

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: Green Onion Cake Man Ltd., &
Siu Yuen To
“the Owners”

RE: The food establishment located in Edmonton, Alberta and municipally described as:
Green Onion Cake Man – EDM-021, 9132 118 Avenue NW, Edmonton, AB.

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. There is no paper towel dispenser at the hand washing sink.
- b. The hand washing sink is made of three very small sinks and are not large enough to properly perform hand washing.
- c. Wastewater is leaking on the ground.
- d. Cooked pork dumplings and green onion cakes are stored in reusable containers on a preparation table. The temperature of the food items is noted at 8 degrees C.
- e. Cooked beef brisket is noted to be at 37 degrees C. Hot holding units are not available to store cooked items.
- f. Frozen food is being thawed at room temperature. Frozen pork dumplings are noted to be at 8 degrees C.
- g. Non-insulated containers are being used to store high risk food items requiring refrigeration.
- h. Food handlers are not performing hand washing between tasks. Food handlers are noted to be wiping glove hands using a paper towel.
- i. Disposable gloves are being reused.
- j. The mobile unit is not equipped with dishwashing sinks or extra cooking utensils as required.
- k. Samples are being offered without protection from customer contamination. The same cutting board used for food preparation is used to offer samples to customers.
- l. Wet cleaning cloths are stored on the food preparation counter, and not in a sanitizing solution as required.

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. There is no paper towel dispenser at the hand washing sink. This is in contravention of **Section 30 (4)** of the **Food Regulation, AR 31/2006**, which states that “*The handwashing stations referred to in section 17(1)(e) must be maintained and kept supplied*”.
- b. The hand washing sink is made of three very small sinks and are not large enough to properly perform hand washing. This is in contravention of **Section 28** 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*”.
- c. Wastewater is leaking on the ground. This is in contravention of **Section 17 (1) (f)** of the **Food Regulation AR 31/2006**, which states, “*An operator must ensure that, before operation of the commercial food establishment commences, the commercial food establishment is connected to a lawful and properly operating sewage disposable system*”.
- d. Cooked pork dumplings and green onion cakes are stored in reusable containers on a preparation table. The temperature of the food items is noted at 8 degrees C. 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 not more than 4°C or such higher temperature*”.
- e. Cooked beef brisket is noted to be at 37 degrees C. Hot holding units are not available to store cooked items. 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 not more than 4°C or such higher temperature*”.
- f. Frozen food is being thawed at room temperature. Frozen pork dumplings are noted to be at 8 degrees C. 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 not more than 4°C or such higher temperature*”.
- g. Non-insulated containers are being used to store high risk food items requiring refrigeration. 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 not more than 4°C or such higher temperature*”.
- h. Food handlers are not performing hand washing between tasks. Food handlers are noted to be wiping glove hands using a paper towel. This is in contravention of **Section 31 (1) (d)** of the **Food Regulation, AR 31/2006**, which states, “*A food handlers must wash hands as often as necessary to prevent the contamination of food or food areas*”.
- i. Disposable gloves are being reused. This is in contravention of **Section 30 (1) (f)** of the **Food Regulation, AR 31/2006**, which states, “*Food handlers must refrain from any other conduct that could result in the contamination of food or a food area*”.
- j. The mobile unit is not equipped with dishwashing sinks or extra cooking utensils as required. This is in which 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*”.
- k. Samples are being offered without protection from customer contamination. The same cutting board used for food preparation is used to offer samples to customers. This is in contravention of **Section 23 (1)** of the **Food Regulation, AR 31/2006**, which states, “*All food used or to be used in a commercial food establishment must be protected from contamination, and handled in a sanitary manner*”.
- l. Wet cleaning cloths are stored on the food preparation counter, and not in a sanitizing solution as required. 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 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 Owners immediately close the above noted premises.
2. That the Owners immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Supply hand washing sink with paper towel dispenser.
 - b. Ensure the hand washing sink is large enough to permit hand washing.
 - c. Investigate the source of leak and repair the wastewater line and ensure that the wastewater is contained in the wastewater tank.
 - d. Ensure that all high-risk food items are either stored above 60 degrees C or below 4 degrees C.
 - e. Ensure beef brisket is reheated to the internal temperature of 74 degrees C and then kept in a hot holding unit maintained at or above 60 degrees C.
 - f. Thaw all food items properly by using one of the following methods:
 - i. In a refrigerator maintained at or below 4 degrees C,
 - ii. As part of cooking process (only when thawing is taken into consideration in determining cooking time)
 - g. Ensure that all high-risk food items are either stored above 60 degrees C or below 4 degrees C.
 - h. Food handlers are to thoroughly wash their hands before commencing work. For example, food handlers shall wash their hands each time after using the washroom, after returning from a break, after snacking or eating, after handling raw food products, or after any other activity or instance where hands may become soiled.
 - i. Gloves are considered single task items and must be removed and discarded between tasks. Hand washing must be performed before putting gloves on and after taking them off. Educate food handlers on proper glove policy.
 - j. Extra cooking utensils must be available for type “B” mobile food establishment. All cutting utensils must be changed frequently, every four hours when in continuous use, or when they become contaminated or soiled.
 - k. Samples must be protected from customer contamination by covering them or offering them only upon request. Do not allow customers to touch food preparation equipment and utensils.
 - l. Cleaning cloths must be stored in a sanitizing solution of appropriate concentration. All food contact surfaces must be cleaned and sanitized using an approved surface sanitizer.

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 St. Albert, Alberta, June 19, 2024

Confirmation of a verbal order issued to Siu Yuen To on June 15, 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>

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>

Copy: St. Albert Chamber of Commerce

St. Albert • St. Albert Public Health Centre • Environmental Public Health

23 Sir Winston Churchill Avenue and St. Albert, Alberta, Canada T8N 2S7

www.ahs.ca/eph