

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

To: 666 Hot Dog Cart
6 Ave. & 2nd St. S.W.
Calgary, Alberta
(the “**Owner**”)

Essayed Mohamed, Znati
2833 B 9 Ave. S.E.
Calgary, Alberta, T2A 0B8
(the “**Owner**”)

Re: The Food Establishment located in Calgary, Alberta and municipally described as:

666 Hot Dog Cart (Cart #00175)
6 Ave. & 2nd St. S.W.
Calgary, Alberta

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above noted Food Establishment 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 food establishment which are or may become injurious or dangerous to the public health or which might hinder the prevention or suppression of disease, namely:

- a. There was no supply of water to the hot dog cart.
- b. Staff member was not washing his hands.
- c. There was no thermometer available at the hot dog cart.
- d. No water sample for the cart has ever been submitted to the Provincial Laboratory of Public Health for bacteriological testing.
- e. There was no sanitizer at the hot dog cart.
- f. There was no supply of paper towels at the hot dog cart.
- g. There were no sanitizer test strips available at the hot dog cart.
- h. The hand washing sink was full of items and not easily accessible.
- i. Staff member stated that he prepared the condiments in his private home.

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. There was no supply of water to the hot dog cart. This is in contravention of Section 17(1)(f)(i) of the Food Regulation.

- b. Staff member was not washing his hands. This is in contravention of Section 5.6 of the Food Retail and Foodservices Code.
- c. There was no thermometer available at the hot dog cart. This is in contravention of Section 18(b)(iii) of the Food Regulation.
- d. No water sample for the cart has ever been submitted to the Provincial Laboratory of Public Health for bacteriological testing. This is in contravention of Section 2.10(c) of the Alberta Food Retail and Foodservices Code.
- e. There was no sanitizer at the hot dog cart. This is in contravention of Section 28(2) of the Food Regulation.
- f. There was no supply of paper towels at the hot dog cart. This is in contravention of Section 2.14(b)(iv) of the Food Retail and Foodservices Code.
- g. There were no sanitizer test strips available at the hot dog cart. This is in contravention of Section 4.2.8(a)(iv) of the Food Retail and Foodservices Code.
- h. The hand washing sink was full of items and not easily accessible. This is in contravention of Section 2.14(b)(i) & (ii) of the Food Retail and Foodservices Code.
- i. Staff member stated that he prepared the condiments in his private home. This is in contravention of Section 3.2.1.2(a) of the Food Retail and Foodservices Code.

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 food establishment
- 2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted food establishment, namely:
 - a. Ensure there is an adequate supply of hot and cold running water to the hot dog cart at all times during operation.
 - b. Ensure that all staff working at this cart wash their hands frequently while the cart is in operation and especially after activities such as using the washroom, returning from a break, eating, handling money, or any other activity where hands may become soiled.
 - c. Ensure that the hot dog cart is supplied with a fully functional thermometer.
 - d. Submit a water sample from the hot dog cart's water tank to the Provincial Laboratory of Public Health for bacteriological testing. At least every 30 days thereafter, a water sample must be submitted while the hot dog cart is in operation.
 - e. Ensure that the hot dog cart always has an adequate supply of sanitizer while in operation.
 - f. Ensure that the hot dog cart always has an adequate supply of paper towels, in a proper dispenser, while in operation.

- g. Ensure the hot dog cart always has a supply of sanitizer test strips appropriate for the sanitizer being used.
 - h. Ensure that the hand washing sink is free of items and easily accessible for hand washing.
 - i. Ensure that all foods offered from the cart are prepared in an approved location.
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 Alberta Health Services, and a satisfactory water sample result has been confirmed by the Provincial Laboratory of Public Health, the above noted premises shall remain closed.

Dated at Calgary, Alberta, this 4th day of September, 2009, in confirmation of a verbal order issued on the 3rd day of September, 2009.

Jeremy Vaughan, CPHI(C)
Executive Officer
Alberta Health Services

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, 24th 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 Alberta Health Services 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.

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