

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: CG Foods Inc.
and To: Claudio Giuliani
(the "Owners")

RE: The food establishment operating in Calgary, Alberta and municipally described as:
999 Hot Dog Cart – CGY-049
411 1 Street SE

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 no hot or cold running water at the handwash sink since it was frozen;
- b. The mobile food cart was operating outside of the Seasonal Food Handling Permit;
- c. Hamburgers from an unapproved source, were being offered for sale;
- d. No recent bacteriological water sample records were found;
- e. Tongs were dirty with old food/sauce.

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 no hot or cold running water at the handwash sink since it was frozen, which is in contravention of Section 17(1)(f)(i) of the Food Regulation;
- b. The mobile food cart was operating outside of the Seasonal Food Handling Permit, which is in contravention of Section 3(1) of the Food Regulation;
- c. Hamburgers from an unapproved source, were being offered for sale, which is in contravention of Section 22(1) of the Food Regulation;
- d. No recent bacteriological water sample results were found, which is in contravention of Section 17(1)(f)(i) of the Food Regulation;
- e. Tongs were dirty with old food/sauce, which is in contravention of Section 28(2) of the Food Regulation.

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 immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Complete modifications to the water system to ensure it does not freeze when operating in freezing cold temperatures. There must be a supply of hot and cold running water at the handwash sink at all times during operation;
 - b. Obtain a valid food handling permit for year-round operation;
 - c. The Food Handling Permit fee must be paid prior to operating;
 - d. All food offered for sale must be from an approved source. Type B Mobile Vending Units are restricted to minimal handling of certain high-risk foods which include cooking and serving of hot dogs and smokies but NOT other raw or pre-cooked foods (e.g. hamburgers, chicken, pork, etc);
 - e. Submit a water sample to the Provincial Laboratory prior to operation;
 - f. Wash, rinse and sanitize all utensils, containers, equipment, etc everyday at the base of operation.

3. That until such time as the work referred to above is completed to the satisfaction of an Executive Officer of Alberta Health Services; the above noted food establishment shall remain closed.

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, January 19, 2012.

Jeremy Donaldson, B.Sc. B.Tech., 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 Claudio Giuliani, on January 12 and 13, 2012.

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
Phone: 403-995-2600
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STRATHMORE Public Health Office
650 Westchester Road
Strathmore, AB T1P 1H8
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www.albertahealthservices.ca/eph.asp