

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

To: Tung Ha
Bamboo House.
Calgary, Alberta T1Y 5R4
(the “**Owner**”)

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

Bamboo House
14 - 3304 64 St. NE
Calgary, Alberta T2P 1X3

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. Three trays of deep fried meat were left sitting out for more than six hours and were measured at 18 degrees Celsius. Same type of temperature abuse has been found since 2004.
- b. Mouse droppings were found in the dry storage area and on kitchen shelves.

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. Three trays of deep fried meat were left sitting out for more than six hours and were measured at 18 degrees Celsius. This is in contravention of Section 25(1) of the Food Regulation.
- b. Mouse droppings were found in the dry storage area and on kitchen shelves. This is in contravention of Section 21(1) of the Food Regulation AR 31/2006 section 21 (1).

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 that cooked perishable foods are cooled from 60 degrees Celsius to 20 degrees Celsius within 2 hours. Cooled foods must be kept at 4 degrees Celsius immediately.
 - b. An acceptable written strategy for compliance must be submitted to and approved by Alberta Health Services.
 - c. Clean up all mouse droppings, remove items that provide harbourage. Thoroughly clean and sanitize all food contact surfaces and kitchen shelves. Monitor mouse infestation using monitoring mouse traps.

3. That, until such time as the work referred to in paragraph 2 (a) through (c) is completed to the satisfaction of the undersigned, or an executive officer of Alberta Health Services, the above noted premises shall remain closed.

Dated at Calgary, Alberta, this 2nd day of November, 2009, in confirmation of a verbal order issued on the 30th day of October, 2009.

Sylvia Loo
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.

Airdrie
Airdrie Public Health Centre
604 Main Street South
Airdrie, AB T4B 3K7
Phone: 403-912-8400
Fax: 403-912-8432

Banff
Banff Health Centre
303 Lynx Street
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Banff, AB T1L 1B3
Phone: 403-762-2990
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Calgary/Mountain View/Rocky View
Alberta Health Services, *Southport*
10101 Southport Road SW
Calgary, AB T2W 3N2
Phone: 403-943-2288
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Canmore
Canmore Public Health
#104, 800 Railway Avenue
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www.calgaryhealthregion.ca/envhealth