

**IN THE MATTER OF THE PUBLIC HEALTH ACT – ALBERTA**  
**ORDER OF AN EXECUTIVE OFFICER**

**To:** Linda Anderson  
Box 41  
Water Valley, Alberta T2E 2E0  
(the “**Owner**”)

**Re:** The Packaged Ice Facility located in Water Valley, Alberta and municipally described as:

Linda's Ice  
NE-29-29-5-W5M

WHEREAS I, an **Executive Officer** of the **Calgary Health Region**, have inspected the above noted Packaged Ice Facility pursuant to the provisions of the **Public Health Act**, RSA 2000, c. P-37, as amended;

AND WHEREAS such inspection disclosed that the following conditions exist in and about the above noted packaged ice facility which are or may become injurious or dangerous to the public health or which might hinder the prevention or suppression of disease, namely:

- a. The ice samples submitted on May 30, 2008 and June 4, 2008 were of unacceptable microbiological quality, namely, the presence of *Pseudomonas aeruginosa*.
- b. The ice samples submitted on May 30, 2008 and June 4, 2008 were of unacceptable microbiological quality, namely, heterotrophic plate count results of 410 CFU/mL and 540 CFU/mL respectively.
- c. The source supply of drinking water for the packaged ice facility is not installed with a backflow prevention device at the site of water connection for RV trailers.
- d. The packaged ice facility does not have any sinks installed in the ice packaging room for handwashing, and equipment and utensil washing.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act Food Regulation, Alberta Regulation 31/2006 and the Food Retail and Foodservices Code exist in and about the above noted food establishment, namely:

- a. The ice samples submitted on May 30, 2008 and June 4, 2008 were of unacceptable microbiological quality, namely, the presence of *Pseudomonas aeruginosa*. This is in contravention to Section 23(1) of the Regulation which states:

23(1) *All food used or to be used in a commercial food establishment must be*  
(a) *protected from contamination, and*  
(b) *handled in a sanitary manner.*

- b. The ice samples submitted on May 30, 2008 and June 4, 2008 were of unacceptable microbiological quality, namely, heterotrophic plate count results of 410 CFU/mL and 540 CFU/mL respectively. This is in contravention to Section 23(1) of the Regulation which states:

*23(1) All food used or to be used in a commercial food establishment must be*  
*(a) protected from contamination, and*  
*(b) handled in a sanitary manner.*

- c. The source supply of drinking water for the packaged ice facility is not installed with a backflow prevention device at the site of water connection for RV trailers. This is in contravention to Section 2.12(c) of the Code which states:

*In order to prevent backflows through cross connections, backflow prevention devices (e.g., air gaps, vacuum breakers) should be installed wherever required and in compliance with local plumbing/building codes.*

- d. The packaged ice facility does not have any plumbing facilities installed in the ice packaging room for handwashing, and equipment and utensil washing. This is in contravention to Sections 17(1)(b) and 17(1)(e) of the Regulation and Section 4.2.8(a)(i) of the Code which states:

*Regulation:*

*17(1) An operator must ensure that, before operation of the commercial food establishment commences, the commercial food establishment*  
*(b) is designed so as to facilitate the effective cleaning and sanitizing of it and of all equipment, utensils and surfaces with which food comes into contact in it,...*  
*(e) has handwashing stations that are adequate in number and situated so as to ensure convenient access by all food handlers,...*

*Code:*

*4.2.8(a) Where manual dishwashing procedures are used for cleaning and sanitizing equipment or cooking utensils, the manual dishwashing equipment should include:*  
*(i) at least a double sink of non-corrodible metal of sufficient size to permit complete immersion of the utensils to be sanitized;...*

AND WHEREAS by virtue of the foregoing, the above noted premises are hereby declared to be **CLOSED**;

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the Owner immediately **close** the above noted packaged ice facility.
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted food establishment, namely:
  - a. Thoroughly clean and sanitize, and replace if necessary, all parts of the ice machine that come into contact with water/ice.
  - b. Install backflow prevention devices on all potential points of cross connections to

ORDER OF AN EXECUTIVE OFFICER

Re: The Packaged Ice Facility located in Water Valley, Alberta and municipally described as Linda's Ice, NE-29-29-5-W5M, Water Valley, Alberta

---

protect the source of drinking water supply for the packaged ice facility.

- c. Install at least a 2 compartment sink in the ice packaging room for handwashing, and equipment and utensil washing.
  - d. Submit an ice sample to the Provincial Laboratory for Public Health (Microbiology).
3. That, until such time as the work referred to in paragraph 2 is completed to the satisfaction of the undersigned, or an executive officer of the Calgary Health Region, and an ice sample submitted under paragraph 2(d) is shown to be satisfactory, the above noted premises shall remain closed.

Dated at Calgary, Alberta, this 9<sup>th</sup> day of June, 2008, confirming a verbal order issued on the 6<sup>th</sup> day of June, 2008.

---

Grace Mar, CPHI(C)  
Executive Officer  
Calgary Health Region

***Section 5(2) of the Public Health Act provides that a person who is directly affected by this Order and considers himself or herself aggrieved hereby may appeal the same to the Public Health Appeal Board, 24<sup>th</sup> Floor, Telus Plaza North Tower, 10025 Jasper Avenue, Edmonton AB T5J 2N3, within ten (10) days. The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal.***

***The Owner is advised that the Public Health Act empowers the Calgary Health Region to carry out the terms of this Order on the Owner's behalf and at the Owner's expense should the Owner fail to comply with the terms hereof.***

---

**Airdrie**

Airdrie Public Health Centre  
604 Main Street South  
Airdrie, AB T4B 3K7  
Phone: 403-912-8400  
Fax: 403-912-8410

**Banff**

Banff Health Centre  
303 Lynx Street  
PO Box 1266  
Banff, AB T1L 1B3  
Phone: 403-762-2990  
Fax: 403-762-5570

**Calgary/Mountain View/Rocky View**

Calgary Health Region, Centre 15  
1509 Centre Street SW  
Calgary, AB T2G 2E6  
Phone: 403-943-8060  
Fax: 403-943-8090

**Canmore**

Canmore Public Health  
#104, 800 Railway Avenue  
Canmore, AB T1W 1P1  
Phone: 403-678-5656  
Fax: 403-678-5068

**Claresholm**

Claresholm Public Health  
5221 2<sup>nd</sup> Street W  
PO Box 1391  
Claresholm, AB T0L 0T0  
Phone: 403-625-4061  
Fax: 403-625-4062

**Didsbury**

Didsbury Health Unit  
PO Bag 130  
1210 -20th Avenue  
Didsbury, AB T0M 0W0  
Phone: 403-335-7292  
Fax: 403-335-7610

**Okotoks**

Okotoks Public Health Centre  
11 Cimarron Commons  
Okotoks, AB T1S 2E9  
Phone: 403-995-2600  
Fax: 403-995-2639

**Strathmore**

Public Health Building  
650 Westchester Road  
Strathmore, AB T1P 1H8  
Phone: 403-361-7200  
Fax: 403-361-7244

[www.calgaryhealthregion.ca/envhealth](http://www.calgaryhealthregion.ca/envhealth)