

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

To: Mr. Werner Zullig  
Three Pines Consulting Ltd.  
PO Box 298  
128 Otter Street  
Banff, AB T1L 1A4

(the “**Owner**”)

**Re:** Three Pines Consulting Ltd. located in Banff, Alberta and municipally described as:

Three Pines Consulting Ltd.  
128 Otter Street  
Banff, AB, T1L 1A4

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. Preparing food products for outside sale in a home based kitchen.

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

- a. Preparing food products for outside sale in a home based kitchen, which is in contravention of section and 3(2) of the Food Regulation, Alberta Regulation 31/2006 which states no person shall handle food except in an approved food establishment.
- b. Operating without a valid and subsisting food handling permit from Alberta Health Services, which is in contravention of sections 3(1)(a)(b) of the Food Regulation, Alberta Regulation 31/2006, which states that no person shall operate a food establishment unless the person is an operator who holds a valid and subsisting permit for the operation of the food establishment, and the food establishment is identified on the permit as approved by the regional health authority that issued the

permit.

AND WHEREAS by virtue of the foregoing, the above noted food establishment is 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. Obtain a valid food handling permit from Alberta Health Services.
  - b. Discontinue the sale of Banff Power Bar and Mountain Chile products.
  - c. Remove all Banff Power Bar and Mountain Chile products for sale at local retailers.
3. That, until such time as the work referred to in paragraph 2(a) is completed to the satisfaction of the undersigned, or an executive officer of Alberta Health Services, the above noted premises **shall remain closed**. The work referred to in paragraph 2 (b) must be completed immediately and continue until this order is rescinded.

Dated at Banff, Alberta, this 6th day of August, 2010.

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Zara Zychowicz 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, 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 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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**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**  
Alberta Health Services, *Southport*  
10101 Southport Rd SW  
Calgary, AB T2W 3N2  
Phone: 403-943-2288  
Fax: 403-943-8056

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

**Claresholm**

**Didsbury**

**Okotoks**

**Strathmore**

**ORDER OF AN EXECUTIVE OFFICER**

**Re: The Food Establishment located in Banff, Alberta and municipally described as 128 Otter Street, Banff, Alberta**

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

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

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)