

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

**To:** Mamita's Kitchen Inc.  
"the Owner"

Melecio Batalla  
"the Owner"

Felina Batalla  
"the Owner"

**RE:** The mobile food establishment located in Chestermere, Alberta and municipally described as:  
Mamita's Kitchen – CGY-1788, 161 Rainbow Falls Glen

**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 chlorine sanitizer bottle measured 0 ppm chlorine.
- b. There was no continuous supply of water for handwashing or dishwashing.
- c. High risk food in the cooler measured between 12-31 degrees Celsius.
- d. High risk food in the steam table measured between 46-58 degrees Celsius.
- e. The generator was not consistently working and was therefore unable to supply adequate power to cold holding and hot holding equipment.

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

- a. The chlorine sanitizer bottle measured 0 ppm chlorine. This is in contravention of section 28(2) of the Food Regulation AR 31/2006, 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.
- b. There was no continuous supply of water for handwashing or dishwashing. This is in contravention of section 17(1)(f)(i) of the Food Regulation AR 31/2006, which states that: An operator must ensure that the commercial food establishment is supplied with hot and cold running water that is safe for human consumption and available in quantities sufficient to meet the needs of the food establishment.
- c. Food in the cooler measured between 12-31 degrees Celsius. This is in contravention of section 25(1) of the Food Regulation AR 31/2006, which states that: All high-risk food must be stored, displayed and transported at a temperature of (a) not more than 4°C or such higher

- temperature, or (b) not less than 60°C or such lower temperature as an executive officer stipulates under subsection (4).
- d. Food in the steam table measured between 46-58 degrees Celsius. This is in contravention of section 25(1) of the Food Regulation AR 31/2006, which states that: All high-risk food must be stored, displayed and transported at a temperature of (a) not more than 4°C or such higher temperature, or (b) not less than 60°C or such lower temperature as an executive officer stipulates under subsection (4).
  - e. The generator was not consistently working and was therefore unable to supply adequate power to cold holding and hot holding equipment. This is in contravention of section 25(1) of the Food Regulation AR 31/2006, which states that: All high-risk food must be stored, displayed and transported at a temperature of (a) not more than 4°C or such higher temperature, or (b) not less than 60°C or such lower temperature as an executive officer stipulates under subsection (4).

**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. Ensure an approved food safe sanitizer, such as a 100ppm chlorine solution, is readily available when food preparation or service are occurring.
  - b. Repair the water system to allow for a consistent supply of hot and cold running water for handwashing and dishwashing.
  - c. Ensure that all high risk food is held below 4 degrees Celsius or above 60 degrees Celsius during storage, display, and transport.
  - d. Repair the generator to allow for consistent operation of hot and cold holding equipment.
3. That, until such time as the work referred to in paragraph 2 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 Airdrie, Alberta, July 26, 2024

Confirmation of a verbal order issued to Felina Batalla July 24, 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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