

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

To: Jonathan Singer
Jonathan Singer Experience Marketing
#305 – 4098 St. Catherine Street W.
Westmount, PQ H3Z 1P2
(the “**Owner**”)

Ian Prefontaine
Jonathan Singer Experience Marketing
#305 – 4098 St. Catherine Street W.
Westmount, PQ H3Z 1P2
(the “**Owner**”)

Jennifer Harris
InField Marketing Group
#5 – 2735 Matheson Boulevard E.
Mississauga, ON L4W 4M8
(the “**Owner**”)

Re: The Europe’s Best Smoothie Tour Mobile Food Vending Vehicle inspected in Calgary, Alberta at Sobeys Tuscany parking lot located at #2020 – 11300 Tuscany Boulevard N.W.

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. Water contained in the potable water holding tank is of unknown quality. There are no sample results to indicate that this water is safe for human consumption.
- b. The hose used in supplying water for the potable water holding tank is not foodgrade. The hose when not in use is stored unprotected from contamination in the trunk of a van.
- c. Grey water from the waste tank is being emptied into a storm drain.
- d. Staff members are not sanitizing food preparation utensils or food contact surfaces.
- e. There are no sanitizer test strips provided.

ORDER OF AN EXECUTIVE OFFICER

Re: The Mobile Food Vending Vehicle located in Calgary, Alberta and municipally described as Europe's Best Smoothie Tour located in the Sobeys Tuscany parking lot at #2020 – 11300 Tuscany Blvd. NW, Calgary, Alberta.

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. Water contained in the potable water holding tank is of unknown quality. There are no sample results to indicate that this water is safe for human consumption. This is in contravention to Section 17(1)(f)(i) of the Food Regulation.
- b. The hose used in supplying water for the potable water holding tank is not foodgrade. The hose when not in use is stored unprotected from contamination in the trunk of a van. This is in contravention to Section 18(a) of the Food Regulation.
- c. Grey water from the waste tank is being emptied into a storm drain. This is in contravention to Section 17(1)(f)(ii) of the Food Regulation.
- d. There is no sanitizer available for food preparation utensils or food contact surfaces. This is contravention to Section 28(2) of the Food Regulation.
- e. There are no sanitizer test strips provided. This is in contravention to Section 4.2.6(e) of the Food Retail and Foodservices Code.

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. Submit a water sample to the Provincial Laboratory for bacteriological testing
 - b. Replace the existing hose with one which is foodgrade for filling the potable water holding tank.
 - c. Ensure all grey water from the waste holding tank is emptied into a sanitary sewer or an approved sewage disposal system.
 - d. Provide an approved sanitizer for the sanitization of food contact surfaces, equipment and utensils.
 - e. Obtain sanitizer test strips for the type of sanitizer used in the facility.
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, and the result of the sample submitted under **2(a)** is determined to be satisfactory, the above noted premises shall remain closed.

ORDER OF AN EXECUTIVE OFFICER

Re: The Mobile Food Vending Vehicle located in Calgary, Alberta and municipally described as Europe's Best Smoothie Tour located in the Sobeys Tuscany parking lot at #2020 – 11300 Tuscany Blvd. NW, Calgary, Alberta.

Dated at Calgary, Alberta, this 5th day of June, 2009, confirming a verbal order issued on the 4th day of June, 2009.

Grace Mar, CPHI(C)
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 comply with the terms hereof.

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Calgary/Mountain View/Rocky View

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www.calgaryhealthregion.ca/envhealth