Stand your ground!  
 3d 4

Dave Golowski Unbelievable and they look ridiculous to boot  
 3d 8

1 Reply

TJ Dest They look really healthy.  
 3d 1

Susan ChattinHoffmann Pos  
 2d 1

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3d 5

**Top Fan**  
**MaryLou Brubaker** Go EAT!!!!

3d 2

**Beth Annb** Stay open!

3d 3

**Mike Bro** Dems!

3d 1

**Jayme Hood** Al's cafe and a bunch of others I thought were getting together to fight all this. Maybe contact them to see if you can join forces...

3d 2

2 Replies

**Eric Gold** not a one of them are social distancing. shame shame

20h

**Melissa Ann Grimes** They don't look very professional.

3d 4

2 Replies

**Salim Milas** Businesses in PA need to put notices on their doors regarding these contact tracers. It should be noted that these folks are not permitted on their property, and those who refuse to leave, will be deemed as trespassers.

2d 6

1 Reply

**Judy Hartman** Do they really dress like that to represent Wolf??? Looks about right to me!

3d 2

**Tamara Kuklinski** They are dressed like they just crawled out of a dumpster. Not surprised since they are Adolph's cronies

3d 10

1 Reply

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1 Reply

Steven Kindle Looks exactly like the type of scum that would work for the county. Physiognamy is real.

19h

Tracy Shuarts Stephen Godsall follow E.A.T.

E.A.T August 16 at 9:16 AM ·

E.A.T Team @ Freedom Fest Aug 15, 2020



5,200 Views

Dave Golowski August 16 at 6:53 AM ·

E.A.T was at Freedom Fest.. and we will be coming to a place near you !! Christian Wartluft Christine Wartluft Matthew Foltz and I are E.A.T

34

1 Comment 3 Shares

Like

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SAT, SEP 12 AT 11:30 AM EDT

### Assemble for Freedom 2.0 and 9/11 commemoration

Front Steps of the Pennsylvania State Capitol

3,058 people interested

68

7 Comments

Like

Comment

Share

Most Relevant

Ryan Shrader That is awesome. My wife and I would love to go. Hope it works out for us.

5d

Dave Golowski Sweet , finally we get to meet Wendy Bell

4d

Author  
E.A.T Dave Golowski Maybe before that

4d

View 2 more comments

E.A.T  
August 14 at 9:07 PM ·

E.A.T will go Live from  
Freedom Fest Tomorrow  
We will be speaking briefly  
about our movement.



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about your group at: Freedom Fest! Keep up the good work!  
5d

View 1 more comment

E.A.T added an event.  
August 13 at 7:08 AM



MON, AUG 24 AT 10:00 AM EDT  
**E.A.T & GREET Crack'd Egg**  
Crack'd Egg · Pittsburgh, PA  
Causes

72

5 Comments

Like

Comment

Share

Vicki AC I like the EAT and Greet. Very clever!  
1w

Matthew Foltz replied · 1 Reply

Cindy Coles Come on NEPA,  
1w

Susan Tees-Bowers We're comin'!!  
1d

E.A.T replied · 1 Reply

E.A.T  
August 13 at 6:56 AM

Patriots...E.A.T is heading to western Pa August 24, 2020 10:00am Crack'd Egg In Brentwood...Come out and have breakfast w/ the E.A.T and help us relaunch another amazing PA business...See you there!!

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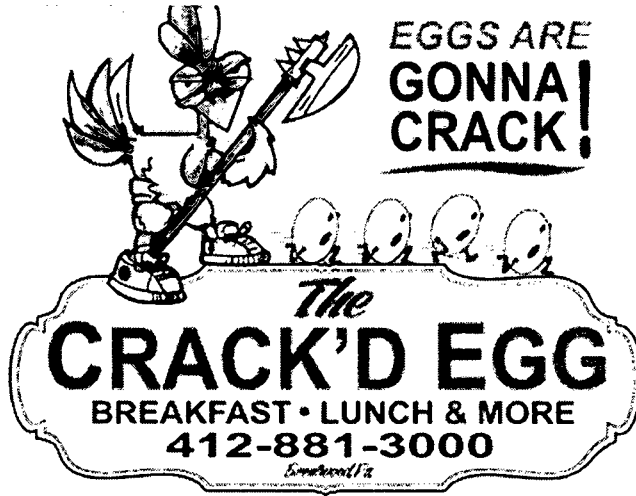
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65

48 Shares

Like

Comment

Share

1,750 likes



E.A.T

August 12 at 7:20 PM ·

Would Any Videographer Like  
To Volunteer To Capture &  
Film E.A.T Events?  
PM If Interested

9

6 Comments 12 Shares

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6d

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**E.A.T**  
3 hrs ·

The Crack'd Egg & Our Team need to have our breakfast packed out on Monday August 24 2020. The Big Bad Wolf Knows We Are Coming...If You Love Pa Like We Know You Do, Spread The Word!! We Are Not Afraid....E.A.T Is Still Coming!!!!



The Crack'd Egg LLC  
2924 Custer Avenue  
Pittsburgh, PA 15227

RE: Intent to Operate  
Client ID#: 201510290005  
The Crack'd Egg  
4131 Brownsville Road  
Brentwood

Dear Kimberly and Dan Waigand,

It has come to the attention of the Allegheny County Health Department (ACHD) Food Safety Program that your establishment may have plans to operate on Monday, August 24, 2020 despite the ACHD closure orders issued on 08/11/2020. As you will remember, opening your establishment for operations would place your establishment in noncompliance with the following requirements of Article III, Food Safety Rules and Regulations:

- Section 337.1: If the Director finds there is imminent danger to the public health the permit shall immediately be suspended...A person whose permit has been suspended shall have the permit reinstated upon completion of the corrective action required by the Director and an inspection verifying such corrections. It shall be unlawful to operate a food facility with a suspended permit.
- Section 330.1 (B): Only persons who comply with all applicable Department Rules and Regulations, State and Federal Laws shall be entitled to receive and retain such a permit.

The ACHD Food Safety Program is requesting your cooperation in avoiding the noncompliant reopening activity listed above upon receipt of this letter. Please be advised that if you do not comply, the ACHD Food Safety Program may conduct an on-site investigation of your business and take further action, which may include civil penalties and permit revocation.

Thank you for your attention to this matter.

If you have any questions, please contact this office at 412-578-8044.

Sincerely,

*Amanda L. Mator*  
Amanda Mator  
Program Operations Manager



DEBRA BOGEM, MD DIRECTOR  
ALLEGHENY COUNTY HEALTH DEPARTMENT  
FOOD SAFETY PROGRAM  
2001 PENN AVENUE • BUILDING 1 • PITTSBURGH, PA 15224-1318  
PHONE: 412.578.8044 • FAX: 412.578.8190  
WWW.ALLEGHENYCOUNTY.PA.GOV/HEALTHDEPARTMENT



95

67 Comments 56 Shares

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Most Relevant



**Rachael Vermeulen** I want to be there so bad to stand up for them...I wish it wasnt so far away...Ill be there in spirit for support!

3h



**Jan Hall Savko** Amazing how fast good news travels!! Gotta love it.  
Either a mole or smoke signals?!?

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Political Organization



**PA State Rep. Russ Diamond**  
Government Official



**Senator Doug Mastriano**  
Government Official



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Italian Restaurant



**Subtle Beast Podcast**  
Journalist



**Nicole Fuschino WJAC**  
Journalist



**Gumbas**  
Product/Service



**PA State Rep. Valerie Gaydos**  
Government Official



**In The Trenches with Teddy Dani...**  
Podcast



**Atlantic Tackle**  
Fishing Store



**Heather Heidelbaugh for Att...**  
Politician



**WMSS 91.1 FM**  
Radio Station

Recent Post by Page



**E.A.T**

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or

- 1h

**Ryan Shrader** You are doing good things for our businesses in PA. God bless you this weekend.

3h

10
- 3h

**Dara Christian-Pegher** Tell them it's a car show, everything should be okay!!!

3h

17

Most Relevant is selected, so some replies may have been filtered out.

Author

**E.A.T Dara Christian-Pegher** It's an EAT In...protest against Gov's orders...can't break up a protest!!

3h

12

View 5 more replies
- 3h · Edited

**Salim Milas** Open up, 100%!! It's about time we start defying these unreasonable, draconian, needlessly perpetuated, and insidious restrictions from Governor Wolf and his drag-queen sidekick!!

3h · Edited

13
- 3h

**Dave Golowski** More scare tactics to make sure they stay in check with the Dictator Wolf !! So now they threaten them with sending in the sumo wrestler

3h

6
- 1h

**Christine Wartluft** I HAVE ONE OF THOSE... STAY OPEN

1h

2
- 1h

**Kim Marrone** I wish I could be there to support them... OPEN UP STAY OPEN... Wolf and Levine's credibility was tossed out the window months ago!!

1h

1
- 2h

**Terri Waughtel** I'll be peacefully protesting this letter with a forkful of Freedom French Toast in my mouth

2h

5

1 Reply
- 3h

**Racheal Mae** This just goes to prove there are snitches out among us.

3h

3

1 Reply
- 3h · Edited

**Jennifer Kleckner** Everyone park your cars nicely in the parking lot and lift your hoods. GO GET'EM . Wish this wasn't so far from me.

3h · Edited

7
- 3h

**Jessey Cole Kessler** Wish I could be there. Unfortunately have to work, but will be praying over you all!!

3h

1
- 2h

**Ron Price** Just tell them it's a protest

2h

1

have our breakfast packed out on ...  
See More

95 67 Comments 56 Shares

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**E.A.T**  
Today at 9:42 AM

Crack'd Egg has some amazing breakfast specials for Monday Aug 24, 2... See More

70 17 Comments 18 Shares

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5 Replies



Lisa LaBarko Walkowski Its a peaceful breakfast protest!

3h 6



Deborah A. Poust Go getum E.A.T your not afraid of the big bad wolf you have my support 110%

3h 4



Robyn Klose Yocum Unfortunately I can't make it but I did share!

3h 1

1 Reply



Ryan Shrader Make sure you tell the governors goons to get a life and leave the good people alone and let them walk as free people.

3h 5

2 Replies



Patty Kish-Sanderson Brownsville rd.?

1h 2

2 Replies



Judy Hartman Ridiculous! I wonder if we will be on tv?

1h 2

6 Replies



Kimberly Hall Praying

3h 1



Dave Golowski



GIPHY

3h 3



Kim Shade Adornetto This is total bullshit! I hope this establishment sues the hell out of this administration when this is all over!

2h 5

1 Reply



Matthew Foltz For all that come out to breakfast, I have a handful of "Walk As Free People" bracelets and these amazing stickers provided & created by Amber Paxton

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3h

[View 3 more replies](#)



Author

E.A.T Teresa Montecalvo Coppola Twice in a week...how lucky am I?!! It!!

2h

[View 4 more replies](#)

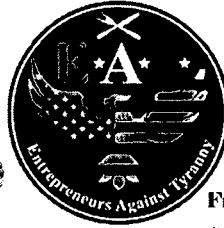
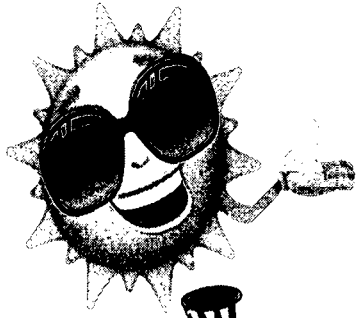
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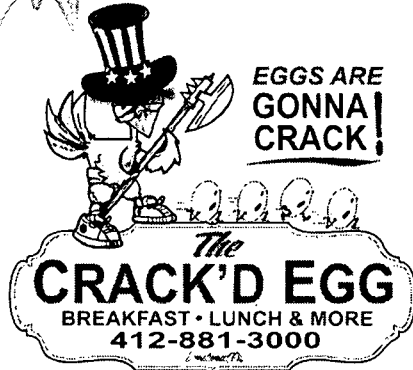
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**E.A.T. & Greet @ the Egg  
Monday August 24th  
The E.A.T. team here @ 10am**



**Freedom French Toast** 3 Pieces of French Bread dipped in a Red Velvet Egg Mixture topped with a Vanilla Cream Sauce and Berries. Served with PA Amish Bacon. 7.99

**Caprese Omelet** This Caprese Omelet is filled with Balsamic Drenched Tomatoes, Spinach & Mozz/ Topped with Basil Pesto. Served with choice of Breakfast Potato and Toast. 8.99

**Taste of Sicily Scramble** 3 Eggs Scrambled with Ham, Pepperoni, Potatoes, Mozz and Parm Cheeses. Served with a Side of The Gumbas Sauce and your choice of Toast. 8.99 (available after 10am)

**E.A.T. Breakfast Croissant** Egg, American Cheese, Turkey Sausage Patty on a Buttery Flaky Croissant. Served with a side of Fresh Cut Freedom Fries. 6.99

*"What nicer thing can you do for somebody than to make them breakfast?"  
Anthony Bourdain*

Like · Reply · 17h



**Karen Bauer**  
Welcome back, hope to see you. Good luck



Like · Reply · 16h



**Chad Ringbloom**  
I really wish I could be there but I'm out of vacation time. We'll be there whenever you guys are open on a weekend



Like · Reply · 17h



**Roberta Loadman**  
Wish we could be there too good luck



Like · Reply · 13h



**Mike Rutkowski**  
You guys opening back up?!



Like · Reply · 18h



Author  
Crack'd Egg



Write a comment...



COUNTY OF



ALLEGHENY

RICH FITZGERALD  
COUNTY EXECUTIVE

August 21, 2020

The Crack'd Egg LLC  
2924 Custer Avenue  
Pittsburgh, PA 15227

RE: Intent to Operate  
Client ID#: 201510290005  
The Crack'd Egg  
4131 Brownsville Road  
Brentwood

Dear Kimberly and Don Waigand,

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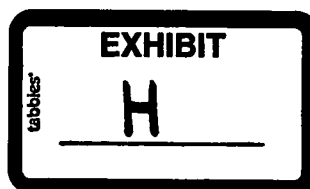
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Sincerely,

Amanda Mator  
Program Operations Manager



DEBRA BOGEN, MD, DIRECTOR  
ALLEGHENY COUNTY HEALTH DEPARTMENT

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3901 PENN AVENUE • BUILDING 1 • PITTSBURGH, PA 15224-1318

PHONE: 412.578.8044 • FAX: 412.578.8190

WWW.ALLEGHENYCOUNTY.US/HEALTHDEPARTMENT





## MEMORANDUM TO FILE

Re: Crack'd Egg 4131 Brownsville Rd Pittsburgh PA 15227 CID: 201510290005

---

RE: Compliance Check Crack'd Egg Brentwood

This office received information that the subject facility plans to reopen today Monday 8/24/2020.

I contacted EHSII Patrick Kapfhammer and together, we drove by this facility several times between 10:36 AM and 11:05 AM.

The Red, "CLOSED" Acd placard was intact on the front door.

The facility found open and operating.

There were several customers eating.

One female server taking orders- No mask or other face covering.

One male employee serving food – No mask or other face covering.

One greeter by the front door- No mask or other face covering.

Two female customers standing at the patio- No mask or other face covering.

As a reminder, this facility was ordered closed on 8/11/2020 for failure to operate under the current mask/ facial covering guidelines.

Costis Angel  
E.H. Supervisor

Pictures attached – also uploaded on the enforcement folder.













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Completed By: **C. Angel**

Date: **8/24/2020**



## MEMORANDUM TO FILE

Re: Crack'd Egg 4131 Brownsville Rd Pittsburgh PA 15227 CID: 201510290005

---

RE: Compliance Check Crack'd Egg Brentwood

### **Compliance Check Tuesday August 25, 2020**

I drove by this facility several times between 7:51 AM and 7:57 AM.

The Red, "CLOSED" Acd placard was intact on the front door.

The facility found open and operating.

There was at least one customer eating at the front counter.

One female server - No mask or other face covering.

One male employee – No mask or other face covering

As a reminder, this facility was ordered closed on 8/11/2020 for failure to operate under the current mask/ facial covering guidelines.

Costis Angel  
E.H. Supervisor

Pictures attached – also uploaded on the enforcement folder.

cricket LTE

7:58 AM

61%



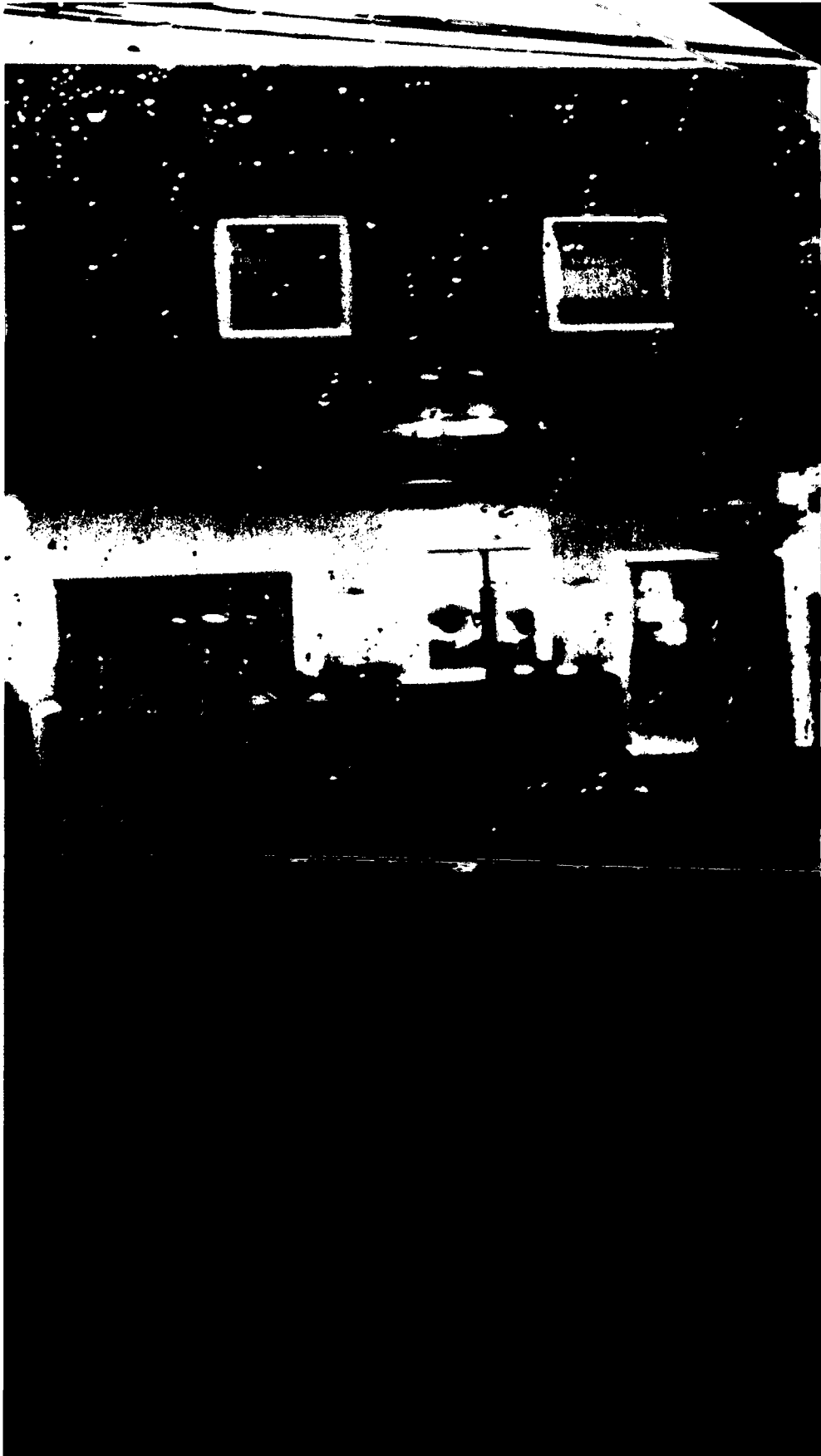
Today  
7:57 AM

All Photos



Edit





cricket

7:53 AM

61%



Today  
7:51 AM

All Photos



Edit



---

Completed By: **C. Angel**

Date: **8/25/2020**



## **MEMORANDUM TO FILE**

Re: Crack'd Egg 4131 Brownsville Rd Pittsburgh PA 15227 CID: 201510290005

---

RE: Compliance Check Crack'd Egg Brentwood

### **Compliance Check Wednesday, August 26, 2020**

I drove by this facility several times between 1:10 PM AM and 2:20 PM

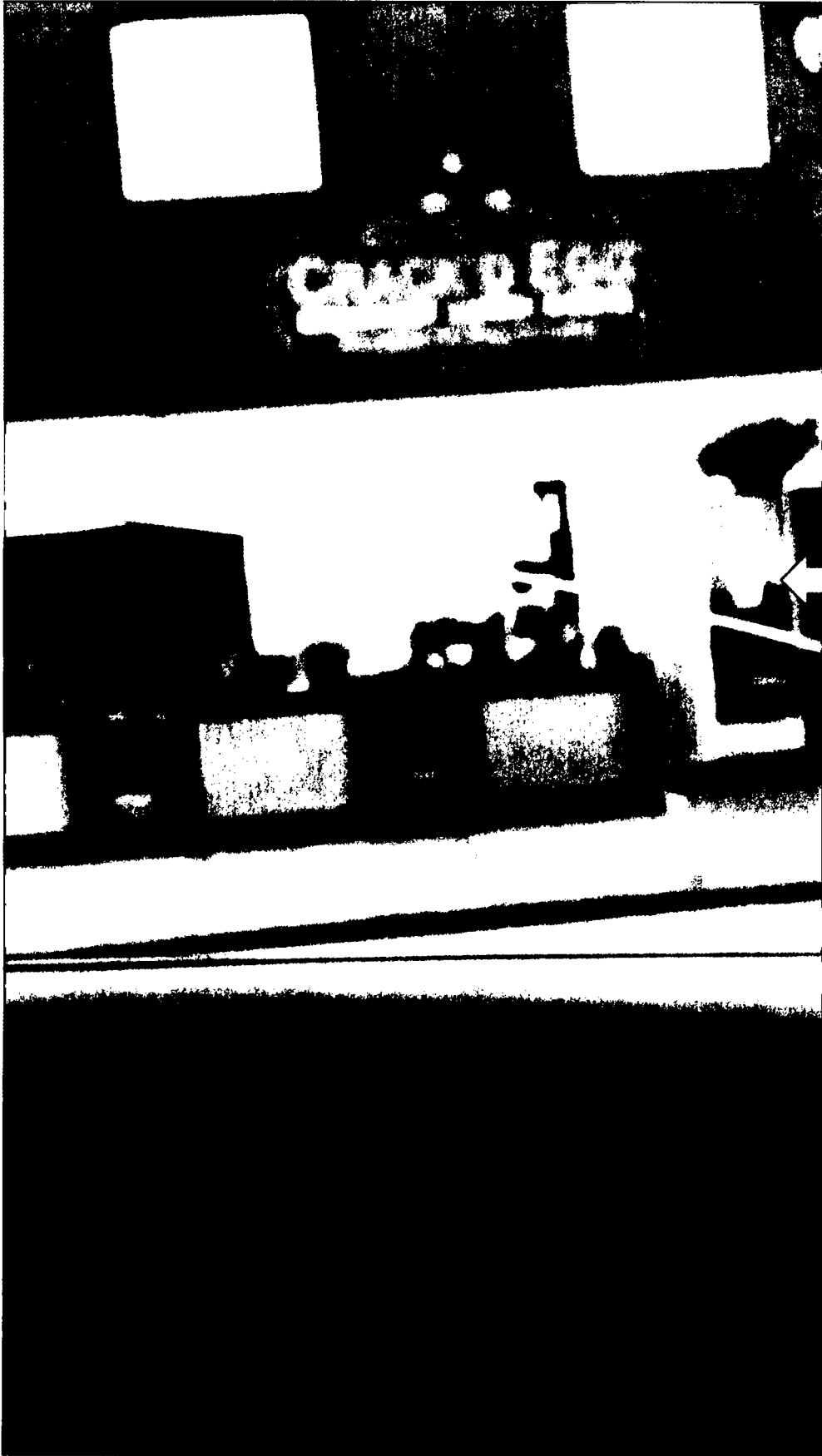
The Red, "CLOSED" Achd placard was concealed- took picture(s).

The facility was open and operating.

There were three customers seating and eating outside.

As a reminder, this facility was ordered closed on 8/11/2020 for failure to operate under the current mask/ facial covering guidelines.



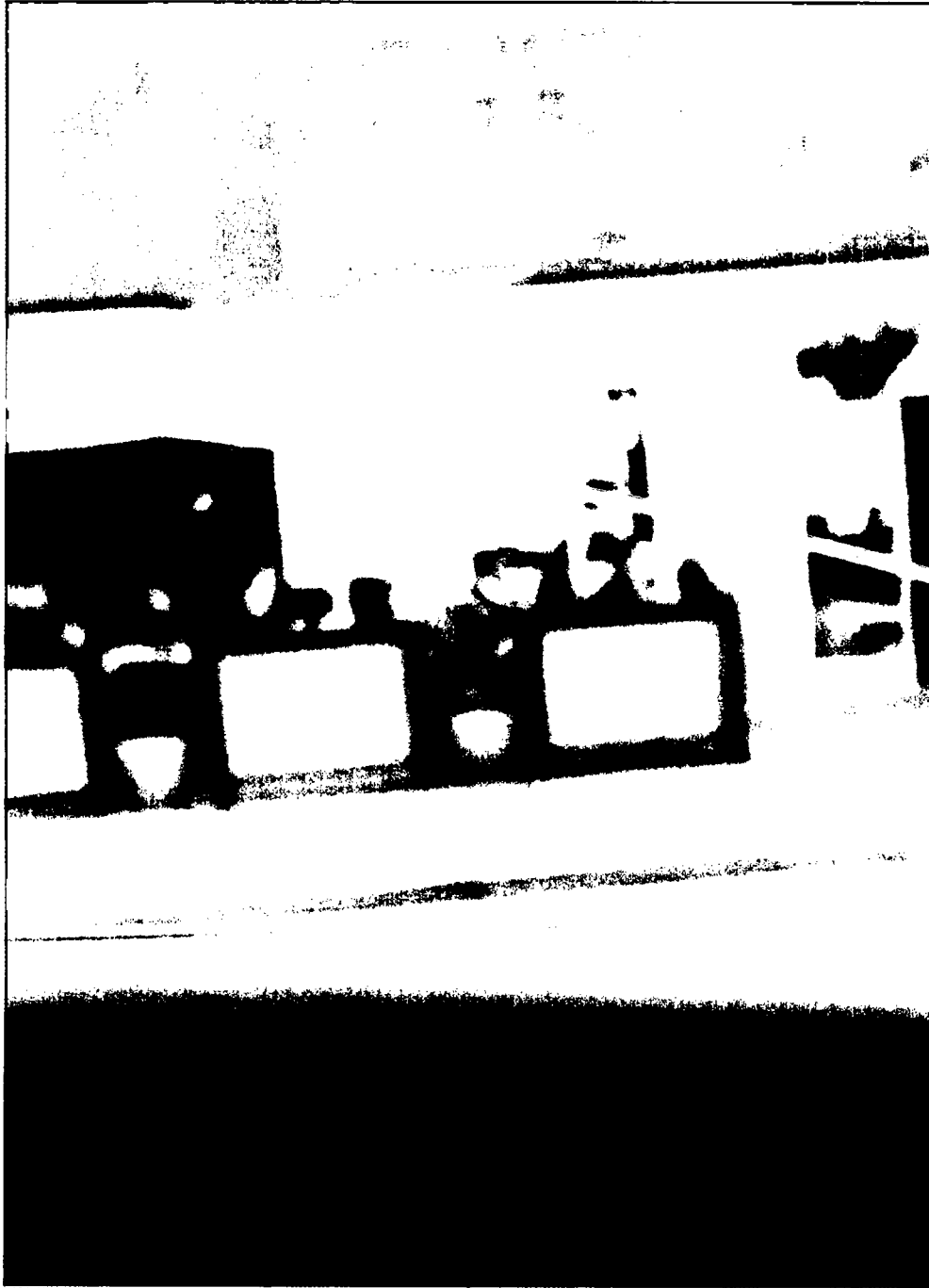


Placard  
concealed  
with a sign



Today  
1:13 PM

All Photos



Edit



---

Costis Angel  
E.H. Supervisor

Pictures attached – also uploaded on the enforcement folder.

Completed By: **C. Angel**

Date: **8/26/2020**



## **MEMORANDUM TO FILE**

Re: Crack'd Egg 4131 Brownsville Rd Pittsburgh PA 15227 CID: 201510290005

---

RE: Compliance Check Crack'd Egg, Brentwood

### **Compliance Check Wednesday, August 27, 2020**

I drove by this facility twice between 8:00 AM and 8:05 AM.

The Red, "CLOSED" Acd placard was concealed- took picture(s).

The facility was open and operating.

There was one customer seating and eating outside.

---

As a reminder, this facility was ordered closed on 8/11/2020 for failure to operate under the current mask/  
facial covering guidelines.



Today  
7:58 AM

All Photos



Placard  
Concealed  
8/27/2020

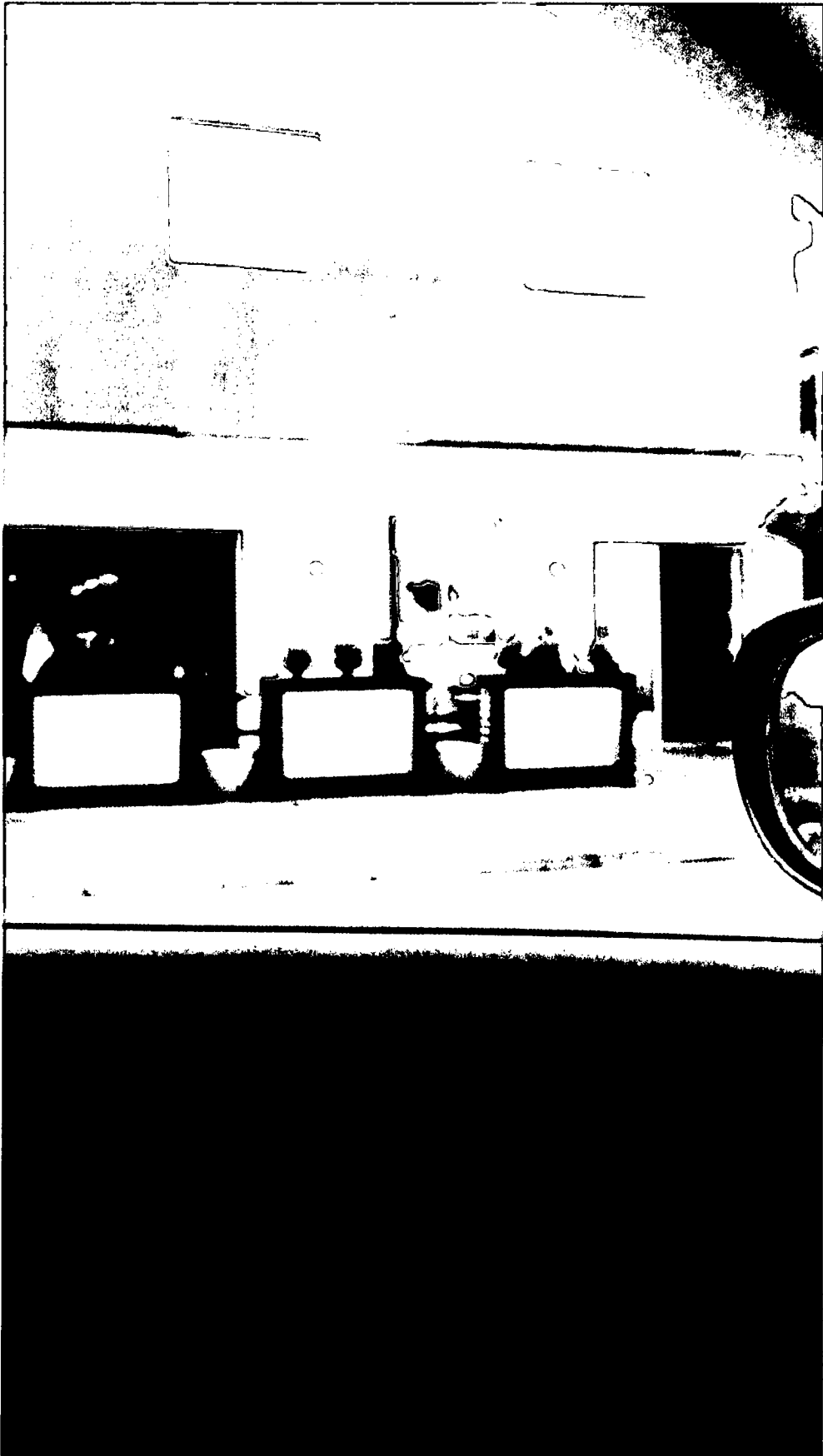


Edit



• • •







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Costis Angel  
E.H. Supervisor

Pictures attached – also uploaded on the enforcement folder.

Completed By: **C. Angel**

Date: **3/27/2020**

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## **MEMORANDUM TO FILE**

Re: Crack'd Egg 4131 Brownsville Rd Pittsburgh PA 15227 CID: 201510290005

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RE: Compliance Check Crack'd Egg Brentwood

### **Compliance Check Wednesday, August 28, 2020**

I drove by this facility at 8:00 AM

The Red, "CLOSED" Achd placard was still concealed- took picture(s).

The facility was open and operating.

There were two customers eating outside.

As a reminder, this facility was ordered closed on 8/11/2020 for failure to operate under the current mask/ facial covering guidelines.

Costis Angel  
E.H. Supervisor

Pictures attached – also uploaded on the enforcement folder.

Completed By: C. Angel

Date: 8/28/2020

cricket LTE

8:02 AM

88%



Today  
8:01 AM

All Photos



Placard  
concealed  
with a sign



Edit



---

Completed By: **C. Angel**

Date: **8/28/2020**



## MEMORANDUM TO FILE

Re: Crack'd Egg 4131 Brownsville Rd Pittsburgh PA 15227 CID: 201510290005

---

RE: Compliance Check Crack'd Egg Brentwood

### **Compliance Check Tuesday August 31, 2020**

I drove by this facility at 8:05 AM.

The Original red, "CLOSED" Achn placard was missing.

The second "CLOSED" placard posted by the local supervisor on the front door on 8/28/2020 had also been removed.

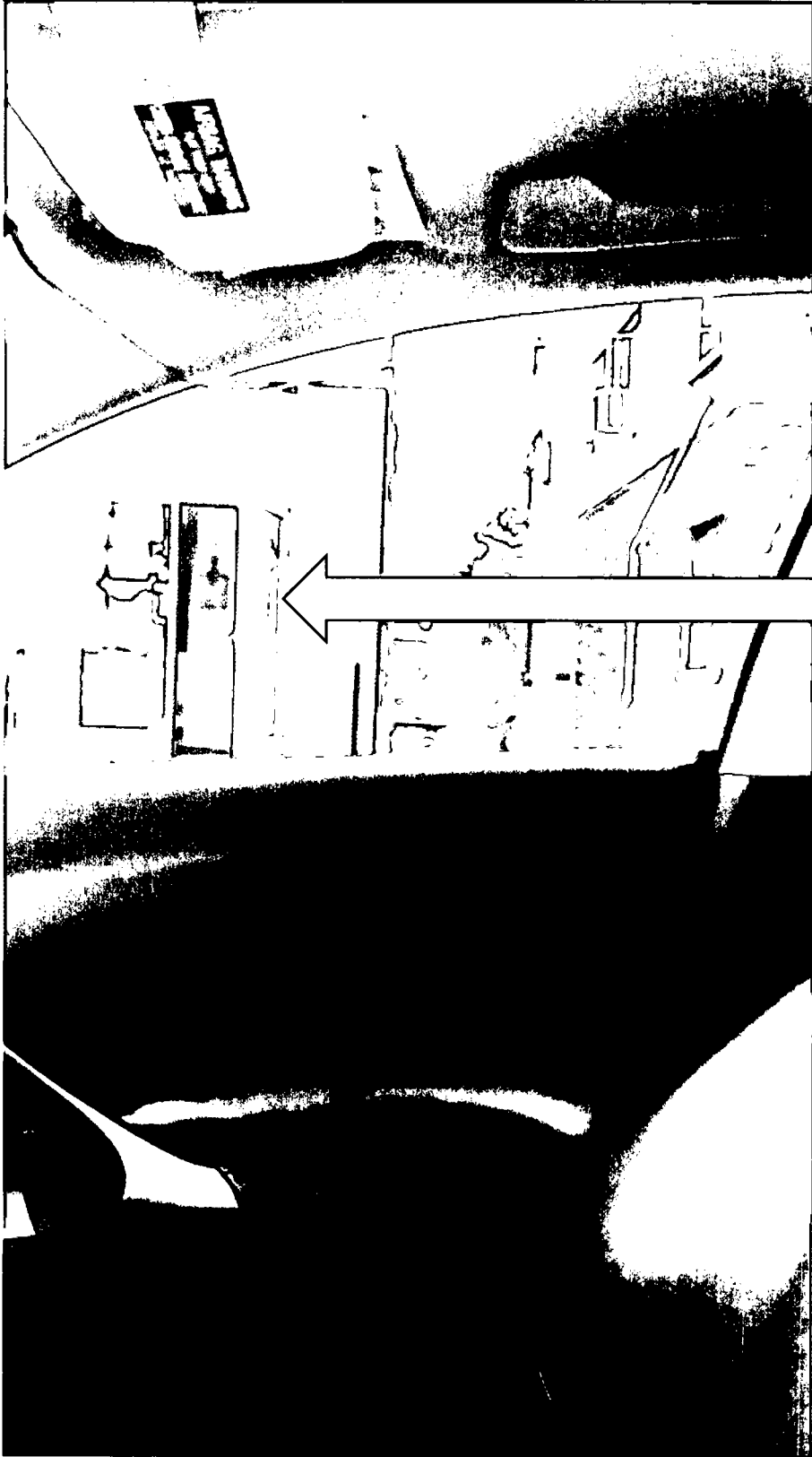
The facility found open, however there were no customers sitting outside (61F - Cloudy).

One male server - No mask or other face covering.

As a reminder, this facility was ordered closed on 8/11/2020 for failure to operate under the current mask/facial covering guidelines.

Costis Angel  
E.H. Supervisor

Pictures attached –



2<sup>nd</sup>  
Placard  
removed

cricket

8:07 AM

54%



Today  
8:06 AM

All Photos



Edit





---

Completed By: **C. Angel**

Date: **8/31/2020**



## MEMORANDUM TO FILE

Re: Crack'd Egg 4131 Brownsville Rd Pittsburgh PA 15227 CID: 201510290005

---

RE: Compliance Check Crack'd Egg Brentwood 9/1/2020

I drove by this facility at 8:10 AM  
The facility was open and operating.  
There was No "CLOSED" Acdh placard at the door.  
Picture attached.



---

Completed By: **C. Angel**

Date: **09/01/2020**



# MEMORANDUM TO FILE

Re: Crack'd Egg 4131 Brownsville Rd Pittsburgh PA 15227 CID: 201510290005

RE: Compliance Check Crack'd Egg Brentwood 9/2/2020

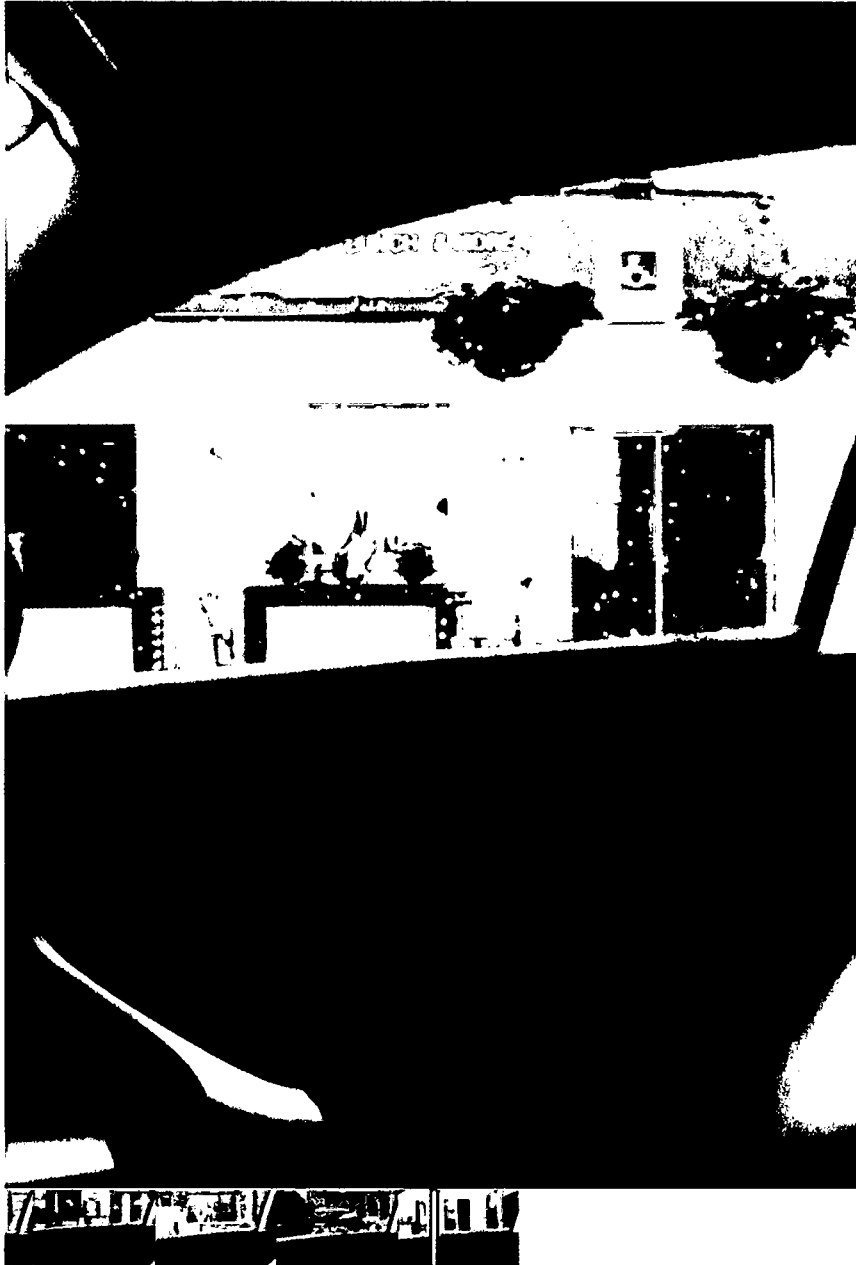
I drove by this facility at 8:05 AM  
The facility was open and operating.  
There was No "CLOSED" Achd placard at the door.  
Picture attached.





Today  
8:06 AM

All Photos



Edit



---



## MEMORANDUM TO FILE

Re: Crack'd Egg 4131 Brownsville Rd Pittsburgh PA 15227 CID: 201510290005

---

RE: Compliance Check Crack'd Egg Brentwood 9/3/2020

I drove by this facility at 8:25 AM  
The facility was open and operating.  
Observed 3- 4 customers without masks sitting at the front counter.  
There was No "CLOSED" Achd placard at the door.  
Picture attached.



Today  
8:26 AM

All Photos



Edit





---

cricket

8:28 AM

93%



Today  
8:26 AM

All Photos



Edit



cricket

8:28 AM

93%



Today  
8:26 AM

All Photos



Edit



---

Completed By: **C. Angel**

Date: **09/03/2020**



## MEMORANDUM TO FILE

Re: Crack'd Egg 4131 Brownsville Rd Pittsburgh PA 15227 CID: 201510290005

---

RE: Compliance Check Crack'd Egg Brentwood 9/4/2020

I drove by this facility at 8:10 AM

The facility was open and operating.

Observed a recent bread delivery still sitting on a table by the left garage door.

There was No "CLOSED" Acd placard at the door.

Picture attached.

cricket

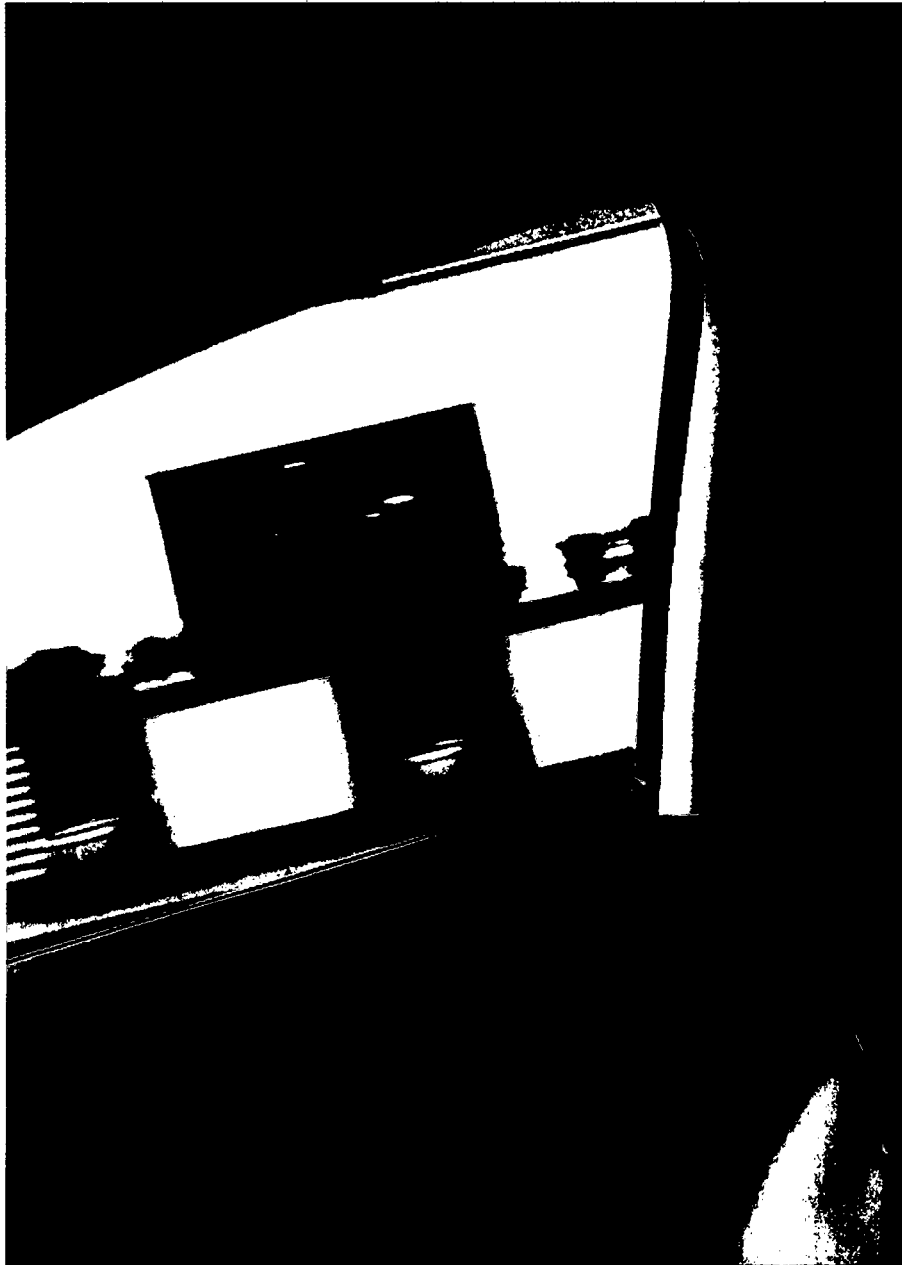
8:08 AM

70%



Today  
8:07 AM

All Photos



Edit



cricket

8:08 AM

70%



Today  
8:07 AM

All Photos



Edit



---

Completed By: **C. Angel**

Date: **09/04/2020**





## MEMORANDUM TO FILE

Re: Crack'd Egg 4131 Brownsville Rd Pittsburgh PA 15227 CID: 201510290005

---

RE: Compliance Check Crack'd Egg Brentwood 9/10/2020

I drove by this facility at 8:10 AM  
The facility was open and operating.

There was No "CLOSED" Achd placard at the door.  
Picture attached.



Today  
8:08 AM

All Photos



Edit





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Recent social Media posts indicate that the person(s) responsible for this food facility intend to continue to operate indefinitely.

Completed By: **C. Angel**

Date: **09/10/2020**



Facebook video player showing a woman with glasses speaking. The video title is "Crack'd Egg A.W. Live" and it has 4K views. Comments include:

- Lynn Schallerberger · 2:35  
Awesome...so totaly enjoyed my breakfast there last week. Keep on fighting...This harrasment has to stop...
- Serla Grace · 0:57  
Autumn and I will be stopping in

View 37 more comments

Facebook video player showing two men smiling. The video title is "Crack'd Egg" and it has 25 likes. The description reads: "FREEDOM French Toast today at the Egg open Monday thru Saturday 7am-2pm".

Up Next:

- Why Dakota Johnson shutting down Ellen... Juntree
- Nick Jonas And Priyanka Chopra... MTV UK
- Salma Hayek Hit A Shameful Secret from... GEEKS
- The Woman Who Broke Keanu Reeves... 100 A

# Supreme Court of Pennsylvania

Court of Common Pleas  
Civil Cover Sheet

Allegheny

County

For Prothonotary Use Only:

Docket No:

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A

**Commencement of Action:**

- Complaint     
  Writ of Summons     
  Petition  
 Transfer from Another Jurisdiction     
  Declaration of Taking

Lead Plaintiff's Name:

County of Allegheny

Lead Defendant's Name:

The Cracked Egg, LLC

Are money damages requested?  Yes     No

Dollar Amount Requested:  within arbitration limits  
 outside arbitration limits (check one)

Is this a *Class Action Suit*?     Yes     No

Is this an *MDJ Appeal*?     Yes     No

Name of Plaintiff/Appellant's Attorney: Vijayalakshmi Patel, Esq.

Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

SECTION B

**Nature of the Case:** Place an "X" to the left of the ONE case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

**TORT (do not include Mass Tort)**

- Intentional  
 Malicious Prosecution  
 Motor Vehicle  
 Nuisance  
 Premises Liability  
 Product Liability (does not include mass tort)  
 Slander/Libel/ Defamation  
 Other: \_\_\_\_\_

**CONTRACT (do not include Judgments)**

- Buyer Plaintiff  
 Debt Collection: Credit Card  
 Debt Collection: Other  
 \_\_\_\_\_  
 Employment Dispute: Discrimination  
 Employment Dispute: Other  
 \_\_\_\_\_  
 Other: \_\_\_\_\_

**CIVIL APPEALS**

- Administrative Agencies  
 Board of Assessment  
 Board of Elections  
 Dept. of Transportation  
 Statutory Appeal: Other  
 \_\_\_\_\_  
 Zoning Board  
 Other: \_\_\_\_\_

**MASS TORT**

- Asbestos  
 Tobacco  
 Toxic Tort - DES  
 Toxic Tort - Implant  
 Toxic Waste  
 Other: \_\_\_\_\_

**REAL PROPERTY**

- Ejectment  
 Eminent Domain/Condemnation  
 Ground Rent  
 Landlord/Tenant Dispute  
 Mortgage Foreclosure: Residential  
 Mortgage Foreclosure: Commercial  
 Partition  
 Quiet Title  
 Other: \_\_\_\_\_

**MISCELLANEOUS**

- Common Law/Statutory Arbitration  
 Declaratory Judgment  
 Mandamus  
 Non-Domestic Relations  
 Restraining Order  
 Quo Warranto  
 Replevin  
 Other: Equity

**PROFESSIONAL LIABILITY**

- Dental  
 Legal  
 Medical  
 Other Professional: \_\_\_\_\_

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Allegheny county  
Signature: Vijyalakshmi Patel  
Name: Vijyalakshmi Patel  
Attorney No. (if applicable): 319945