

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: **Big White Holdings Investments Inc.
Esmail Bhanji 2003 Family Trust
Esmail Bhanji
White Elephant Premiere Marketing Ltd.
Nithida Watkins**

RE: The food establishment located in Calgary, Alberta and municipally described as:
Best Western Airport Hotel-White Elephant Thai Restaurant, 1947 18 Avenue 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 kitchen's only preparation cooler is not functioning properly. Foods in inserts and interior of cooler, including bean sprouts and chicken, measured between 15-20 degrees Celsius.
- b. The kitchen's other fridge, an upright Pepsi unit, measured between 10.5 and 11 degrees Celsius and all foods inside cooler were measured at the same temperature.
- c. There is no thermometer in the back storage room refrigerator.
- d. Staff do not have a probe thermometer to measure interior temperatures of foods.
- e. Large containers of curry sauces are being cooled at room temperature and then placed, still warm, in a small cooler which cannot accommodate size of containers.
- f. The hand soap dispenser at the kitchen's only hand sink had no soap.
- g. There is no paper towel dispenser at the kitchen's only hand sink.
- h. Staff were observed not washing hands prior to handling ready-to-eat foods.
- i. Staff were observed handling food and then proceeding to wash hands with gloves still on hands.
- j. The vent directly above areas where clean dishes are stored is very dusty.
- k. The ventilation hood above the grill is not working and does not turn on when switch is flipped.

- l. The caulking around the hand sink is mouldy.
- m. The hand sink is not properly attached to the wall and is hanging loosely from plumbing fixtures.

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 kitchen's only preparation cooler is not functioning properly. Foods in inserts and interior of cooler, including bean sprouts and chicken, measured between 15-20 degrees Celsius. This is in contravention of AR 31/2006, Section 25(1).
- b. The kitchen's other fridge, an upright Pepsi unit, measured between 10.5 and 11 degrees Celsius and all foods inside cooler were measured at the same temperature contravening AR 31/2006, Section 25(1).
- c. There is no thermometer in the back storage room refrigerator. This contravenes AR 31/2006, Section 18 (b)(iii).
- d. Staff do not have a probe thermometer to measure interior temperatures of foods. This contravenes AR 31/2006, Section 18(b)(ii).
- e. Large containers of curry sauces are being cooled at room temperature and then placed, still warm, in a small cooler which cannot accommodate size of containers. This contravenes Section(s) 3.3.6 and 4.1.11(b) of the Food Retail and Foodservices Code.
- f. The hand soap dispenser at the kitchen's only hand sink had no soap contravening Section 2.14(b)(iv) of the Food Retail and Foodservices Code.
- g. There is no paper towel dispenser at the kitchen's only hand sink contravening Section 2.14(b)(iv) of the Food Retail and Foodservices Code.
- h. Staff were observed not washing hands prior to handling ready-to-eat foods. This contravenes Section 5.6 of the Food Retail and Foodservices Code.
- i. Staff were observed handling food and then proceeding to wash hands with gloves still on hands. This contravenes Section 5.6 of the Food Retail and Foodservices Code.
- j. The vent directly above areas where clean dishes are stored is very dusty contravening AR 31/2006, Section 28(2).
- k. The ventilation hood above the grill is not working and does not turn on when switch is flipped. This contravenes Section 2.8(b) of the Food Retail and Foodservices Code.
- l. The caulking around the hand sink is mouldy contravening AR 31/2006, Section 18(a).

- m. The hand sink is not properly attached to the wall and is hanging loosely from plumbing fixtures contravening AR 31/2006, Sections 17(1)(a) and 19.

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. Repair preparation and upright Pepsi cooler to ensure they are both capable of holding food at temperatures below 4 degrees Celsius.
 - b. Purchase and install a thermometer in the back storage room cooler.
 - c. Purchase and have accessible a regularly calibrated probe thermometer.
 - d. Cool all sauces and food in accordance with the Food Retail and Foodservices Code.
 - e. Refill soap in dispenser and install paper towel dispenser at hand sink.
 - f. Ensure hands are washed properly and in accordance with the Food Retail and Foodservices code prior to handling food.
 - g. Clean and maintain vent.
 - h. Repair ventilation hood and maintain in good working order.
 - i. Replace the caulking around the hand sink and properly secure to wall.
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 12, 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 Nithida Watkins and Esmail Bhanji, at 8:00pm on August 10, 2011.

Copy Big White Holdings

AIRDRIE Regional Health Centre

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
Canmore, AB T1W 1P1
Phone: 403-678-5656
Fax: 403-678-5068

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: 403-851-6000
Fax: 403-851-6009

OKOTOKS Health and Wellness Centre

11 Cimarron Common
Okotoks, AB T1S 2E9
Phone: 403-995-2600
Fax: 403-995-2639

STRATHMORE Public Health Office

650 Westchester Road
Strathmore, AB T1P 1H8
Phone: 403-361-7200
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www.albertahealthservices.ca/eph.asp

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