

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

**To: Sundance Saddlery Inc.**  
**Donna-Marie Gilbert**  
**(“The Owner”)**

**Re: Sundance Saddlery Coffee Shop** located in Black Diamond, Alberta and municipally described as:  
**401 Government Road South, Black Diamond, 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. Only a single sink is available for the cleaning and sanitizing of food contact utensils, reusable customer cups and equipment.
- b. Operating without a valid and subsisting food handling permit from Alberta Health Services.

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. Only a single sink is available for the cleaning and sanitizing of food contact utensils, reusable customer cups and equipment. This is in contravention of Section 28(1) of the Food Regulation.
- b. Operating without a valid and subsisting food handling permit from Alberta Health Services which is in contravention of section 3(1)(a)(b) which states that no person shall operate a food establishment unless the person is an operator who holds a valid and subsisting permit for the operation of the food establishment, and the food establishment is identified on the permit as approved by the regional health authority that issued the permit.

AND WHEREAS by virtue of the foregoing, the above noted food service is 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. Install adequate sinks and equipment for the level of food service provided.
  - b. Obtain a valid food handling permit from Alberta Health Services
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.

Dated at Okotoks, Alberta, this 25th day of May, 2011 which follows the verbal order issued on May 24, 2011.

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Andrew O'Laney  
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.***

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