

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: Dung Ta
"the owner"

RE: The unpermitted food establishment located in Calgary Alberta and municipally described as:
Dung Ta
79 Martindale Close NE and/or 62 Panorama Hills Close 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. This unpermitted food establishment was the meat supplier to a premises that has been associated with an *E. coli* O157:H7 food borne illness outbreak. Samples of meat from this supplier tested positive for *E. coli* O157:H7.
- b. Meat being supplied is from unknown sources and its handling, storage and ingredients are unknown.

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 food establishment, namely:

- a. This unpermitted food establishment was the meat supplier to a premises that has been associated with an *E. coli* O157:H7 food borne illness outbreak. Samples of meat from this supplier tested positive for *E. coli* O157:H7 which is in contravention of section 2(1) of the Nuisance and General Sanitation Regulation which states that no person shall create, commit or maintain a nuisance.
- b. Meat being supplied is from unknown sources and its handling, storage and ingredients are unknown which is in contravention of section 2(1) of the Nuisance and General Sanitation Regulation which states that no person shall create, commit or maintain a nuisance.
- c. Operating without a valid and subsisting food handling permit from Alberta Health Services, which is in contravention of section 3(1) (a) (b) of the Food Regulation which states that no person shall operate a food establishment unless the person is an operator who holds a valid and subsisting permit for the operation of the food establishment, and the food establishment is identified on the permit as approved by the regional health authority that issued the permit.

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 food establishment and cease all handling and distribution of food of any kind.
2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Provide Alberta Health Services, Environmental Public Health with detailed information about the source of the meat being served, the location and means of processing, and a full list of customers.
 - b. Establish an approved facility and obtain a valid food handling permit from Alberta Health Services.
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 food establishment 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, October 17, 2014

Dale Nelson, CPHI(C)
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, Telus Plaza North Tower
10025 Jasper Avenue NW
Edmonton, Alberta, T5J 1S6
Phone: 780-427-2813
Fax: 780-422-0914
Email: health.appealboard@gov.ab.ca

A Notice of Appeal form may be obtained by contracting 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: www.health.alberta.ca/about/health-legislation.html

AIRDRIE Regional Health Centre

604 Main Street South
Airdrie, AB T4B 3K7
Phone: 403-912-8400
Fax: 403-912-8410

BANFF Health Unit

303 Lynx Street
PO Box 1266
Banff, AB T1L 1B3
Phone: 403-762-2990
Fax: 403-762-5570

CALGARY - Southport Atrium

10101 Southport Road SW
Calgary, AB T2W 3N2
Phone: 403-943-2288
Fax: 403-943-8056

CANMORE Public Health

#104, 800 Railway Avenue
Canmore, AB T1W 1P1
Phone: 403-678-5656
Fax: 403-678-5068

CLARESHOLM Health Unit

5221 2nd Street W
PO Box 1391
Claresholm, AB T0L 0T0
Phone: 403 625-4061
Fax: 403-625-4062

COCHRANE Community Health Centre

60 Grande Boulevard
Cochrane, AB T4C 0S4
Phone: 403-851-6000
Fax: 403- 851-6009

OKOTOKS Health and Wellness Centre

11 Cimarron Common
Okotoks, AB T1S 2E9
Phone: 403-995-2600
Fax: 403-995-2639

STRATHMORE Public Health Office

650 Westchester Road
Strathmore, AB T1P 1H8
Phone: 403-361-7200
Fax: 403-361-7244

www.albertahealthservices.ca/eph.asp