

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

To: The North West Company LP
3120 27 Street NE
Calgary, AB

Re: The Food Establishment **Giant Tiger #435** located in Calgary, Alberta and municipally described as: 3120 27 Street NE, Calgary, AB.

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. Water samples drawn from the Dyna Pro water dispenser located in the store on February 21, March 2, March 7, and March 11, 2011 and tested for bacteriological quality by the Provincial Laboratory for Public Health (Microbiology) were unsatisfactory with heterotrophic plate counts of 210 cfu/mL, 860 cfu/mL 140 cfu/mL and 200 cfu/mL respectively.

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. Water samples drawn from the Dyna Pro water dispenser located in the store on February 21, March 2, March 7, and March 11, 2011 and tested for bacteriological quality by the Provincial Laboratory for Public Health (Microbiology) were unsatisfactory with heterotrophic plate counts of 210 cfu/mL, 860 cfu/mL 140 cfu/mL and 200 cfu/mL respectively, contravening sections 2(6) and 17(1)(f)(i) of the Regulation and Appendix F of the Code.

AND WHEREAS by virtue of the foregoing, the above noted **Dyna Pro water dispensing system** on the premises are hereby declared to be **closed**;

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the Owner immediately close the above noted water dispensing system
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted food establishment, namely:

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Re: The water dispenser at Giant Tiger #435 located in Calgary, Alberta and municipally described as 3120 27 Street NE
Calgary, AB

- a. Disinfect the water dispensing system and submit for microbiological testing at least two water samples taken over a period of greater than 24 hours to the Provincial Laboratory of Public Health.
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, and the results of the tests done by the Laboratory are satisfactory, the above noted premises shall remain closed.

Dated at Calgary, Alberta, this 15th day of March, 2011.

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, 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 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
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Fax: 403-912-8432

Banff

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Calgary/Mountain View/Rocky View

Alberta Health Services, *Southport*
10101 Southport Rd SW
Calgary, AB T2W 3N2
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Canmore

Canmore Public Health
#104, 800 Railway Avenue
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Claresholm

Claresholm Public Health
5221 2nd Street W
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Didsbury

Didsbury Health Unit
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Okotoks

Okotoks Public Health Centre
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Strathmore

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www.calgaryhealthregion.ca/envhealth