

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

To: Sylvie Jeanmougin
Gourmet Croissant
#101 – 1205 Bow Valley Trail
Canmore, Alberta T1W 1P5
(the “**Owner**”)

Marine Gomard
Gourmet Croissant
#101 – 1205 Bow Valley Trail
Canmore, Alberta T1W 1P5
(the “**Owner**”)

Valerie McCracken, Manager
Cochrane Farmers’ Market
104 Griffin Road East
Cochrane, Alberta T4C 2B9
(the “**Owner**”)

Re: The Stallholder known as **Gourmet Croissant**, inspected at the Cochrane Farmers’ Market located at the Cochrane Ranche Historic Site, on Hwy 1A, east of Hwy 22, in Cochrane, 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. Foods from the Gourmet Croissant stall at the Cochrane Farmers’ Market are not properly protected from contamination in transport.
- b. Foods from the Gourmet Croissant stall at the Cochrane Farmers’ Market are stored and transported in black garbage bags.
- c. Foods from the Gourmet Croissant stall at the Cochrane Farmers’ Market are not protected from public contamination while on display.
- d. Foods from the Gourmet Croissant stall at the Cochrane Farmers’ Market are stored directly on the gravel ground under the stallholder’s table.

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Re: The Stall located at the Cochrane Farmers' Market in Cochrane, Alberta and municipally described as Gourmet Croissant at the Cochrane Ranche Historic Site, east of Hwy 22, on Hwy 1A in Cochrane, Alberta

- e. The stallholder was handling open foods and did not have a hand sink.
- f. The stallholder did not have any sanitizer.

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. Foods from the Gourmet Croissant stall at the Cochrane Farmers' Market are not properly protected from contamination in transport. This is in contravention to Sections 23(1)(a) and 36(1)(c) of the Regulation.
- b. Foods from the Gourmet Croissant stall at the Cochrane Farmers' Market are stored and transported in black garbage bags. This is in contravention to Section 23(1) and Section 3.6.2 of the Code.
- c. Foods from the Gourmet Croissant stall at the Cochrane Farmers' Market are not protected from public contamination while on display. This is in contravention to Section 23(1)(a) of the Regulation and Section 3.5.1(b) of the Code.
- d. Foods from the Gourmet Croissant stall at the Cochrane Farmers' Market are stored directly on the gravel ground under the stallholder's table. This is in contravention to Section 36(1)(c) of the Regulation.
- e. The stallholder was handling open foods and did not have a hand sink. This is in contravention to Sections 36(3)(d) and 41(1)(f) of the Regulation
- f. The stallholder did not have any sanitizer. This is in contravention to Sections 28(2) and 35(1)(a) of the Regulation.

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. Transport all foods in a manner that protects it from being contaminated.
 - b. Transport and store all foods in food-grade materials only.
 - c. Foods on display shall be protected from public handling and contamination by the use of packaging, display cases, or sneeze guards.

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Re: The Stall located at the Cochrane Farmers' Market in Cochrane, Alberta and municipally described as Gourmet Croissant at the Cochrane Ranche Historic Site, east of Hwy 22, on Hwy 1A in Cochrane, Alberta

- d. Provide a suitable hand sink when open foods are handled.
 - e. Provide an approved sanitizer for the sanitization of food contact surfaces when open foods are handled.
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.

Dated at Calgary, Alberta, this 10th day of June, 2010, confirming a verbal order issued on the 5th day of June, 2010.

Grace Mar, 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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Okotoks

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