Food establishments—Basis for enforcement action. (1) The department may issue a notice of correction for:
   (a) Food establishments that score less than ninety points on an inspection; or
   (b) Critical violations found during an inspection of a food establishment.
   (2) The department may review and consider initiating enforcement action, such as license suspension, civil penalties, and/or other penalties provided in chapters 16.49, 69.07, 69.10, or 15.130 RCW when:
      (a) Food establishments score less than ninety points on two separate inspections within a consecutive three-year period; or
      (b) Food establishments fail to correct critical violations during an inspection.
   (3) Nothing herein shall prevent the department from:
       (a) Choosing not to pursue a case administratively.
       (b) Issuing a notice of correction in lieu of pursuing administrative action.
       (c) Negotiating settlement(s) of cases on such terms and for such reasons as it deems appropriate.