

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: 1326474 Alberta Ltd.
Elaine Standish
(the "Owner")

RE: The food establishment located in Banff, Alberta and municipally described as:
Banff Sweet Shoppe
#12 – 201 Banff Avenue
PO Box 1394
Banff, Alberta
T1L 1B3

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. Food was being prepared in a home kitchen.
- b. There is no hand sink located in the upstairs food handling area.
- c. There are no sinks available for cleaning and sanitizing utensils.

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. Food was being prepared in a home kitchen. This is in contravention of Section 22(1) of the Food Regulation.
- b. There is no hand sink located in the upstairs food handling area. This is in contravention of Section 17(1)(e) of the Food Regulation.
- c. There are no sinks available for cleaning and sanitizing utensils. This is in contravention of Section 17(1)(b) of the Food Regulation.

AND WHEREAS, by virtue of the foregoing, the open food handling and portioning section of the above noted premises are hereby declared to be **Closed**.

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

1. That the Owner immediately close the open food handling and portioning section of the above noted food establishment; only pre-packaged products may be sold.

2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Cease the preparation, handling and sale of any open food.
 - b. Install a hand sink, equipped with liquid soap and paper towel in dispensers, in the upstairs food handling area.
 - c. Ensure that the two compartment sink is hooked up to hot and cold running water to facilitate the cleaning and sanitizing of utensils.
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 open food handling and portioning section of 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 Banff, Alberta, January 26th, 2012

Avory Robertson Bsc, BEH, 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 on January 25th, 2012.

Copy Alberta Health Services

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
Fax: 403-995-2639

STRATHMORE Public Health Office

650 Westchester Road
Strathmore, AB T1P 1H8
Phone: 403-361-7200
Fax: 403-361-7244

www.albertahealthservices.ca/eph.asp