

IN THE MATTER OF THE PUBLIC HEALTH ACT – ALBERTA

ORDER OF AN EXECUTIVE OFFICER

To: Dong Phuong Group Partnership, Huong Thi Tu Nguyen, Hong Thi Tu Nguyen, Sang Tan Nguyen, Quang Tan Nguyen, Linh Tan Nguyen, Hong Tan Nguyen, Ba Tan Nguyen, and Diep Nguyen

4527 8 Ave SE
Calgary, Alberta T2A 0A7

Re: The Food Establishment located in Calgary, Alberta and municipally described as:
Lucky Supermarket
4527 8 Ave SE
Unit 237
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. No electrical power, and as such no working refrigeration.
- b. Fire and smoke damage.
- c. Large amounts of perishable foods at room temperature.
- d. No hot water on site.

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. Lack of electrical power means that refrigeration units are not working and can not maintain perishable foods at appropriate temperatures. This is in contravention to Section 25(1) of the Regulation.
- b. Food is not protected from fire and smoke damage. This is in contravention to Section 23 of the Regulation.
- c. Perishable foods are being stored at inappropriate temperatures. This is in contravention to Section 25(1) of the Regulation.
- d. No hot water on site. This is in contravention to Section 17 (1) (f) (i) of the Regulation.

AND WHEREAS by virtue of the foregoing, the above noted premises are hereby declared to be **closed**;

ORDER OF AN EXECUTIVE OFFICER

Re: The Food Establishment located in Calgary, Alberta and municipally described as Lucky Supermarket, 4527 8th Avenue SE Unit 237, Calgary, Alberta

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. Restore power to all refrigeration units, hot water tank as well as any other equipment deemed necessary for the safe operation of the facility. Ensure that all equipment is operating as intended after power is restored.
 - b. Discard all open and unprotected foods from the establishment.
 - c. Discard all foods damaged by lack of refrigeration.
 - d. Repair fire and smoke damage in all food storage and prep areas and ensure that all food is protected from damaged areas.
 - e. Discard all foods from the fire damaged loading bay area as well as the damaged storage trailers.
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 27th day of May, 2010.

Sharon Mayhew
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
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 Calgary, Alberta and municipally described as Lucky Supermarket, 4527 8th Avenue SE
Unit 237, Calgary, Alberta**

Claresholm Public Health
5221 2nd 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
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Fax: 403-361-7244

www.calgaryhealthregion.ca/envhealth

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