

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

To: 613565 Alberta Ltd.
125 7 Avenue SW
Calgary, Alberta T2P 0W5

Yee, Kim
125 7 Avenue SW
Calgary, Alberta T2P 0W5

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

Express Café
125 7 Avenue SW
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. The temperature of the kitchen line cooler was 13.9 degrees Celsius;
- b. The kitchen shelves, equipment, walls, floor, ceiling and food contact surfaces were dirty and had a large accumulation of grease, grime, and/or dust;
- c. The walk-in cooler walls, ceiling, floors and shelves were dirty with accumulation of food spills, dust, dirt, and/or mould;
- d. Utensils and dishes were dirty and not being washed and sanitized properly;
- e. There were broken floor tiles in the kitchen under equipment and by cash register;
- f. There were no soap or paper towel dispensers in the Customer Washrooms;
- g. The floor in the Men's washroom, by the urinal was deteriorated and in disrepair;
- h. The wall under the urinals in the Men's washrooms was deteriorated and moisture damaged;
- i. The Customer Washrooms were in an unsanitary condition.
- j. The owner/operator can not provide evidence of the completion of a Provincial Food Handlers Course completed a Food Safe course;

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. The temperature of the kitchen line cooler was 13.9 degrees Celsius contravening Section 28 (3) of the Food Regulation;
- b. The kitchen shelves, equipment, walls, floor, ceiling and food contact surfaces were dirty and had a large accumulation of grease, grime, and/or dust contravening

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- Section 28 (2) of the Food Regulation;
- c. The walk-in cooler walls, ceiling, floors and shelves were dirty with accumulation of food spills, dust, dirt, and/or mould contravening Section 28 (2) of the Food Regulation;;
 - d. Utensils and dishes were dirty and not being washed and sanitized properly contravening Section 4.2.8 of the Alberta Food Retail and Foodservices Code;
 - e. There were broken floor tiles in the kitchen under equipment and by cash register contravening Section 17 (1) and 19 (b) of the Food Regulation;
 - f. There were no soap or paper towel dispensers in the Customer Washrooms contravening Section 2.14 (b) (iv) of the Alberta Food Retail and Foodservices Code;
 - g. The floor in the Men's washroom, by the urinal was deteriorated and in disrepair contravening Section 17 (1) and 19 (b) of the Food Regulation;
 - h. The wall under the urinals in the Men's washrooms was deteriorated and moisture damaged contravening Section 17 (1) and 19 (b) of the Food Regulation;
 - i. The Customer Washrooms were in an unsanitary condition contravening Section 28 (2) of the Food Regulation
 - j. The owner/operator can not provide evidence of the completion of a Provincial Food Handlers Course

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. Repair the line cooler ensuring it is capable of achieving a temperature of 4 degrees Celsius or below at all times;
 - b. Thoroughly clean all surfaces in the kitchen and walk-in cooler that have accumulation of grease, grime, food, dirt, dust and/or mould;
 - c. Wash, rinse and sanitize all food contact surfaces, dishes, utensils and serving trays in the kitchen;
 - d. Repair all flooring tiles in the kitchen that are deteriorated, cracked and/or broken;
 - e. Install soap and paper towel dispensers in the Customer Washrooms and ensure they are stocked with a supply of liquid soap and paper towel at all times;
 - f. Repair and/or replace the deteriorated flooring in the Men's washroom;
 - g. Repair and/or replace the moisture damaged wall below the urinals in the Men's Washroom;
 - h. Ensure the Customer Washrooms are kept in sanitary conditions at all times;
 - i. Provide evidence of the completion of a Provincial Food Handler's course, and if a course has not been completed, register for the next available Provincially Certified Food Handler's Course;
 - j. The owner/operator must successfully complete "Food Safety in Food Service: A Home Study Course."

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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 12th day of February, 2010 confirming a Verbal Order issued on February 11, 2010.

Jeremy Donaldson
Executive Officer
Alberta Health Services – Calgary Zone

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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www.calgaryhealthregion.ca/envhealth