

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

To: John & Jannie Schalkwijk
Kingsland Farmers Market-Sylvan Star Cheese
7711 Macleod Trail SW
Calgary, AB T2H 0M1
(the “**Owner**”)

Sylvan “Star” Cheese Ltd
RR1 LCD 1 Site 6 Box 31
Red Deer Alberta T4N 5E1
(the “**Owner**”)

Kingsland Farmers Market
Four Seasons Farmer’s Market Society/ Alberta Local Food Co. Ltd
7711 Macleod Trail SW
Calgary, AB T2H 0M1

Re: The Food Establishment located in Calgary, Alberta and municipally described as:
Sylvan Star Cheese Ltd
7711 Macleod Trail S
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. Staff refused access to the booth to inspect.
- b. The labels on the cheeses were misleading. Labels on the cheeses state “refrigerate after opening” rather than advising refrigeration of the products at all times.
- c. Staff refused to provide information on the source of the eggs that were being sold.

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:

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- a. Staff refused access to the booth to inspect. This is in contravention of Section 59(1) and Section 71 of the Public Health Act.
- b. The labels on the cheeses were misleading. Labels on the cheeses state "refrigerate after opening" rather than advising refrigeration of the products at all times. This in contravention of Section 3.2.2.2 of the Food Retail and Foodservices Code.
- c. Staff refused to provide information on the source of the eggs that were being sold. This in contravention of Section 59(2)(c) and Section 71 of the Public Health Act.

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. Allow access to booth to inspect
 - b. Label all cheeses with proper labels
 - c. Provide information on the source of the eggs
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 Calgary, Alberta, this 29th day of April, 2011 following a verbal order dated April 28th 2011.

Joan E. Fung
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

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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 2nd 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

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