

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

**To: Fay Tabsh**  
6119 Thornaby Way NW  
Calgary, Alberta T2K 5K7

**Re:** The Food Establishment located in Calgary, Alberta and municipally described as:  
Fay's Delicious Lebanese  
6119 Thornaby Way NW  
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. Dirty cleaning cloths on the counter;
- b. No sanitising of food contact surfaces and food utensils;
- c. No test strips for checking sanitizer strength;
- d. Dirty plastic laundry tub and a small 2 compartment sink used for dishwashing;
- e. Garbage bin located in small strip in front of the 2 compartment sink;
- f. Family washer/dryer located in cupboard in kitchen;
- g. No designated hand washing sink with supplies of soap and single use towels in suitable dispensers;
- h. Mouse droppings seen in kitchen;
- i. Furnace room located in the kitchen;
- j. Mouldy unfinished wood near laundry tub;
- k. No one has the required Food Safety Certification;
- l. No procedures for cleaning and sanitising the facility.

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 2003 exist in and about the above noted food establishment, namely:

- a. Dirty cleaning cloths on the counter which is a breach of the Food Retail and Foodservices Code 2003 section 4.2.5 (d);
- b. No sanitising of food contact surfaces and food utensils which is a breach of the Food Regulation AR 31/2006 section 28 (2);
- c. No test strips for checking sanitizer strength which is a breach of the Food Retail and Foodservices Code 2003 section 4.2.8 (iv);
- d. Dirty plastic laundry tub and a small 2 compartment sink used for dishwashing

which is a breach of the Food Retail and Foodservices Code 2003 section 4.2.8 (a) l);

;

- e. Family washer/dryer located in cupboard in kitchen which is a breach of the Food Regulation AR 31/2006 section 17 (1) (d);
- f. No designated hand washing sink with supplies of soap and single use towels in suitable dispensers which is a breach of the Food Regulation AR 31/2006 sections 17 (1) (e) & (f) ;
- g. Mouse droppings seen in kitchen which is a breach of the Food Regulation AR 31/2006 section 21;
- h. Furnace room located in the kitchen which is a breach of the Food Retail and Foodservices Code 2003 section 2.9 (d) (v);
- i. Mouldy unfinished wood near laundry tub which is a breach of the Food Regulation AR 31/2006 sections 17 (1) (a) & (b);
- j. No one has the required Food Safety Certification which is a breach of the Food Regulation AR 31/2006 section 31 (1);
- k. No written procedures for cleaning and sanitising the facility which is a breach of the Food Regulation AR 31/2006 section 29.

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. Cease using the approved commercial kitchen for all personal /family use and remove all blankets, cushions, personal food and non business items from the approved area;
  - b. Enclose the furnace so it is located in a separate room from the commercial kitchen;
  - c. Remove the family washer and dryer from within the approved commercial kitchen;
  - d. Provide a suitable hand washing station equipped with soap and single use towels in suitable dispensers;
  - e. Provide a double sink of non-corrodible material that is large enough to fully immerse your largest piece of equipment;
  - f. Repair counters/shelves to a smooth and washable finish;;
  - g. Provide pest control services to the permitted kitchen and keep records of all pest control measures taken;
  - h. Clean and sanitise the kitchen, all equipment and utensils within.
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.

ORDER OF AN EXECUTIVE OFFICER

Re: The Food Establishment located in Calgary, Alberta and municipally described as 6119 Thornaby Way NW Calgary, Alberta

---

Dated at Calgary, Alberta, this 19<sup>th</sup> day of July 2011 and confirming the verbal order of July 18, 2011.

---

Marlene Celestin Welch  
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.***

---

**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  
Phone: 403-361-7200  
Fax: 403-361-7244

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