

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

To: Noodle & Rice Vietnamese Restaurant Ltd. / Mike Ngo
5016 17 Ave SE
Calgary, Alberta T2A 0V6

And operating as :
Pho va Com
5016 17 Ave SE
Calgary, Alberta T2A 0V6

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

Noodle & Rice Vietnamese Restaurant
5016 17 Ave SE
Calgary, Alberta

WHEREAS I, an **Executive Officer** of the **Calgary Health Region**, 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. Mouse droppings were present throughout kitchen and storage areas on shelves and a counter in food preparation areas, on food and utensil storage areas, and along many walls;
- b. The kitchen and walk-in cooler walls, floors, shelves and the kitchen hand washing area were extremely dirty as was the walk in cooler fan guard;
- c. Frequently touched surfaces such as doors, door handles, light switches and taps throughout the restaurant were very dirty;
- d. The bar area is filthy and has an unpleasant odor;
- e. Food preparation surfaces were very greasy and dirty;
- f. The equipment used in the preparation of food is not cleaned as required. The electric slicer is contaminated with raw meat debris which appears to have been dried on and there is a heavy build-up of grease and grime on other food preparation utensils. Bulk ingredient containers are dirty, some are badly crusted with filth The ice machine was dirty inside and out.
- g. Storage areas for clean dishes were dirty and dirty cloths were draped over clean dishes;
- h. A gross accumulation of grease was present on the ventilation hood and was dripping on the walls and floors behind the grill area;
- i. Perishable food was being held at an inappropriate temperature;
- j. Dirty cleaning rags were left on food preparation surfaces and not placed in

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- sanitizing solution;
- k. Dirty cloths were placed directly on stored foods;
- l. Food was stored on the floor in the walk in cooler;
- m. Dirty cardboard and cloths are used to line shelves and other storage surfaces;

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. Mouse droppings were present throughout kitchen and storage areas on shelves and a counter in food preparation areas, on food and utensil storage areas, and along many walls. This is in contravention to Section 21(1) of the Regulation.
- b. The kitchen and walk-in cooler walls, floors, shelves and the kitchen hand washing area were extremely dirty, as was the walk-in cooler fan guard. This is in contravention to Section 28(2) of the Regulation.
- c. Frequently touched surfaces such as doors, door handles, light switches and taps throughout the restaurant were very dirty. This is in contravention to Section 28(2) of the Regulation.
- d. The bar area is filthy and has an unpleasant odor. This is in contravention to Section 28(2) of the Regulation.
- e. Food preparation surfaces were very greasy and dirty. This is in contravention to Section 28(2) of the Regulation.
- f. The equipment used in the preparation of food is not cleaned as required. The electric slicer is contaminated with raw meat debris which appears to have been dried on and there is a heavy build-up of grease and grime on other food preparation utensils. Bulk ingredient containers are dirty, some are badly crusted with filth The ice machine was dirty inside and out. This is in contravention to Section 28(2) of the Regulation.
- g. Storage areas for clean dishes were dirty and dirty cloths were draped over clean dishes. This is in contravention to Section 28(2) of the Regulation.
- h. A gross accumulation of grease was present on the ventilation hood and was dripping on the walls and floors behind the grill area. This is in contravention to Section 28(2) of the Regulation.
- i. Perishable food was being held at an inappropriate temperature;
- j. Dirty cleaning rags were left on food preparation surfaces and not placed in sanitizing solution . This is in contravention to Section 28(2) of the Regulation.
- k. Dirty cloths were placed directly on stored foods. This is in contravention to Section 23(1)(a) of the Regulation.
- l. Food was stored on the floor in the walk in cooler. This is in contravention to Section 23(1)(a) of the Regulation.
- m. Dirty cardboard and cloths are used to line shelves and other storage surfaces This is in contravention to Section 28(2) 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**:

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Re: The Food Establishment located in Calgary, Alberta and municipally described as Noodle & Rice Vietnamese Restaurant,
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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. Remove all mouse droppings from all areas and clean and sanitize all contaminated surfaces;
 - b. Thoroughly clean and sanitize all kitchen, bar and walk-in cooler walls, floors, counters and shelves, the kitchen hand washing area as well as the walk-in cooler fan guard.
 - c. Thoroughly clean and sanitize all contaminated equipment and food utensils. Cleaning must be conducted as frequently as required and all items must be in a sanitary condition prior to each night's closure. Cleaned and sanitized utensils must be stored in a clean and sanitary manner.
 - d. Thoroughly clean and sanitize all food preparation surfaces.
 - e. Thoroughly clean and sanitize all frequently touched areas.
 - f. Clean the ventilation hood above the grill area.
 - g. Maintain all perishable foods at temperatures either below 4 degrees Celsius or above 60 degrees Celsius at all times.
 - h. Store all used cleaning cloths in sanitizing solution between uses.
 - i. Protect all foods from contamination including storing foods at least 6 inches off of the floor and covering all foods with only approved food-grade covers.
 - j. Remove all cloth and cardboard liners from shelves and keep these areas clean.
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 the Calgary Health Region, the above noted premises shall remain closed.

Dated at Calgary, Alberta, this 18^h day of February, 2010 and confirming the verbal order of February 17, 2010.

Sharon Mayhew
Executive Officer
Calgary Health Region

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 the Calgary Health Region to

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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

Calgary Health Region, *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

Claresholm Public Health
5221 2nd Street W
PO Box 1391
Claresholm, AB T0L 0T0
Phone: 403-625-4061
Fax: 403-625-4062

Didsbury

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

Okotoks

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

Strathmore

Public Health Building
650 Westchester Road
Strathmore, AB T1P 1H8
Phone: 403-361-7200
Fax: 403-361-7244

www.calgaryhealthregion.ca/envhealth

INACTIVE