



**OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS**  
*Hearings Division*

**DECISION**

|                                                                                                                                      |                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Michael Nacmias, Esq. - Nacmias Law Firm Attn: Nora Brown</b><br><b>592 Pacific Street 1st Floor</b><br><b>Brooklyn, NY 11217</b> | <b>Summons No: 000895301L et al. (1 Summons)</b><br><br><b>DEPT OF ENVIRONMENTAL PROTECTION,</b><br><br><b>-against-</b><br><br><b>BAGEL BITES USA INC</b><br><br><b>Hearing Date: 10/22/2025</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By Telephone</b> |
|--------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                              |
|----------------------------------------------|
| <b>Total Penalty Amount: \$600.00</b>        |
| <b>Community Service(Hr): Not Applicable</b> |

| <b>SUMMONS #</b> | <b>SUMMARY DISPOSITION</b> | <b>DATE OF OCCURRENCE</b> | <b>PLACE OF OCCURRENCE</b>  |
|------------------|----------------------------|---------------------------|-----------------------------|
| 000895301L       | Sustained                  | 05/03/2024                | 10 WEST 46 STREET Manhattan |

| <b>LINE<br/>ITEM</b> | <b>OATH<br/>CODE</b> | <b>CODE<br/>SECTION/RULE</b> | <b>RESULT</b> | <b>PENALTY</b> |
|----------------------|----------------------|------------------------------|---------------|----------------|
| 1                    | BA1F                 | 24 -163                      | Sustained     | \$600.00       |

**Findings of Fact & Conclusions of Law**

Respondent, Bagel Bites USA, Inc., appeared by Nora Brown, authorized representative. Petitioner, Department of Environmental Protection, did not appear.

This summons alleges a third and subsequent offense of NYC Administrative Code 24-163.

Respondent's representative denied the violation without rebuttal. She stated Respondent is not challenging the priors.

The summons is sustained. The third and subsequent offense penalty is \$600.

*Sarah Axtell*

10/23/2025

10/23/2025

Sarah Axtell, Judicial Hearing Officer

Date