

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: 2495143 Alberta Ltd.
"the Owner"

Awais Ali
"the Owner"

RE: The food establishment located in Calgary, Alberta and municipally described as:
Ali's BBQ
127 - 5120 147 Street NE

WHEREAS I, an **Executive Officer of Alberta Health Services**, have inspected the above noted 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 in any manner the prevention or suppression of disease, namely:

- a. Mouse droppings were present throughout the facility, including on food storage shelves above food preparation surfaces, on shelving units for dinner plates and food equipment, on floors under and behind large kitchen equipment, along walls throughout the kitchen and back door area, in the electrical panel cabinet, in the storage room under the stairs, and in the dining room under booth seats.
- b. Many ants were crawling on the shelves in the kitchen area near the back door.
- c. Pest control records were not available.
- d. The kitchen lighting was very dim, causing monitoring and proper cleaning to be difficult.
- e. The kitchen ceiling and back door area was painted a dark grey colour, causing monitoring and proper cleaning to be difficult.
- f. The kitchen ceiling and ceiling fixtures were contaminated with grease and dust.
- g. Holes in the ceiling and walls in the back door area were patched with pest glue boards.
- h. There was a heavy accumulation of old food debris under and around the chest freezer, and on walls in the kitchen, particularly behind and near the cook line.
- i. Used cleaning cloths were stored on food preparation surfaces and not in an approved sanitizing solution.
- j. A sanitizing solution was not provided near the kitchen preparation line.
- k. A water jug was stored in the basin of the preparation line handwashing sink; the water jug was obstructing access for handwashing.
- l. Both the paper towel dispenser and hand soap dispenser for the preparation line handwashing sink were empty.
- m. The valve for the cold water line to the preparation handwashing sink was shut off as water was leaking into the dining room.

- n. Take-out bowls were used to scoop out dry ingredients; the bowls were stored inside the bulk containers in contact with dry ingredients.
- o. A bag of onions was stored on the floor in the storage room under the stairs.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Food Regulation, Alberta Regulation 31/2006, the Food Retail and Foodservices Code, and the Nuisance and General Sanitation Regulation AR 243/2003 exist in and about the above noted premises, namely:

- a. Mouse droppings were present throughout the facility, including on food storage shelves above food preparation surfaces, on shelving units for dinner plates and food equipment, on floors under and behind large kitchen equipment, along walls throughout the kitchen and back door area, in the electrical panel cabinet, in the storage room under the stairs, and in the dining room under booth seats. This is in contravention of the Food Regulation AR 31/2006 Section 21(2), which states that: a commercial food establishment must be kept free of pests and of conditions that lead to the harbouring or breeding of pests.
- b. Many ants were crawling on the shelves in the kitchen area near the back door. This is in contravention of the Food Regulation AR 31/2006 Section 21(2), which states that: a commercial food establishment must be kept free of pests and of conditions that lead to the harbouring or breeding of pests.
- c. Pest control records were not available. This is in contravention of the Food Regulation AR 31/2006 Section 28(2), which states that: A written record of all pest control measures used in the commercial food establishment and surrounding area, premises and facilities referred to in subsections (1) and (1.1) must be maintained.
- d. The kitchen lighting was very dim, causing monitoring and proper cleaning to be difficult. This is in contravention of the Food Regulation AR 31/2006 Section 17(1)(f)(iii), which states that: An operator must ensure that, before operation of the commercial food establishment commences, the commercial food establishment is equipped with lighting that is adequate in intensity to enable the sanitary operation and maintenance of the food handling areas. And this is in contravention of the Food Regulation AR 31/2006 Section 19(b), which states that: A person must not operate a commercial food establishment unless it is constructed and maintained in accordance with that approval.
- e. The kitchen ceiling and back door area was painted a dark grey colour, causing monitoring and proper cleaning to be difficult. This is in contravention of the Food Retail and Foodservices Code Section 2.3(a)(i), which states that: Walls and ceilings in food preparation, processing and storage areas should be constructed of finishes such as tile, plaster, sealed brick, stainless steel, or other equivalent materials, which are impervious, washable, durable and light coloured.
- f. The kitchen ceiling and ceiling fixtures were contaminated with grease and dust. This is in contravention of the Food Regulation AR 31/2006 Section 28(2), which states that: A commercial food establishment, all equipment and utensils in it and all surfaces in it with which food comes into contact must be maintained in a sanitary condition and, without limiting the foregoing, must be washed and sanitized in a manner that removes contamination.

- g. Holes in the ceiling and walls in the back door area were patched with pest glue boards. This is in contravention of the Food Retail and Foodservices Code Section 2.3(a)(i) to (v), which states that: Walls and ceilings in food preparation, processing and storage areas should be: i) constructed of finishes such as tile, plaster, sealed brick, stainless steel, or other equivalent materials, which are impervious, washable, durable and light coloured; ii) kept in good repair; iii) kept in a clean and sanitary manner; iv) free from flaking materials; and v) free of pitting and cracks.
- h. There was a heavy accumulation of old food debris under and around the chest freezer, and on walls in the kitchen, particularly behind and near the cook line. This is in contravention of the Food Regulation AR 31/2006 Section 28(2), which states that: A commercial food establishment, all equipment and utensils in it and all surfaces in it with which food comes into contact must be maintained in a sanitary condition and, without limiting the foregoing, must be washed and sanitized in a manner that removes contamination.
- i. Used cleaning cloths were stored on food preparation surfaces and not in an approved sanitizing solution. This is in contravention of the Food Regulation AR 31/2006 Section 28(2), which states that: A commercial food establishment, all equipment and utensils in it and all surfaces in it with which food comes into contact must be maintained in a sanitary condition and, without limiting the foregoing, must be washed and sanitized in a manner that removes contamination.
- j. A sanitizing solution was not provided near the kitchen preparation line. This is in contravention of the Food Regulation AR 31/2006 Section 28(2), which states that: A commercial food establishment, all equipment and utensils in it and all surfaces in it with which food comes into contact must be maintained in a sanitary condition and, without limiting the foregoing, must be washed and sanitized in a manner that removes contamination.
- k. A water jug was stored in the basin of the preparation line handwashing sink; the water jug was obstructing access for handwashing. This is in contravention of the Food Retail and Foodservices Code Section 2.14(b)(ii) and (iii), which states that: Handwash facilities should: ii) be accessible for the use of workers at all times; iii) not be used for purposes other than handwashing.
- l. Both the paper towel dispenser and hand soap dispenser for the preparation line handwashing sink were empty. This is in contravention of the Food Regulation AR 31/2006 Section 30(4), which states that: The hand washing stations referred to in section 17(1)(e) must be maintained and kept supplied.
- m. The valve for the cold water line to the preparation handwashing sink was shut off as water was leaking into the dining room. This is in contravention of the Food Regulation AR 31/2006 Section 30(4), which states that: The hand washing stations referred to in section 17(1)(e) must be maintained and kept supplied.
- n. Take-out bowls were used to scoop out dry ingredients; the bowls were stored inside the bulk containers in contact with dry ingredients. This is in contravention of the Food Regulation AR 31/2006 Section 28(3)(a) and (b), which states that: All equipment and utensils in a commercial food establishment must be (a) kept in good working order and

condition, and (b) maintained in a manner that ensures the safe and sanitary handling of food. And this is in contravention of the Food Regulation AR 31/2006 Section 23(1)(a) and (b), which states that: All food used or to be used in a commercial food establishment must be (a) protected from contamination and (b) handled in a sanitary manner.

- o. A bag of onions was stored on the floor in the storage room under the stairs. This is in contravention of the Food Regulation AR 31/2006 Section 23(1)(a) and (b), which states that: All food used or to be used in a commercial food establishment must be (a) protected from contamination, and (b) handled in a sanitary manner.

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 premises.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Schedule a compliance review hearing with Alberta Health Services.
 - b. Thoroughly clean and sanitize the entire food establishment including the kitchen, back door area, storage areas, and dining room to remove all mouse and, ant harbourage areas, and pest excrement.
 - c. Assess food and food packaging materials and discard all items and food damaged and/or compromised by pests.
 - d. Retain the services of a professional pest control company to abate all pest infestations. Provide a written record of all pest control measures used to an Executive Officer of Alberta Health Service for review.
 - e. Clean the entire kitchen floor, walls, and ceiling to remove all grease, dust, food debris, and contaminants.
 - f. Improve the light intensity of the kitchen by installing brighter light bulbs or additional light fixtures, and paint the ceiling and walls in the kitchen and back door area with paint that is washable, durable, and light coloured.
 - g. Remove pest glue boards from holes and properly repair and finish the ceiling and walls in the back door area so surfaces are smooth, nonporous, and easily cleanable.
 - h. Keep wet, used cleaning cloths in an approved sanitizing solution between uses.
 - i. Ensure that an approved sanitizing solution (i.e. 100 parts per million bleach or 200 parts per million Quaternary Ammonium Compounds) is prepared whenever food

handling is occurring. Refresh the solution frequently, especially when it is contaminated with food debris.

- j. Do not obstruct handwashing stations or store items in handwashing sink basins. Ensure handwashing sinks are easily accessible for handwashing at all times.
 - k. Refill the paper towel dispenser and hand soap dispenser at the preparation line handwashing sink. Ensure that all handwashing stations are stocked with liquid soap and single-use paper towel at all times.
 - l. Repair the leak at the preparation line handwashing sink and restore the cold water supply. Ensure handwashing stations are supplied with hot and cold running water at all times.
 - m. Obtain scoops or utensils with handles to scoop out dry ingredients. Keep scoops stored outside of the product in a clean container. Do not repurpose cans and single use utensils as scoops.
 - n. Store foods, food packaging materials, and food equipment and utensils off the floor and in such a manner that prevents contamination.
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 premises 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, June 27, 2024.

Confirmation of a verbal order issued to Awais Ali on June 26, 2024.

Executive Officer
Alberta Health Services

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 by submitting a Notice of Appeal form within ten (10) days after receiving the order to:

Public Health Appeal Board
c/o Central Reception
Main Floor, ATB Place North Tower
10025 Jasper Avenue NW
Edmonton, Alberta, T5J 1S6
Phone: 780-222-5186
Fax: 780-422-0914
Email: HealthAppealBoard@gov.ab.ca
Website: <https://www.alberta.ca/public-health-appeal-board.aspx>

A Notice of Appeal form may be obtained by contacting the Public Health Appeal Board or visiting their website.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Health Legislation and regulations are available for purchase. Please contact Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Copies of standards are available by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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www.albertahealthservices.ca/eph.asp