

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: 1210181 Alberta Inc. Jean Reginald, Justin Slén, Faith Slén, Christiane Slén, Ann Jean (the "Owners")

RE: Jugo Juice located in Calgary, Alberta and municipally described as:
**MC 135- 2500 University Drive NW
Calgary, Alberta**

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. There was dirt on celery stalks, which were ready to be used for making drinks.
- b. There was mould on gingers and zucchinis. Mouldy ginger had already been used for preparing drinks.
- c. Vanilla yogurts were spilling out of the pails in the cooler with the lids opened. Staff indicated that products were received in this condition.
- d. Silverfishes were crawling in the dishwashing area and underneath food equipment. This issue has been outstanding since September 9, 2010. There were also fruit flies by the juice machine.
- e. There was sewage backing up from the janitorial room into the kitchen due to failure of the sump pump.
- f. There was no sanitizer prepared and damp cleaning cloths were stored on food preparation counters.
- g. Flatbreads, wraps and yogurt parfait in the display cooler were measured between 9 to 12°C.
- h. Cooked chicken strips on the bottom of stainless steel upright cooler were measured at 8.4 to 9°C.
- i. Staff indicated that cutting boards and knives used for cutting reheated flatbreads and wraps were being cleaned and sanitized once a day.
- j. Fruit syrup spill inside the freezer located under the juice machine. This freezer was not operational and there was a strong odor from the rotten fruits inside.
- k. There was an accumulation of dirt, grime and food debris on food equipment, inside cabinets, coolers, freezers and floor.
- l. Water damage on the wall located under the ice machine and juice machine. Some ledges on shelves and countertop had unfinished wood exposed. The hinge on the cabinet door located under the ice well was broken.

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. There was dirt on celery stalks, which were ready to be used for making drinks. This contravenes AR 31/ 2006 Section 23 (2).
- b. There was mould on gingers and zucchinis. Mouldy ginger had already been used for preparing drinks. This contravenes AR 31/ 2006 Section 23 (2).
- c. Vanilla yogurts were spilling out of the pails in the cooler with the lids opened. Staff indicated that products were received in this condition. This contravenes AR 31/ 2006 Section 23 (2).
- d. Silverfishes were crawling in the dishwashing area and underneath food equipment. This issue has been outstanding since September 9, 2010. There were also fruit flies by the juice machine. This contravenes AR 31/ 2006 Section 21 (1).
- e. There was sewage backing up from the janitorial room into the kitchen due to failure of the sump pump. This contravenes AR 31/ 2006 Section 17 (1) (f) (ii).
- f. There was no sanitizer prepared and damp cleaning cloths were stored on food preparation counters. This contravenes AR 31/ 2006 Section 28 (2) & Food Retail and Foodservices code Section 4.2.5 (d) (ii).
- g. Flatbreads, wraps and yogurt parfait in the display cooler were measured between 9 to 12°C. This contravenes AR 31/ 2006 Section 2 (6) & 25 (1).
- h. Cooked chicken strips on the bottom of stainless steel upright cooler were measured at 8.4 to 9°C. This contravenes AR 31/ 2006 Section 2 (6) & 25 (1).
- i. Staff indicated that cutting boards and knives used for cutting reheated flatbreads and wraps were being cleaned and sanitized once a day. This contravenes AR 31/ 2006 Section 28 (2).
- j. Fruit syrup spill inside the freezer located under the juice machine. This freezer was not operational and there was a strong odor from the rotten fruits inside. This contravenes AR 31/ 2006 Section 28 (3) (a).
- k. There was an accumulation of dirt, grime and food debris on food equipment, inside cabinets, coolers, freezers and floor. This contravenes AR 31/ 2006 Section 28 (2).
- l. Water damage on the wall located under the ice machine and juice machine. Some ledges on shelves and countertop had unfinished wood exposed. The hinge on the cabinet door located under the ice well was broken. This contravenes AR 31/ 2006 Section 17 (1) (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**:

2. That the Owner immediately close the above noted food establishment.
3. 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 vegetables thoroughly before using.

- b. Discard all foods that are unfit for human consumption.
 - c. Discard vanilla yogurts and receive products in properly sealed containers.
 - d. Contact a certified pest control company to implement pest control measure and provide monitoring services.
 - e. Repair sump pump. Clean and sanitize all kitchen surfaces.
 - f. Ensure sanitizer is available and store cleaning cloths in sanitizer in between use.
 - g. Repair display cooler and store perishable foods at 4°C or less.
 - h. Repair stainless steel upright cooler and store perishable foods at 4°C or less.
 - i. Clean and sanitize cutting boards and knives as often as necessary.
 - j. Clean and repair the freezer underneath the juice machine.
 - k. Clean all food equipment, inside cabinets, freezers and floor.
 - l. Repair or replace wall, ledges on shelves, countertop and cabinet door.
3. That until such time as the work referred to in paragraph **2 a to k** above is completed to the satisfaction of an Executive Officer of Alberta Health Services; the above noted food establishment shall remain closed.
 4. The work referred to in paragraph 2 l shall be completed to the satisfaction of an Executive Officer of Alberta Health Services by September 16, 2011.

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 10, 2011.

Joan E. Fung, 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 Julie Slen and Faith Slen, at 4:30pm on August 9, 2011. .

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
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STRATHMORE Public Health Office
650 Westchester Road
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www.albertahealthservices.ca/eph.asp