

## **ORDER OF AN EXECUTIVE OFFICER**

**To:** 2219263 Alberta Ltd.  
"the Owner"

Farzana Jessa  
"the Owner"

Sohail Raja  
"the Owner"

**RE:** The food establishment located in <municipality>, Alberta and municipally described as:  
Mirchi  
1130 - 76 Westwinds Crescent 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. The 2-compartment dishwashing sink was simultaneously used for washing dirty dishes and the preparation of food. Wet, dirty rags were hanging an inch over the food being handled.
- b. There was a large gap between the dishwasher and loading/unloading table, and the floor below was pooled with water.
- c. The light fixture in the walk-in cooler was installed in a corner next to a tall shelf and the lighting level was very dim.
- d. The door next to the dishwasher was missing trim on the left side.

**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, Alberta Regulation 243/2003 exist in and about the above noted premises, namely:

- a. The 2-compartment dishwashing sink was simultaneously used for washing dirty dishes and the preparation of food. Wet, dirty rags were hanging an inch over the food being handled. This is in contravention of the Food Regulation AR 31/2006 Section 23(1), 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.
- b. There was a large gap between the dishwasher and loading/unloading table, and the floor below was pooled with water. This is in contravention of the Nuisance and General

Sanitation Regulation AR 243/2003 Section 2(1), which states that: No person shall create, commit or maintain a nuisance.

- c. The light fixture in the walk-in cooler was installed in a corner next to a tall shelf and the lighting level was very dim. 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 is equipped with lighting that is adequate in intensity to enable the sanitary operation and maintenance of the food handling areas.
- d. The door next to the dishwasher was missing trim on the left side. 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.

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

- 1. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Install a food preparation sink. Prior to installing the food preparation sink, obtain approval for the location from an Alberta Health Services, Executive Officer.
  - b. Install a suitable dish table or drainboard that allows water to properly drain into the plumbing system.
  - c. Install additional light fixtures in the walk-in cooler to meet adequate light intensity.
  - d. Install the missing door trim.
- 2. The work referred to in paragraph 1 shall be completed by **June 17, 2023**.

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, May 2, 2023.

Confirmation of a verbal order issued to Ishwari Bhandari on May 1, 2023.

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>

---

Calgary • Southport • Environmental Public Health

10101 Southport Road SW, Calgary, Alberta, Canada, T2W 3N2

<https://www.ahs.ca/eph>