

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

To: Lido Cafe Ltd., Ken Fung and Pam Fung
144 10 Street N.W.
Calgary, Alberta T2N 1V3
(the “**Owner**”)

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

Lido Cafe
144 10 Street N.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 are mouse droppings on the basement storage shelves and numerous flies in the kitchen.
- b. There is an accumulation of dirt, grime and food debris throughout, including but not limited to the kitchen in hard to reach areas, the potato storage room, the walk-in cooler and freezer, the upstairs and down stairs storage rooms, the staff washroom, the back entrance area and other storage areas in the basement.
- c. Tools are being left on top of food containers and shelves in the dry storage room.
- d. A bag of dry goods and box of takeout containers are being stored directly on the floor in the basement.
- e. There are food containers stored in areas that do not have appropriately finished walls, floors or ceilings.
- f. The surfaces of equipment, food storage containers and shelves are dirty or have food spills.
- g. There is excessive clutter of food service equipment, maintenance equipment, clothing and items unnecessary to food service throughout the basement.
- h. The staff washroom in the basement is in extreme disrepair. There are unfinished walls, and ceiling. The flooring is made of partially unfinished wood and linoleum, baseboards are missing and there is no ventilation.
- i. The walk-in cooler metal floor has seams that are lifting and trapping dirt and food debris.
- j. The back door was open at the time of inspection and the screen door has holes where old hardware was removed. The potato storage room has a vent that is not screened.
- k. Several waste water lines in the kitchen are capped with plastic bags.

- l. There is a leak occurring from upstairs and dripping into the basement.
- m. The lights in the walk-in freezer and dry storage rooms do not have protective covers.
- n. There is no single use towel dispenser at the three compartment sink.
- o. There is no thermometer for checking food temperatures or monitoring the dishwashing temperature.

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 are mouse droppings on the basement storage shelves and numerous flies in the kitchen. This contravenes the AR 31/2006 Section 21(1).
- b. There is an accumulation of dirt, grime and food debris throughout, including but not limited to the kitchen in hard to reach areas, the potato storage room, the walk-in cooler and freezer, the upstairs and down stairs storage rooms, the staff washroom, the back entrance area and other storage areas in the basement. This contravenes the AR 31/2006 Section 28(2).
- c. Tools are being left on top of food containers and shelves in the dry storage room. This contravenes the AR 31/2006 Section 20(1)
- d. A bag of dry goods and box of takeout containers are being stored directly on the floor in the basement. This contravenes the Food Retail and Foodservices Code Section 2.9 (b)(i).
- e. There are food containers stored in areas that do not have appropriately finished walls, floors or ceilings. This contravenes the Food Retail and Foodservices Code Sections 2.3(a) and 2.4.1.
- f. The surfaces of equipment, food storage containers and shelves are dirty or have food spills. This contravenes the AR 31/2006 Section 28(2).
- g. There is excessive clutter of food service equipment, maintenance equipment, clothing and items unnecessary to food service throughout the basement. This contravenes the AR 31/2006 Sections 20(1) and 21(1).
- h. The staff washroom in the basement is in extreme disrepair. There are unfinished walls, and ceiling. The flooring is made of partially unfinished wood and linoleum, baseboards are missing and there is no ventilation. This contravenes the Food Retail and Foodservices Code Section 2.4.2.
- i. The walk-in cooler metal floor has seams that are lifting and trapping dirt and food debris. This contravenes the Alberta Retail and Foodservices Code Section 2.4.2.
- j. The back door was open at the time of inspection and the screen door has holes where old hardware was removed. The potato storage room has a vent that is not screened. This contravenes the AR 31/2006 Section 21(1).
- k. Several waste water lines in the kitchen are capped with plastic bags. This contravenes the AR 31/2006 Section 28(3).
- l. There is a leak occurring from upstairs and dripping into the basement. This contravenes the AR 31/2006 Section 28(3).
- m. The lights in the walk-in freezer and dry storage rooms do not have protective covers. This contravenes the Food Retail and Foodservices Code Section 2.7(c).
- n. There is no single use towel dispenser at the three compartment sink. This

- o. contravenes the Food Retail and Foodservices Code Section 2.14(b)(iv).
- o. There is no thermometer for checking food temperatures or monitoring the dishwashing temperature. This contravenes the Alberta Retail and Foodservices Code 4.2.

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. Provide documentation that a licensed pest control officer has been contracted to provide pest control services and maintain copies of all pest control reports as required by the Executive Officer.
 - b. Prevent entry of pests by vermin proofing and removing potential harbourage sites, including eliminating holes in the screen door, installing a screen in the vent in the potato room and removing all potential areas of harbourage.
 - c. Clean all walls, ceiling and floors throughout including behind and under the cooking line and equipment such as counters, refrigerators, freezer, sinks, dishwasher, grease canopy and shelves.
 - d. Clean the surfaces of all equipment, food storage containers and shelves.
 - e. Clean and paint or seal the unfinished wood surface behind the dining counter.
 - f. Provide adequate and separate storage areas for food and non food items.
 - g. Store all food and food service items off the floor and in an appropriate location.
 - h. Refinish or repaint all worn wood shelves.
 - i. Remove all food service equipment that is not currently being used and all unnecessary clutter from the potato room, basement and staff washroom.
 - j. Ensure all waste water lines are properly capped off.
 - k. Identify and remove the source of the leak from the main floor.
 - l. Repair the staff washroom so that walls, floors and ceiling are smooth, washable and in good repair. Install baseboards and repair ventilation. **Or** remove and properly seal off the toilet and hand wash sink waste water line to prevent the entry of sewer gas.
 - m. Clean the floors in the walk-in coolers and walk-in freezer.
 - n. Replace or repair the metal flooring in the walk-in cooler so that it is seamless and easy to clean.
 - o. Install protective covers on lights in storage rooms and walk-in freezer.
 - p. Install a single use towel dispenser at the three compartment sink.
 - q. Provide a probe and maximum read thermometer for monitoring food and dishwashing temperatures.
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, the above noted premises shall remain closed.

ORDER OF AN EXECUTIVE OFFICER

Re: The Food Establishment located in Calgary, Alberta and municipally described as 144 10 Street N.W. Calgary, Alberta

Dated at Calgary, Alberta, this 25th day of September, 2009, confirming the verbal order issued on the 24th day of September, 2009.

P. Jackson
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
PO Box 1266
Banff, AB T1L 1B3
Phone: 403-762-2990
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Calgary/Mountain View/Rocky View

Alberta Health Services, *Southport*
10101 Southport Rd SW
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Canmore

Canmore Public Health
#104, 800 Railway Avenue
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Claresholm

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Didsbury

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Okotoks

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www.calgaryhealthregion.ca/envhealth