

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

**To: Hoang Manh Van**  
4710 17 Ave SE  
Calgary, Alberta T2A 0V1

**Re: The Food Establishment located in Calgary, Alberta and municipally described as:**  
**Trung Nguyen Coffee & Billiard**  
4710 17 Ave SE  
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. Perishable foods are being stored at inappropriate temperatures;
- b. No appropriate sanitizing chemicals were found on site;
- c. Cleaning cloths were filthy and stored directly on food preparation surfaces.
- d. Paper towels could not be found by staff hand-washing sinks, and was stored on the back of the toilet in the customer washroom instead of in the dispenser;
- e. Foods were stored in open tins;
- f. Raw meats were stored over ready to eat foods;
- g. Frequently touched surfaces such as doors, door handles, light switches and taps throughout the restaurant were very dirty;
- h. Hard to reach areas throughout the facility were extremely dirty, including areas under and behind large pieces of equipment and all shelving units;
- i. Walls and floors throughout the facility were filthy;
- j. Walls and floors in several areas of the kitchen and bathrooms are in need of repair or refinishing including cracked and/or missing tiles, peeling paint, raw wood surfaces, and damaged drywall;
- k. The equipment used in the preparation and storage of food is not cleaned and sanitized as required. The ice machine is filthy, with a visible growth of orange slime inside. The round cutting block is black with accumulated dirt and grease. Utensils stored for immediate use are dirty and many are stored in dirty areas or containers. The glass front fridge doors were filthy with grease. The toaster oven and stove were black with accumulated grease and burnt food debris. Bulk ingredient containers were dirty. The cardboard plastic wrap dispenser is filthy and torn.
- l. The kitchen is cluttered with seldom-used and/or broken equipment, personal items and recycling which makes cleaning difficult;
- m. A deep fryer is being used on the premises in contradiction to the permit

- restrictions.
- n. The sink tap in the kitchen is loose.
  - o. Noodles and other packaged foods were stored adjacent to chemicals in an extremely dirty area under the kitchen counter.
  - p. No person in care and control of this establishment holds a certificate in food sanitation and hygiene.

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. Perishable foods are being stored at inappropriate temperatures. This is in contravention to Section 25(1) of the Regulation.
- b. No appropriate sanitizing chemicals were found on site. This is in contravention to Section 28(2) of the Regulation.
- c. Cleaning cloths were filthy and stored directly on food preparation surfaces. This is in contravention to Section 28(2) of the Regulation.
- d. Paper towels could not be found by staff hand-washing sinks, and was stored on the back of the toilet in the customer washroom instead of in the dispenser. This is in contravention to Section 30 (4) of the Regulation.
- e. Foods were stored in open tins. This is in contravention to Section 23(1)(a) of the Regulation.
- f. Raw meats were stored over ready to eat foods. This is in contravention to Section 23(1)(a) of the Regulation.
- g. 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.
- h. Hard to reach areas throughout the facility were extremely dirty, including areas under and behind large pieces of equipment and all shelving units. This is in contravention to Section 28(2) of the Regulation.
- i. Walls and floors throughout the facility were filthy. This is in contravention to Section 28(2) of the Regulation.
- j. Walls and floors in several areas of the kitchen and bathrooms are in need of repair or refinishing including cracked and/or missing tiles, peeling paint, raw wood surfaces, and damaged drywall. This is in contravention to Section 17(1) (b) of the Regulation.
- k. The equipment used in the preparation and storage of food is not cleaned and sanitized as required. The ice machine is filthy, with a visible growth of orange slime inside. The round cutting block is black with accumulated dirt and grease. Utensils stored for immediate use are dirty and many are stored in dirty areas or containers. The glass front fridge doors were filthy with grease. The toaster oven and stove were black with accumulated grease and burnt food debris. Bulk ingredient containers were dirty. The cardboard plastic wrap dispenser is filthy and torn. This is in contravention to Section 28(2) of the Regulation.
- l. The kitchen is cluttered with seldom-used and/or broken equipment, personal items and recycling which makes cleaning difficult. This is in contravention to Section 28(2) of the Regulation.
- m. A deep fryer is being used on the premises in contradiction to the permit

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- restrictions. This is in contravention to Section 9 (4) of the Regulation.
- n. The sink tap in the kitchen is loose. This is in contravention to Section 17 (1) (a) of the Regulation.
  - o. Noodles and other packaged foods were stored adjacent to chemicals in an extremely dirty area under the kitchen counter. This is in contravention to Section 23(1)(a) of the Regulation.
  - p. No person in care and control of this establishment holds a certificate in food sanitation and hygiene. This is in contravention to Section 31 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. The owner and all persons in care and control of the kitchen must complete the Home Study Course in "Food Safety in Food Service." The owner must also register for the next available appropriate Minister-approved course in food sanitation and hygiene.
  - b. Maintain all perishable foods at temperatures either below 4 degrees Celsius or above 60 degrees Celsius at all times.
  - c. Obtain an approved sanitizing chemical such as bleach and keep sufficient amounts of such chemical for the safe operation of the facility on site in the restaurant kitchen at all times.
  - d. Store all cloths used for cleaning food preparation surfaces and equipment in sanitizing solution between uses at all times.
  - e. Thoroughly clean and sanitize all food preparation surfaces and equipment and frequently-touched surfaces throughout the facility.
  - f. Thoroughly clean all walls and floors and hard-to-reach areas.
  - g. Keep all hand washing sinks supplied with liquid soap and paper towel in appropriate dispensers.
  - h. Protect all foods from contamination including storage in clean, sanitary areas and in approved containers.
  - i. Remove all unused equipment and recycling items from the kitchen.
  - j. Remove the deep fryer from the restaurant and refrain from grease-producing cooking as stipulated in the permit conditions.
  - k. Repair the loose kitchen tap.
  - l. Refinish the walls around the dishwashing area.
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.

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Dated at Calgary Alberta, this 4<sup>th</sup> day of March, 2010.

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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, 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: 403-912-8432

**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**

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**

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  
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[www.calgaryhealthregion.ca/envhealth](http://www.calgaryhealthregion.ca/envhealth)