

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: 2115581 Alberta Ltd.
"the Owner"

Rioj Jacob Thomas
"the Director"

Koshy George Palathumthalackel
"the Director"

RE: The food establishment located in Calgary, Alberta and municipally described as:
True Love Foods – CGY-1571
3400 14 Street NW

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. Dirty cloths were left on the food preparation counter.
- b. A sanitizer solution was not available in the food establishment for sanitizing food contact surfaces, dish washing or to immerse cloths in between uses.
- c. Prepared foods, ready for cooking were being obtained from the Desi Indian Hypermarket which was not authorized/permited to handle open foods.
- d. There were no single use towels in a suitable dispenser at the handwashing sink.
- e. There was no supply of potable water.
- f. Two electric space heaters were balanced one atop the other on the stainless-steel counter next to the fryer.
- g. All food handling was not being done in the approved mobile food establishment. Foods were being packed for delivery in Desi Indian Hypermarket, in front of which the mobile was parked.
- h. The floor, walls and equipment were dirty.
- i. There was a bucket on the floor containing a mixture of waste oil, paper towels and food scraps.

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. Dirty cloths were left on the food preparation counter. This contravenes 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. A sanitizer solution was not available in the food establishment for sanitizing food contact surfaces, dish washing or to immerse cloths in between uses. This contravenes 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.
- c. Prepared foods, ready for cooking were being obtained from the Desi Indian Hypermarket which was not authorized/permitted to handle open foods. This contravenes section 22(1) of the Food Regulation AR 31/2006 which states that: Subject to this section, a commercial food establishment must obtain all food that is liable under law to inspection by the Government of Canada or Alberta or by an agency of either from a source that is subject to inspection by that entity.
- d. There were no single use towels in a suitable dispenser at the handwashing sink. This contravenes section 17(1)(e) of the Food Regulation AR 31/2006 which states that: An operator must ensure that, before operation of the food establishment commences, the commercial food establishment has handwashing stations that are adequate in number and situated so as to ensure convenient access by all food handlers and section 30 (4) which states: The handwashing stations referred to in section 17 (1) (e) must be maintained and kept supplied.
- e. There was no supply of potable water. This contravenes section 17(1) (f) (i) of the Food Regulation AR 31/2006 which states that: An operator must ensure that, before operation of the commercial food establishment commences, 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 commercial food establishment.
- f. Two electric space heaters were balanced one atop the other on the stainless-steel counter next to the fryer. This contravenes section 20(1) of the Food Regulation AR 31/2006 which states that: All articles and materials in a commercial food establishment that are not associated with or required for the operation or maintenance of the food areas must be stored separately from the food and the food areas and in a manner that contaminates neither.
- g. All food handling was not being done in the approved mobile food establishment. Foods were being packed for delivery in Desi Indian Hypermarket, in front of which the mobile was parked. This contravenes section 9(4) of the Food Regulation AR 31/2006 which states that: An operator must ensure that the terms and conditions of the permit are not contravened.
- h. The floor, walls and equipment were dirty. This contravenes 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.
- i. There was a bucket on the floor containing a mixture of waste oil, paper towels and food scraps. This contravenes section 4.5.1 of the Alberta Food Retail and Foodservices Code, 2003 (Amended March 2020) which states that: Waste, refuse and recyclable materials should be removed from the food establishment at a frequency that will minimize the development of objectionable odours and other conditions that attract or harbor insects or rodents. Generally, these materials should be removed daily.

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. Remove all waste material from the food establishment.
 - b. Ensure a sanitizer and the corresponding test strips are available to properly sanitize all food contact surfaces, equipment, utensils and to submerge cleaning cloths in between uses.
 - c. Thoroughly clean and sanitize the floors, walls and all equipment of the food establishment.
 - d. Do not prepare or handle food outside of the mobile food establishment unless an alternate location is approved by Alberta Health Services.
 - e. Retrofit the unit to insulate and winterize all water and waste lines.
 - f. Permanently connect the unit to reliable source of potable water and a sewage system i.e the City of Calgary municipal water supply and sewage system.
 - g. Ensure that suitable HVAC units are installed to allow for year-round operation of the mobile food establishment.
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, November 21, 2022.

Confirmation of a verbal order issued to Rioj Thomas on November 17, 2022

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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