

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: G & K Foods Inc.
Alizain Mevawala
Sonam Paul
“the Owner”

RE: The food establishment located in Edmonton, Alberta and municipally described as:
G & K Foods, 9742 47 Avenue NW, T6E 5P3.

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. Cooking and extensive food handling was observed, which is in violation of the Food Handling Permit restrictions that state “minimal food handling only”.
- b. Food onsite that has become contaminated or otherwise unfit for human consumption, and was served, offered for sale, processed, packaged, displayed or stored for human consumption that includes but is not limited to:
 - Food contaminated by mouse droppings or chewed by mice.
 - Dented can of eggplant puree.
- c. Evidence of a mouse infestation. Mouse droppings were observed on pallets storing food, inside food storage bins and boxes in the kitchen and upstairs storage area, and on floors throughout the kitchen, back storage area, office, and upstairs storage area. Chew marks were observed on food and food packaging. Mouse holes observed throughout the kitchen.
- d. No sanitizer solution was prepared during the inspection while food preparation was occurring. Food contact surfaces were not sanitized prior to handling food.
- e. Multiple used and soiled wiping cloths are stored on food contact surfaces, on unsanitary surfaces, or on the floor, and not stored in an approved sanitizer solution in between uses.
- f. Improper manual dishwashing procedures are in place; staff are not implementing the sanitizing step and are washing dishes with hands only.
- g. Chlorine test strips are expired and are not being used to measure the concentration of sanitizer for sanitizing food preparation surfaces and manual dishwashing.
- h. Unlabeled spray bottles and the contents of the spray bottle were unable to be identified.
- i. Handwashing sinks/facilities are inadequate in number and/or location: staff do not have nearby access to handwashing supplies or designated hand sinks in areas conducting active food handling activities.
- j. The handwashing sink in the kitchen and in the bathroom are not equipped with single use paper towels in a dispensing unit.

- k. Staff members were observed re-using single-use gloves, storing used gloves on unsanitary surfaces, and not washing their hands. A staff member was observed wearing gloves, talking on her cell phone, and handling food.
- l. Personal staff belongings such as cellphones, drinks, and backpacks are stored on food preparation or food storage surfaces throughout the kitchen.
- m. Food is improperly stored and is not being protected from contamination that includes but is not limited to:
 - Multiple food items are stored on the dirty floor and on pallets in the kitchen and walk-in cooler.
 - Uncovered food in the kitchen, walk-in cooler, and freezer.
 - Food is being stacked on top of one another without a barrier in place in the kitchen and walk-in cooler.
 - Non-food grade garbage bags and dirty rags and tablecloths are used to cover foods and/or for food storage.
 - Large amounts of soiled and/or greasy cardboard boxes are being re-used for food storage.
 - Garbage stored on top of an open bag of cumin in the upstairs storage area.
- n. Food equipment is in poor sanitation with an accumulation of dirt, grime, and food debris including food storage bins, ventilation canopy filters, cooking equipment, dough mixers, microwave, and the potato dicer.
- o. Areas of the facility were observed in poor sanitation with an accumulation of dirt, grime, and food debris including the floors, food contact surfaces, food storage areas and shelving racks.
- p. The food processor and cooking pot handles are not in good repair and have duct tape wrapped around them. A cutting board was observed with deep grooves which does not allow for effective cleaning and sanitizing. Wooden spatula was not in good condition.
- q. Unfinished wooden shelving units and wooden pallets are being used for food storage and are not maintained in a sanitary condition.
- r. Bowls are being used to scoop dry goods that lack handles for safe handling of foods.
- s. The 3-compartment sink faucet is leaking water.
- t. Packaged low risk food items are not labeled to indicate their source.
- u. More than six food handlers were working on the premise at one time and none of the food handlers had completed food sanitation training. Food handlers exhibited poor food safety knowledge.
- v. Facility is deep frying, and the fire suppression system does not appear to be constructed in accordance with the requirements of the Alberta Building Code.

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. Cooking and extensive food handling was observed, which is in violation of the Food Handling Permit restrictions that state “minimal food handling only”; which is in contravention of Section 9(1), and 9(4) of the Food Regulation, AR 31/2006, which states that: 9(1) The regional health authority may make the issue or renewal of a permit subject to restrictions on the type of food that, or the manner in which any type of food may be served, manufactured, processed or stored, and any other terms and conditions the authority considers to be appropriate. AND 9(4) An operator shall ensure that the terms and conditions of the permit are not contravened.

- b. Food onsite that has become contaminated or otherwise unfit for human consumption, and was served, offered for sale, processed, packaged, displayed or stored for human consumption that includes but is not limited to food contaminated by mouse droppings or chewed by mice, dented can of eggplant puree; which is in contravention of Section 2(3), and Section 23 of the Food Regulation, AR 31/2006, which states that:
2(3) Notwithstanding subsection (2) or any other exemption under this Regulation, no food handling is exempt from the operation of this Regulation if, in the opinion of the regional health authority, the exemption would or is likely to create a nuisance. AND Section 23(1) 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. 2) Subject to any procedure involved in disposing of it that is otherwise in accordance with the law, food that has become contaminated or otherwise unfit for human consumption must not be served, offered for sale, processed, packaged, displayed or stored for human consumption.
- c. Evidence of a mouse infestation. Mouse droppings were observed on pallets storing food, inside food storage bins and boxes in the kitchen and upstairs storage area, and on floors throughout the kitchen, back storage area, office, and upstairs storage area. Chew marks were observed on food and food packaging. Mouse holes observed throughout the kitchen; which is in contravention of Section 17(2) and Section 21(1) of the Food Regulation, AR 31/2006, which states that: 17(2) Subject to subsection (2.1), the operator must ensure that the commercial food establishment is constructed to control the entry of pests.
21(1) Subject to subsection (1.1), a commercial food establishment must be kept free of pests and of conditions that lead to the harbouring or breeding of pests. (1.1) The following must be kept reasonably free of pests and of conditions that lead to the harbouring or breeding of pests: (a) any surrounding area, premises or facilities supporting a commercial food establishment, including any outdoor food handling areas of the commercial food establishment.
- d. No sanitizer solution was prepared during the inspection while food preparation was occurring. Food contact surfaces were not sanitized prior to handling food; which is in contravention of Section 28(1) and Section 28(2) of the Food Regulation, AR 31/2006, which states that: 28(1) A commercial food establishment must have all the facilities, equipment and utensils that are necessary to ensure its safe operation and maintenance.
28(2) 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.
- e. Multiple used and soiled wiping cloths are stored on food contact surfaces, on unsanitary surfaces, or on the floor, and not stored in an approved sanitizer solution in between uses; which is in contravention of Section 28(1) and Section 28(2) of the Food Regulation, AR 31/2006, which states that: 28(1) A commercial food establishment must have all the facilities, equipment and utensils that are necessary to ensure its safe operation and maintenance. (2) 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.
- f. Improper manual dishwashing procedures are in place; staff are not implementing the sanitizing step and are washing dishes with hands only; which 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.

- g. Chlorine test strips are expired and are not being used to measure the concentration of sanitizer for sanitizing food preparations surfaces and manual dishwashing; which 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.
- h. Unlabeled spray bottles and the contents of the spray bottle were unable to be identified; which is in contravention of Section 20(2) of the Food Regulation, AR 31/2006, which states that: 20(2) All chemicals, cleaners and other similar agents associated with or required for the operation or maintenance of the food areas must be stored in containers that are not intended to be used to store food and that are clearly labelled to identify their contents.
- i. Handwashing sinks/facilities are inadequate in number and/or location: staff do not have nearby access to handwashing supplies or designated hand sinks in areas conducting active food handling activities; which is in contravention of Section 17(1)(e)(i) of the Food Regulation, AR 31/2006, which states that: 17(1) An operator must ensure that, before operation of the commercial food establishment commences, the commercial food establishment (e)has handwashing stations that are adequate in number and situated so as to ensure convenient access by all food handlers, and (i) 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.
- j. The handwashing sink in the kitchen and in the bathroom are not equipped with single use paper towels in a dispensing unit; which is in contravention of section 30(4) of the Food Regulation AR 31/2006 which states: the handwashing stations referred to in section 17(1)(e) must be maintained and kept supplied.
- k. Staff members were observed re-using single-use gloves, storing used gloves on unsanitary surfaces, and not washing their hands. A staff member was observed wearing gloves, talking on her cell phone, and handling food; which is in contravention of Section 23(1), Section 24 and Section 30(1) of the Food Regulation, AR 31/2006, which states that: 23(1) 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, Section 24 states that all food handling in a commercial food establishment must be done in a manner that makes the food safe to eat, and Section 30, which states that a food handler must (a) wear clean clothing and footwear (b) exhibit cleanliness and good personal hygiene, (c) ensure that food is not contaminated by hair, (d) wash hands as often as necessary to prevent the contamination of food or food areas, (e) refrain from smoking in a food area, and (f) refrain from any other conduct that could result in the contamination of food or a food area.
- l. Personal staff belongings such as cellphones, drinks, and backpacks are stored on food preparation or food storage surfaces throughout the kitchen; which is in contravention of Section 20 and Section 23(1) of the Food Regulation, AR 31/2006, which states that: 20(1) 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.
- m. Food is improperly stored and is not being protected from contamination that includes but is not limited to multiple food items are stored on the dirty floor and on pallets in the kitchen and walk-in cooler, uncovered food in the kitchen, walk-in cooler and freezer, food is being stacked on top of one another without a barrier in place in the kitchen and walk-in cooler, non-food grade garbage bags and dirty rags and tablecloths are used to cover foods and/or for food storage, large amounts of soiled and/or greasy cardboard boxes are being re-used for food storage, garbage stored on top of an open bag of cumin in the upstairs storage

area; which is in contravention of Section 23(1) of the Food Regulation which states: “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.”

- n. Food equipment is in poor sanitation with an accumulation of dirt, grime, and food debris including food storage bins, ventilation canopy filters, cooking equipment, dough mixers, microwave, and the potato dicer; which 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. This is also in contravention of section 21(1) of the Food Regulation AR 31/2006 which states: subject to subsection (1.1), a commercial food establishment must be kept free of pests and of conditions that lead to the harbouring or breeding of pests.
- o. Areas of the facility were observed in poor sanitation with an accumulation of dirt, grime, and food debris including the floors, food contact surfaces, food storage areas and shelving racks; which 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. This is also in contravention of section 21(1) of the Food Regulation AR 31/2006 which states: subject to subsection (1.1), a commercial food establishment must be kept free of pests and of conditions that lead to the harbouring or breeding of pests.
- p. The food processor and cooking pot handles are not in good repair and have duct tape wrapped around them. A cutting board was observed with deep grooves which does not allow for effective cleaning and sanitizing. Wooden spatula was not in good condition. This is a contravention of section 28(3) of the Food Regulation AR 31/2006 which states: all equipment and utensils in a commercial food establishment must be (a) kept in good working order and condition, and (b) maintained in a manner that ensures the safe and sanitary handling of food.
- q. Unfinished wooden shelving units and wooden pallets are being used for food storage and are not maintained in a sanitary condition; which is a contravention of 18(a) of the Food Regulation AR 31/2006 which states: An operator must ensure that all equipment and utensils used in the commercial food establishment and all surfaces in it with which food comes into contact are entirely constructed or manufactured from materials that are suitable for their intended purpose, durable, easily cleanable and free from any undesirable substance.
- r. Bowls are being used to scoop dry goods that lack handles for safe handling of foods; which is in contravention of section 28(3) of the Food Regulation AR 31/2006 which states: all equipment and utensils in a commercial food establishment must be (a) kept in good working order and condition, and (b) maintained in a manner that ensures the safe and sanitary handling of food.
- s. The 3-compartment sink faucet is leaking water; which is in contravention of section 28(1) of the Food Regulation AR 31/2006 which states: a commercial food establishment must have all the facilities, equipment and utensils that are necessary to ensure its safe operation and maintenance.
- t. Packaged low risk food items are not labeled to indicate their source; which is in contravention of Section 2(3), and Section 23 of the Food Regulation, AR 31/2006, which states that: 2(3) Notwithstanding subsection (2) or any other exemption under this Regulation, no food handling is exempt from the operation of this Regulation if, in the opinion of the regional health authority, the exemption would or is likely to create a nuisance. AND Section 23(1) 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. 2) Subject to any procedure involved in disposing of it that is otherwise in accordance with the law, food that has become contaminated or otherwise unfit for human consumption must not be served, offered for sale, processed, packaged, displayed or stored for human consumption.

- u. More than six food handlers were working on the premise at one time and none of the food handlers had completed food sanitation training. Food handlers exhibited poor food safety knowledge; which is in contravention of section 31(2) of the Food Regulation, AR 31/2006, which states that: A person operating a commercial food establishment must, at any time when there are 6 or more food handlers working on the premises, ensure that at least one member of the management or supervisory staff of the commercial food establishment holds a certificate or equivalent document referred to in subsection (1) and that that individual is present at the commercial food establishment at the time.
- v. Facility is deep frying and the fire suppression system does not appear to be constructed in accordance with the requirements of the Alberta Building Code; which is in contravention of Section 16 and Section 17(1)(a) of the Food Regulation, AR 31/2006, which states that: 16 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 17(1) An operator must ensure that, before operation of the commercial food establishment commences, the commercial food establishment (a) is of sound construction and in a good state of repair.

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. Cease and desist cooking and extensive food handling occurring at the facility against permit restrictions. Ensure all owners and/or staff are aware of the current Food Handling Permit restrictions and that the terms and conditions of the permit are not contravened. A person who carries on any activity under the purported authority of a permit must comply with the terms and conditions of the permit.
 - b. Discard all food products that have become contaminated, are no longer wholesome, or otherwise unfit for human consumption.
 - c. Disinfect and clean all areas of mouse droppings. Keep up-to-date written pest control maintenance records. An integrated pest control plan must be in place so that the facility is kept free of pests and of conditions that lead to the harbouring or breeding of pests, including sealing mouse holes.
 - d. A sanitizer solution must be prepared and available during hours of operation and food preparation. Food contact surfaces must be sanitized using a food-grade sanitizer, including prior to starting food preparation each day, between tasks and when soiled.
 - e. Wiping cloths must be stored in a sanitizing solution between uses and laundered once soiled.

- f. Ensure proper dishwashing procedures are in place and that all equipment, dishes and utensils are washed and sanitized on a regular basis in a manner that removes contamination.
- g. Obtain food-grade sanitizing chemicals and appropriate testing equipment capable of measuring the approved food-grade sanitizing agent concentration required for food contact surfaces and clean-in-place food equipment. Approved sanitizing solutions are as follows: Chlorine (bleach): A solution of not less than 100 ppm (parts per million) chlorine is required. Quats: A quaternary ammonium compound (quats) having a strength of at least 200 ppm is required. Iodine: An iodine solution containing at least 25 ppm available iodine is required.
- h. Ensure all chemicals are properly labeled to identify their contents.
- i. Handwashing sinks need to be adequate in number and/or location and must be accessible for handwashing. Ensure that alterations to any of the sinks must be submitted in blueprints or plans with descriptions of the specifications for the construction/alterations to be approved by the Executive Officer/PHI before the alterations are made and meet the requirements to comply with the approval from appropriate agencies. Written approval must be obtained from Alberta Health Services before changes to the premises can occur.
- j. Ensure that handwashing sinks are supplied with hot and cold running water, liquid soap and single-use paper towels in suitable dispensing units.
- k. Ensure food handlers are trained on proper procedures for handwashing using running water, soap and paper towel at designated sinks. If single use disposable gloves are worn by staff, please train the staff to dispose of the gloves once the gloves are removed from the hands. Do not store dirty/used gloves on food, food equipment, or food packaging at any time.
- l. Ensure that personal belongings are stored away from food preparation areas in a manner that will not contaminate food products.
- m. Ensure all foods are protected from contamination, are properly stored, and are adequately covered. Cease and desist the practice of re-using single-use disposable packaging to store food in and non-food grade garbage bags and tablecloths to cover food.
- n. Ensure that the facility, food contact surfaces, equipment, and utensils are sanitized and kept in a clean and sanitary condition.
- o. Ensure that the facility is maintained in a clean and sanitary condition and free of any pest contamination. This includes floors, food contact surfaces, cook line, shelving, and hard to reach areas.
- p. Ensure all food equipment and utensils are maintained in good working condition. Discard food equipment and utensils that are held together by duct tape or are no longer durable or easy to clean.
- q. Ensure all food contact surfaces and storage areas are constructed of material that is smooth, easy to clean, and impervious to moisture.
- r. Ensure that scoops with handles are used to scoop dry goods and that scoops are stored in a way that protects food from contamination.
- s. Ensure all plumbing is maintained in good working condition and is free of defects.
- t. All packaged foods within the food facility must conform to the Canadian Food Inspection Agency requirements and therefore, exhibit labels that disclose its contents, the source of the product, and the contact information for the location the food was packaged in.
- u. If at any time there are 6 or more food handlers working on the premises, ensure that at least one member of the management or supervisory staff of the commercial food establishment holds a food safety certificate and that, that individual is present at the commercial food establishment at the time. Ensure staff are re-trained on food safety knowledge. Create or modify any developed food safety plan to address problematic issues and areas identified during this inspection.

Order of an Executive Officer – Notice of Closure

RE: The Food Establishment located in Edmonton, Alberta and municipally described as: G & K Foods, 9742 47 Avenue NW, T6E 5P3

- i. Ensure that the food safety plan facilitates the proper handling and storage of food within the commercial food establishment - and meets the requirements and intentions of section 3.0 of the Food Retail and Food Services Code, 2003, (Amended June 2020).
 - ii. Ensure that all appropriate staff are properly educated and trained regarding duties and requirements of the food safety plan.
 - iii. Maintain the food safety plan to reflect safe and proper food handling within the commercial food establishment.
 - iv. Ensure that the food safety plan is maintained and kept on site for staff to follow and is available upon request for inspection.
 - v. Ensure the fire suppression system for the commercial ventilation canopy is constructed in accordance with the requirements of the Alberta Building Code.
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 Edmonton, Alberta, April 18, 2024

Confirmation of a verbal order issued to Sushant Paul and Salim Mevawala on April 16, 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
Website: <https://www.alberta.ca/public-health-appeal-board.aspx>

Order of an Executive Officer – Notice of Closure

RE: The Food Establishment located in Edmonton, Alberta and municipally described as: G & K Foods, 9742 47 Avenue NW, T6E 5P3

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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Edmonton • Environmental Health • Safe Food Division

Suite 700, 10055 106 Street, Edmonton, Alberta, T5J 2Y2

www.albertahealthservices.ca/eph.asp