Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 11/25/25

License #/Type: 4168 Beverage Dispensary

Licensee: CNR Enterprise, LLC

Address: 275 Bentley Trust Rd., Fairbanks, AK

DBA: Food Factory

AMCO Case #: 25-1774

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On 11-13-25, an inspection was conducted at your establishment. On-duty supervisor Brittany L. White was asked to provide proof of current server education. Ms. White provided TAP card #307638 which had expired 8-16-24. She was told to stop serving alcoholic beverages until she provided an Alcoholic Beverage Control Board representative proof of current server education. Several 16-17 year olds were identified as being employed. The establishment could not provide any Department of Labor (DOL) work permits and were instructed the 16-17 year olds could not work until they provided valid permits. Inv. Hamilton contacted the DOL and was informed that your establishment does not have any work permits on file with them. As of 11-25-25, no permits have been provided to AMCO.

Your attention is directed to AS 04.21.025: Alcohol server education, AS 04.16.049: Access of persons under the age of 21 to licensed premises, AS 04.16.052: Furnishing of alcoholic beverages to persons under the age of 21 by licensee and AS 04.16.150: Licensee responsible for violations.

Prior disciplinary history within the past 5 years:

None

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS MAY RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: F.R. HAMILTON

SIGNATURE:

Delivered VIA: Mail

Date:

updated 04/07/2025

Tracking #: 7021 0950 0001 6766 5034

From: Weimer, Becky E (DOL)
To: Hamilton, Joe (CED)
Subject: RE: Check
Date: Friday, November 14, 2025 7:51:41 AM

Currently we do not have any work permits on file for Food Factory.

Respectfully,

Becky Weimer
Investigator 3
Wage and Hour, Juneau Regional Office

-----Original Message-----
From: Hamilton, Joe (CED) <joe.hamilton@alaska.gov>
Sent: Thursday, November 13, 2025 4:49 PM
To: Weimer, Becky E (DOL) <becky.weimer@alaska.gov>
Subject: Check

Becky, could you check to see if [redacted] date of birth one 1-25-09 and [redacted] 5-27-08 and [redacted] 11 -25-07 have current work permits for the food factory in Fairbanks Told them that can't work until I get proof of signed permit. I don't think they have them.

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West Seventh Avenue, Suite 1600
Anchorage, Alaska 99501
Main: 907.269.0350

Transmitted via email

November 28, 2025

CNR Enterprise, LLC
d/b/a Food Factory
275 Bentley Trust Road
Fairbanks, AK 99701

Re: Director's Order for Production of License #4168

To the Representative(s) of Food Factory:

Pursuant to AS 04.06.080, AS 04.06.090(a), 3 AAC 304.455, 3 AAC 304.505, and 3 AAC 304.515(b), you are directed to produce electronically or by hard copy the following business records from November 13, 2023, to November 13, 2025:

1. All I-9's (social security numbers and addresses redacted) of employees aged 15-years old to 17-years old working at the above-referenced address.
2. A copy of all work permits (social security numbers and address redacted) issued by the Department of Labor & Workforce Development for each of the identified employees signed or unsigned.
3. Work schedules for the 15- to 17-year-olds for the above period. Please list the days worked.
4. Actual start date of work, and end date of work.

You are directed to produce these records by December 12, 2025. Please direct your responses or any questions you may have to AMCO.ENFORCEMENT@ALASKA.GOV.

Respectfully,

Kevin Richard
AMCO Director

Cc: Joe Bankowski
Enforcement Supervisor

From: Cheryl Brendel <foodfactoryfairbanks@yahoo.com>
Sent: Friday, November 28, 2025 10:28 AM
To: Hamilton, Joe (CED) <joe.hamilton@alaska.gov>
Cc: rjbrendel@gci.net; Bankowski, Joe (CED) <joe.bankowski@alaska.gov>; Richard, Kevin L (CED) <kevin.richard@alaska.gov>; CED AMCO Enforcement (CED sponsored) <amco.enforcement@alaska.gov>
Subject: Re: Production Letter (Food Factory) Signed.pdf

You don't often get email from foodfactoryfairbanks@yahoo.com. Learn why this is important

> **CAUTION:** This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr Director,
This is to acknowledge the receipt of Directors order of Production and to ask for clarification on item 2 and 3.
Re item 2, we currently have 3 employees that are under 18 and have current work permits on them. All other employees working between 11/13/23 and 11/13/25 have been terminated and the work permits shredded.
Re item 3. We do not keep employee schedules. We do keep employee payroll records as required by law. The only way to show worked dates is a time sheet report that would have to be run on a weekly report by individual. So if someone worked 20 weeks that would be 20 sheets. Is this acceptable?
I look forward to your response.

Respectfully
Russ Brendel
Owner
Food Factory
Sent from my iPhone

From: Cheryl Brendel <foodfactoryfairbanks@yahoo.com>
Sent: Friday, December 19, 2025 1:16 PM
To: CED AMCO Enforcement (CED sponsored) <amco.enforcement@alaska.gov>
Cc: rpbrendel@gmail.com
Subject: Response to NOV for license 4168

[You don't often get email from foodfactoryfairbanks@yahoo.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We have reviewed the Notice of Violation and will be taking the following steps to ensure these infractions do not occur again.
1. We have developed a spread sheet to track TAPs card expiration dates. This will be updated with each new hire and will be reviewed by Management monthly and a reminder letter given to each server a minimum of 30 days before expiration dates.
Copies of documents follows.

2. To ensure that no minors are hired without proper authorization from AKDOL we have instituted a checklist that must be completed by the hiring manager and signed off by the General Manager before they can be put on the schedule. We will print off a new work permit from the DOL website for each applicant. We also will be emailing the forms to statewide.wagehour@alaska.gov to provide a chain of custody. Form is below.

I am sure these measures will provide the need guidance to those involved in the hiring process and ensure that CNR enterprises dba Food Factory adheres to all AMCO policies.

Sincerely,
Russ Brendel
Owner
Food Factory
9077508018

Dear Food Factory Server,

Our records indicate that your TAPS card will be reaching its expiration date 30 days from now. Please visit www.alaskacharr.com to schedule a renewal. Failure to obtain valid TAPS certification before expiration will result in the removal from the schedule until rectified. Thank you for your attention to this matter.

Sincerely,

Management.

Employee Name	Date Hired	Date TAPS Exp.
Kayelayn Brendel	9/6/2019	2/1/2026
Russell Brendel	5/25/2010	2/1/2026
Gretchen Fica	5/25/2010	2/8/2026
Deidra Smith	7/20/2023	8/9/2026
Frances Klapka	6/5/2025	10/27/2026
Dalton Macar	3/1/2023	3/20/2027
Deirdre Osborn	1/1/2024	4/5/2027
Courtney Vanvliet	6/6/2024	9/4/2027
Mariah Frick	8/5/2025	9/4/2027
Heather Egan	5/21/2021	8/8/2028
Jocelyn Long	7/1/2015	11/5/2028
Brittany White	8/22/2020	11/16/2028

Work Permit On File

Employee _____

Hire Date _____

Date Permit Signed By Parent _____

Date Permit Emailed to statewide.wagehour@alaska.gov _____

(Attach Copy of Completed Email)

Date Permit Returned By DOLWD _____

Actual Start Date _____

(Start date cannot be before work permit returned date)

Proof of age MUST be kept with this document.

Manager Signature Date

Notice of Violation

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Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: F.R. HAMILTON

SIGNATURE:

Delivered VIA: Mail

Date:

updated 04/07/2025

Tracking #: 7021 0950 0001 6766 5034

From: Cheryl Brendel <foodfactoryfairbanks@yahoo.com>
Sent: Tuesday, January 13, 2026 2:53 PM
To: CED AMCO Enforcement (CED sponsored) <amco.enforcement@alaska.gov>
Subject: Fwd: Response to NOV 12/3025 for License 4168 correction

You don't often get email from foodfactoryfairbanks@yahoo.com. Learn why this is important

> **CAUTION:** This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sent from my iPhone

Begin forwarded message:
From: Cheryl Brendel <foodfactoryfairbanks@yahoo.com>
Date: January 13, 2026 at 4:29:26 PM MST
To: amco.enforcement@alaska.gov
Cc: rpbrendel@gmail.com
Subject: Response to NOV 12/3025 for License 4168

Sirs,
Since this is the second NOV regarding failure to maintain approved child work permits my corrective action remains the same as for the first notice.

3:12

Response to NOV for...

2. To ensure that no minors are hired without proper authorization from AKDOL we have instituted a checklist that must be completed by the hiring manager and signed off by the General Manager before they can be put on the schedule. We will print off a new work permit from the DOL website for each applicant. We also will be emailing the forms to statewide.wagehour@alaska.gov to provide a chain of custody. Form is below.

work permit on file.docx
15 KB

I am sure these measures will provide the need guidance to those involved in the hiring process and ensure that CNR enterprises dba Food Factory adheres to all AMCO policies.

Sincerely,
Russ Brendel

Having never had a NOV while we owned this license I think it important to analyze why someone who has been involved directly with Food Factory's hiring since 1995 stopped what she had been doing. What happened to cause a long term administrative person to suddenly cease to follow the rules.
We have always faxed the form to 9074512885. It is programmed into our printer each time we replaced it. We last replaced it May of this year so unfortunately our records only go back so far, but Imam sure if you requested an inbound fax record from the phone number above it would show many faxes from 9074565159 which would be us faxing work permits

in. Around Jan 2024, new legislature was approved that created new licenses, required resubmitting applications for existing restaurant eating designation etc. needless to say there was much confusion and little documentation of the changes as evidenced by AMCO investigators having to call to inform restaurants holding a BDL that they had to resubmit an application and where to find the directions and forms.
At this point we stopped getting return faxes with approvals on child work permits and as time passed with the same result she assumed the specific restaurant eating place license allowed us to hire minors over 16 with parents approval.
Below is our fax log showing 3 accepted faxes from July to present. There are a total of 6 fax pages that were sent and received by Dept and Wage and hour yet we got no response. These would correspond to the initial fax upon hiring and then the same 3 pages were resent after Investigator Hamilton email saying DOL had no record. To finally get these 3 minors able to work we had to, email them and got the approvals back by email.

To date no notice has been given that faxing is not an option. The revised form in April of 25 removes fax numbers from the rear but keeps fax option on front instructions.
To add to this confusion I am attaching a statement from my General Manager regarding a conversation he had with an investigator from DOL below. Shredding might explain when forms were never returned by wage and hour.

Lastly the letter from the Director to me directing that I supply information to Investigator Hamilton request a federal I 9 form for purposes of auditing that start date with the child work permit.
State officials are not allowed to request Federal forms for auditing purposes. Also employees works schedules were requested under the required to keep records statutes but there is nowhere that says work schedules must be retained. Just wages and hours.

Thank you for your consideration of this matter.

Russ Brendel
Owner
Food Factory
Sent from my iPad

Labor Standards And Safety Division

Protecting Alaska's Workforce

Tanya Keith

Director, Labor Standards and Safety

The mission of Labor Standards and Safety is to ensure safe and legal working conditions. This mission is accomplished through occupational safety and health law enforcement, training, and consultation; electrical and mechanical code compliance inspection and training certification; and wage and child labor law enforcement and training.

Programs

Alaska Occupational Safety and Health aims to protect Alaska workers from industrial accidents and job-related illness through the enforcement of state and federal standards, and by training employers and employees to follow safe and healthful work practices. The section also administers certification programs for asbestos abatement, hazardous painting, and explosives handlers to assure this work is done safely.

Mechanical Inspection provides protection through inspection and certification of amusement rides, boiler and pressure vessels, and elevators. The section also inspects electrical and plumbing installations and issues certificates of fitness to persons performing electrical and plumbing work to ensure the competency of persons performing such work. The section is also the central DOL&WD agency responsible for contractor registration enforcement in Alaska.

Wage & Hour enforces and administers Alaska labor laws to ensure that workers are justly compensated for their labors and safeguarded from unfair or unscrupulous practices. This includes enforcement of minimum wages and overtime regulations, child labor laws, "right to return" transportation, public contract laws.

Alaska Occupational Safety and Health Offices:

	Juneau	Anchorage	Fairbanks
Phone:	(907) 465-6004	(907) 269-4940	(907) 451-2888
Fax:	(907) 465-3584	(907) 269-4950	(907) 451-2885
Email:		anchorage.lss-osh@alaska.gov	

Mechanical Inspection Section Offices:

	Anchorage
Phone:	(907) 269-4925
Fax:	(907) 269-4932
Email:	mi@alaska.gov

Wage and Hour Offices:

	Juneau	Anchorage	Fairbanks
Phone:	((907) 269-4900	(907) 269-4900	(907) 269-4900
Fax:	(907) 465-3584	(907) 269-4915	(907) 451-2885
Email:		statewide.wagehour@alaska.gov	

To Contact the Director's Office:

Phone: (907) 269-4954
Fax: (907) 269-4932

1251 Muldoon Road, Suite 113
Anchorage, AK 99504

Page last updated: November 24, 2025

STATE OF ALASKA LINKS