

## **ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE**

**To:** Can Fung Investments Ltd.  
“the Owner”

Ky Gia Ly  
“the Owner”

**RE:** The food establishment located in Calgary, Alberta and municipally described as:  
Can Fung Food Service – Warehouse Expansion Area  
5631 Burbank Road SE

**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. The beef processing area, including cutting tables and two slicers, was expanded to the warehouse without approval. The warehouse area does not have a handwashing sink, dishwashing sink or floor drain.

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

- a. The beef processing area, including cutting tables and two slicers, was expanded to the warehouse without approval. The warehouse area does not have a handwashing sink, dishwashing sink or floor drain. This is in contravention of section 16 of the Food Regulation AR 31/2006, which states that: A person must not construct or make alterations to a commercial food establishment unless plans and specifications for the construction or alterations, as the case may be, have been approved by the executive officer.

**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. Immediately cease all food handling in the warehouse.
  - b. Submit a floor plan to an Alberta Health Services Executive Officer to move the slicers and cutting tables into the permitted cutting room; or stop using the additional slicers and cutting tables and immediately remove or store the equipment.
  - c. Submit a floor plan for the new processing room for review by an Alberta Health Services Executive Officer. The floor plan must be to scale and clearly identify and describe all surfaces, plumbing, plumbing fixtures and equipment.
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, July 05, 2024

Confirmation of a verbal order issued to Sandy Hsu and Kelly Hsu on July 03, 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](mailto: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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<https://www.ahs.ca/eph>