

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: 11661366 Alberta Ltd.
(the "Owner")

Flora Zhang
(the "Owner")

Steven Guan
(the Owner)

RE: The food establishment located in Calgary, Alberta and municipally described as:
Bamboo Gardens, 1603 18 Street NE

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above premises 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 premises 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 facility is not being maintained in a clean and sanitary manner. There is an accumulation of dirt, grime, grease and food debris throughout the kitchen prep areas, storage areas and dishwashing area. This includes but is not limited to the floor under, behind and between large pieces of equipment, including the walk in cooler. The surfaces of equipment, shelves and walls throughout are dirty
- b. Dirty cloths were scattered throughout the kitchen's food preparation surfaces and were not immersed in sanitizer.
- c. The wall, ceiling and fan in the walk-in cooler were covered in what appears to be a black mould.
- d. Open food was evident throughout the walk-in cooler, freezer, and chest freezer, exposing food to possible contamination.
- e. Take out containers are being stored in areas that are very dirty, covered in debris and several hairs were found in direct contact with open take out lids and containers.
- f. Dirty cardboard was being used on wooden cutting block.
- g. A food contact surface beside the walk-in freezer has been painted by owner. Paint on surface is now peeling and could contaminate food.

- h. The grill preparation cooler measured 8 degrees Celsius inside and inserts on top of cooler measured 11-14 degrees Celsius.
- i. Cooked rice and cooked noodles were stored on the counter in the kitchen at room temperature. Both foods measured between 20-25 degrees Celsius.
- j. Chicken was found in the back 2 compartment sink thawing in stagnant warm water. Water measured 12 degrees Celsius and the meat measured just below 10 degrees Celsius.
- k. Thermometer in preparation cooler was in severe disrepair and not working.
- l. Several dish racks used in dishwasher were extremely worn and dirty. Can no longer be properly cleaned and sanitized and could contaminate clean dishes/utensils.
- m. There is no comprehensive cleaning schedule available or followed and staff are not monitoring or recording dishwasher temperature.
- n. A cooking utensil was stored directly in the kitchen's only hand sink, blocking its use.
- o. A large number of insects, primarily mosquitoes, were found stuck in the grease on the light fixtures above the kitchen area.
- p. An orange beetle-like insect of unidentified origin was found under the cardboard being used on the butcher block cutting surface outside of the walk-in cooler.
- q. The back door of the facility is being left open during operational hours allowing the entry of insects and other pests.
- r. The walk-in cooler's walls, ceiling and door are in very poor condition. Paint is cracked and peeling and surfaces have been discoloured by mould.
- s. The walls of the walk-in freezer have areas that are in disrepair and are discoloured and shelving on floor of walk-in freezer is constructed of unfinished wood that is in disrepair.
- t. The sides and top of shelves throughout the facility are unfinished and in disrepair.
- u. The caulking around the dishwasher and kitchen hand sink is mouldy and in disrepair.

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 facility is not being maintained in a clean and sanitary manner. There is an accumulation of dirt, grime, grease and food debris though out the kitchen prep areas, storage areas and dishwashing area. This includes but is not limited to the floor under, behind and between large pieces of equipment, including the walk in cooler. The surfaces of equipment, shelves and walls throughout are dirty. This contravenes the AR 31/2006 Section 28(2).

- b. Dirty cloths were scattered throughout the kitchen's food preparation surfaces and were not immersed in sanitizer. This contravenes Section 4.3.5(d)(ii) of the Food Retail and Foodservices Code.
- c. The wall, ceiling and fan in the walk-in cooler were covered in what appears to be a black mould. This contravenes the AR 31/2006, Section 28(2).
- d. Open food was evident throughout the walk-in cooler, freezer, and chest freezer, exposing food to possible contamination. This contravenes the AR 31/2006 Section 23(1)(a).
- e. Take out containers are being stored in areas that are very dirty, covered in debris and several hairs were found in direct contact with open take out lids and containers contravening AR 31/2006, Section 28(3).
- f. Dirty cardboard was being used on wooden cutting block contravening AR 31/2006, Section 23(1)(a).
- g. A food contact surface beside the walk-in freezer has been painted by owner. Paint on surface is peeling and could contaminate food. This contravenes Section 4.1.4 of the Food Retail and Foodservices Code.
- h. The grill preparation cooler measured 8 degrees Celsius inside and inserts on top of cooler measured 11-14 degrees Celsius. This contravenes AR 31/2006 Section 25(1).
- i. Cooked rice and cooked noodles were stored on the counter in the kitchen at room temperature. Both foods measured between 20-25 degrees Celsius contravening AR 31/2006, Section 25(1).
- j. Chicken was found in the back 2 compartment sink thawing in stagnant warm water. Water measured 12 degrees Celsius and the meat measured just below 10 degrees Celsius. This contravenes Section 3.3.2. of the Food Retail and Foodservices Code.
- k. Thermometer in preparation cooler was in severe disrepair and not working contravening AR 31/2006, Section 18 (b)(iii).
- l. Several dish racks used in dishwasher were extremely worn and dirty. Can no longer be properly cleaned and sanitized and could contaminate clean dishes/utensils. This contravenes AR 31/2006, Section 28(3).
- m. There is no comprehensive cleaning schedule available or followed and staff are not monitoring or recording dishwasher temperature. This contravenes AR 31/2006, Section 29(1) and (2).
- n. A cooking utensil was stored directly in the kitchen's only hand sink, blocking its use contravening Section 2.14(b)(ii) and (iii) of the Food Retail and Foodservices Code.
- o. A large number of insects, primarily mosquitoes, were found stuck in the grease on the light fixtures above the kitchen area contravening AR 31/2006, Section 21(1).

- p. An orange beetle-like insect of unidentified origin was found under the cardboard being used on the butcher block cutting surface outside of the walk-in cooler. This contravenes AR 31/2006 Section 21(1).
- q. The back door of the facility is being left open during operational hours allowing the entry of insects and other pests contravening AR 31/2006 Section 21(1).
- r. The walk-in cooler's walls, ceiling and door are in very poor condition. Paint is cracked and peeling and surfaces have been discoloured by mould. This contravenes AR 31/2006, Section 18(a).
- s. The walls of the walk-in freezer have areas that are in disrepair and are discoloured and shelving on floor of walk-in freezer is constructed of unfinished wood that is in disrepair. This contravenes AR 31/2006, Section 18(a).
- t. The sides and top of shelves throughout the facility are unfinished and in disrepair contravening AR 31/2006, Section 18(a).
- u. The caulking around the dishwasher and kitchen hand sink is mouldy and in disrepair contravening AR 31/2006, Section 18(a).

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 immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Clean all surfaces in the facility. This includes but is not limited to floors, walls and ceilings. Ensure surfaces in all hard to reach areas are thoroughly cleaned.
 - b. Remove and dispose of all perishable food in walk-in cooler.
 - c. Clean and sanitize fan, walls, ceiling, shelves and floors.
 - d. Repair/replace all surfaces in the walk-in cooler that are in disrepair, have been consumed with mould or that cannot be properly cleaned.
 - e. Properly cover and store all open food in the walk-in freezer and chest freezer.
 - f. Repair or refinish all necessary food contact surfaces and ensure they are cleanable, impervious to moisture and in a good state of repair.
 - g. Ensure that all takeout containers are stored in a clean area and that all cardboard and newspaper materials used as shelf liners be removed from kitchen.

- h. Ensure that all high-risk foods are maintained at a temperature 60 degrees Celsius or higher or a temperature of 4 degrees Celsius or lower.
 - i. Repair preparation cooler to ensure it is capable of holding food at temperatures below 4 degrees Celsius.
 - j. Purchase new thermometer for preparation cooler.
 - k. Thaw all foods according to the Food Retail and Foodservices Code.
 - l. Replace damaged dish racks.
 - m. Ensure written cleaning schedule is developed and approved by the Region and then posted, followed, and initialled by appropriate staff.
 - n. Ensure dishwasher and cooler temperatures are monitored and recorded on a daily basis.
 - o. Ensure hand sink is clear and available for use at all times during operation.
 - p. Ensure facility is free of all insects found on site. After thorough cleaning and organization of facility, a licensed pest control operator must inspect premises. Report of inspection must be provided to Executive Officer.
 - q. Back door must be kept closed at all times outside of normal use and deliveries.
 - r. All dishrags must be stored in a proper sanitizing solution when not in use.
 - s. All necessary repairs must be made to walk-in freezer to ensure walls and shelves are cleanable and impervious to moisture.
 - t. Repair/replace all shelving to ensure it is smooth, impervious to moisture and easily cleanable.
 - u. Replace damaged and mouldy caulking around dishwasher and hand sink.
3. That until such time as the work referred to above is completed to the satisfaction of an Executive Officer of Alberta Health Services; the above noted food establishment shall remain closed.

The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies. You are advised that further work may be required to ensure full compliance with the Public Health Act and regulations, or to prevent a public health nuisance.

DATED at Calgary, Alberta, August 11, 2011

Kara MacKay, BHE,BED(AD), CPHI(C)
Executive Officer
Environmental Health Officer

YOU HAVE THE RIGHT TO APPEAL

A person who a) is directly affected by a decision of a Regional Health Authority, and
b) feels himself aggrieved by the decision

may appeal the decision within ten (10) days after receiving the order to the Public Health Appeal Board located at 24th Floor, Telus Plaza, 10025 - Jasper Avenue, Edmonton, Alberta, T5J 1S6 Telephone (780) 427-2813.

The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.

A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at (780) 342-0122 or the Public Health Appeal Board (780) 427-2813.

You are advised that all orders remain in effect pending such an appeal

HEALTH LEGISLATION, REGULATIONS AND STANDARDS

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7) or www.qp.gov.ab.ca.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health & Wellness at (780) 427-4518, or by visiting: www.health.alberta.ca/about/health-legislation.html

Confirmation of an oral order issued to Flora Zhang and Steven Guan at 6:00 pm on August 10, 2011.

Copy: Steven Guan and Flora Zhang

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604 Main Street South
Airdrie, AB T4B 3K7
Phone: 403-912-8400
Fax: 403-912-8410

BANFF Health Unit
303 Lynx Street
PO Box 1266
Banff, AB T1L 1B3
Phone:403-762-2990
Fax: 403-762-5570

CALGARY - Southport Atrium
10101 Southport Road SW
Calgary, AB T2W 3N2
Phone:403-943-2288
Fax: 403-943-8056

CANMORE Public Health
#104, 800 Railway Avenue
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CLARESHOLM Public Health
5221 2nd Street W
PO Box 1391
Claresholm, AB T0L 0T0
Phone: 403 625-4061
Fax: 403-625-4062

COCHRANE Community Health Centre
60 Grande Boulevard
Cochrane, AB T4C 0S4 Phone:
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OKOTOKS Health and Wellness Centre
11 Cimarron Common
Okotoks, AB T1S 2E9
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STRATHMORE Public Health Office
650 Westchester Road
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www.albertahealthservices.ca/eph.asp

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