

ORDER OF AN EXECUTIVE OFFICER

To: Dong Nam A Inc.
"the Owner"

Nam Vy
"the Owner"

RE: The food establishment located in Calgary, Alberta and municipally described as:
Vietnam International Restaurant
206 – 3716 61 Avenue 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 high temperature dishwasher is not operational; it could not run a complete cycle.
- b. Staff were using the 3-compartment sink for handwashing and dishwashing.
- c. Bean sprouts were measured at 14C. They were stored in a basket in the food preparation area without temperature control.

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 high temperature dishwasher is not operational; it could not run a complete cycle. This is in contravention of section 28(2) of the Food Regulation, AR 31/2006 which states "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. Staff were using the 3-compartment sink for handwashing and dishwashing. This is in contravention of section 28(2) of the Food Regulation, AR 31/2006 which states "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." And this is in contravention of section 17(1)(e) of the Food Regulation, AR31/2006 which states "An operator must ensure that, before operation of the commercial 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."
- c. Bean sprouts were measured at 14C. They were stored in a basket in the food preparation area without temperature control. This is in contravention of section 25(1) of the Food

Regulation, AR 31/2006 which states “All high-risk food must be stored, displayed and transported at a temperature of (a) not more than 4C or such higher temperature, or (b) not less than 60C or such lower temperature as an executive officer stipulates under subsection (4)”.

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. Repair the dishwasher and maintain it in good operating condition. The sanitizing cycle must show a minimum of 82C (180F) on the gauge, and 71C at the dish level.
 - b. Until the dishwasher is repaired, staff must wash dishes using the 3-compartment sink method: washing dishes/utensils with soap in the far basin of the 3-compartment sink, rinsing in the middle basin, and then immersing dishes in sanitizer in the right sink basin for 2 minutes before air drying.
 - c. Install a designated handwashing sink in the immediate vicinity of the food handling/preparation area of the kitchen. Ensure the handwashing sink is adequately stocked with liquid soap and single use paper towel in dispensers at all times.
 - d. Store bean sprouts and other potentially hazardous foods at or below 4C.

2. The work referred to in paragraph 1 shall be completed by August 27, 2021.

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, August 20, 2021

Confirmation of a verbal order issued to Nam Vy and John Le on August 18, 2021.

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 Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518, or by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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www.albertahealthservices.ca/eph.asp