

## ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

**To:** 1776800 Alberta Inc.  
"the Owner"

Irene Yuk Lin Leung  
"the Owner"

Leo Lee  
"the Owner"

**RE:** The food establishment located in Calgary, Alberta and municipally described as:  
1 Pot  
123 3 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. There is evidence of a mouse infestation in the food establishment. Mouse droppings were observed on the floor throughout the kitchen and front service area. As well a total of four dead mice were observed in the facility. One was observed on a snap trap under a shelf in the front service area. And the other three were observed in a paper glue board trap on a shelf located in the front service area.
- b. Pest control records were not available on-site.
- c. A gap was observed along the bottom of the kitchen exterior door.
- d. The chlorine-based mechanical dishwasher was tested multiple times and 0ppm chlorine was detected.
- e. A large, opened tin can of tomato paste was observed in the walk-in cooler with mold growing on the surface.
- f. A chafing dish containing a brown sauce was observed in the walk-in cooler with mold growing on the surface of the sauce.
- g. Dry and moldy lemons were observed in the walk-in cooler.
- h. Hot water was not available at the hand washing sink located next to the cook line.
- i. Reusable cleaning cloths were observed sitting directly on food contact surfaces.
- j. Food was stored directly on the floor in the walk-in cooler and throughout the facility.
- k. Food was stored uncovered in the walk-in cooler and throughout the facility.
- l. Raw food items such as eggs, raw chicken, and fish paste were stored on top and near ready-to-eat food items and canned beverages.
- m. Mixing bowls with no handles were being used as bulk scoops and were buried in the dry ingredients.

- n. Tomato paste was stored in its original tin can after opening in the walk-in cooler.
- o. The self-serve sauces and garnishes (cilantro, green onions, garlic, ginger, peppers, etc.) were not protected by a sneeze guard or cover.
- p. Self-serve sauces, cut green onions, cut cilantro, diced garlic, diced ginger, and diced peppers were stored in the front dining area with no temperature control.
- q. Cut vegetables were being stored in containers on a rolling cart with no temperature control.
- r. A frozen raw chicken was thawing in a white bucket on the floor.
- s. A small residential deep fryer was being used in an area where no mechanical ventilation or fire suppression is available. The fryers use is causing a build-up of grease on the wall and outlets behind it.
- t. Management and staff on-site were unable to provide proof that anyone in care and control of the facility had completed a food safety course.
- u. Tiles in the walk-in cooler were damaged and in disrepair.
- v. The staff washroom that opens into a food storage and preparation area was not equipped with a self-closing hinge.
- w. An unfinished wooden flat used to elevate equipment was observed on the preparation line.
- x. Food containers had duct tape on them.
- y. Wooden and plastic cutting boards had deep grooves in the surfaces.
- z. The dry storage shelf on the preparation line beside the three-compartment sink was disorganized and unkept.
- aa. The ceiling air vents in the kitchen had a build-up of dust on and around them.
- bb. Food equipment and utensils were dirty and had a build-up of food debris, grime, grease, and dirt including but not limited to: the blue bulk bins throughout the facility, all containers holding dry ingredients on the preparation line in front of the three-compartment sink, the utensils held in a white bucket on the preparation line in front of the three-compartment sink, all wire racks throughout the facility including but not limited to the wire racks located in the walk-in cooler and wire racks holding clean dishes by the dish washer, all crates throughout the facility, the hand washing sinks, all equipment along the cook line, the inside surface of the back exterior door, and all surfaces on and in the coolers as well as their handles.
- cc. The general sanitation of the food establishment surfaces was poor. Dirt, food debris, grease build-up, and grime were observed on the following areas including but not limited to: the floors throughout the kitchen and front service area (especially the area where the floor meets the wall and by the interior and exterior doors), the floors in the walk-in cooler, the floor and walls behind and beside the cook line, the area under the mechanical dishwasher, the area around the grease trap, the area around the mop sink, the staff washroom, the customer washrooms (especially the wall/floor under the hand dryers), the walls throughout the facility (especially behind food preparation and cooking areas), and the outlets and surfaces behind the small deep fryer that was being used in an area with no ventilation.

**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 evidence of a mouse infestation in the food establishment. Mouse droppings were observed on the floor throughout the kitchen and front service area. As well a total of four dead mice were observed in the facility. One was observed on a snap trap under a shelf in

the front service area. And the other three were observed in a paper glue board trap on a shelf located in the front service area. This is in contravention of section 21(1) of the Food Regulation, AR 31/2006 which states that: The commercial food establishment and any surrounding area, premises or facilities supporting the commercial food establishment must be kept free of pests and of conditions that lead to the harbouring or breeding of pests.

- b. Pest control records were not available on-site. This is in contravention of section 21(2) of the Food Regulation, AR 31/2006 which states that: A written record of all pest control measures used in the commercial food establishment and surrounding area, premises and facilities referred to in subsection (1) must be maintained.
- c. A gap was observed along the bottom of the kitchen exterior door. This is in contravention of section 17(2) of the Food Regulation, AR 31/2006 which states that: Subject to subsection (2.1), the operator must ensure that the commercial food establishment is constructed to control the entry of pests.
- d. The chlorine-based mechanical dishwasher was tested multiple times and 0ppm chlorine was detected. This is in contravention of 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.
- e. A large, opened tin can of tomato paste was observed in the walk-in cooler with mold growing on the surface. This is in contravention of section 23(2) of the Food Regulation, AR 31/2006 which states that: 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.
- f. A chafing dish containing a brown sauce was observed in the walk-in cooler with mold growing on the surface of the sauce. This is in contravention of section 23(2) of the Food Regulation, AR 31/2006 which states that: 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.
- g. Dry and moldy lemons were observed in the walk-in cooler. This is in contravention of section 23(2) of the Food Regulation, AR 31/2006 which states that: 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.
- h. Hot water was not available at the hand washing sink located next to the cook line. 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.
- i. Reusable cleaning cloths were observed sitting directly on food contact surfaces. This is in contravention of 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.

- j. Food was stored directly on the floor in the walk-in cooler and throughout the facility. This is in contravention of section 23(1) of the Food Regulation, AR 31/2006 which states that: 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.
- k. Food was stored uncovered in the walk-in cooler and throughout the facility. This is in contravention of section 23(1) of the Food Regulation, AR 31/2006 which states that: 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.
- l. Raw food items such as eggs, raw chicken, and fish paste were stored on top and near ready-to-eat food items and canned beverages. This is in contravention of section 23(1) of the Food Regulation, AR 31/2006 which states that: 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.
- m. Mixing bowls with no handles were being used as bulk scoops and were buried in the dry ingredients. This is in contravention of section 23(1) of the Food Regulation, AR 31/2006 which states that: 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. Tomato paste was stored in its original tin can after opening in the walk-in cooler. This is in contravention of section 23(1) of the Food Regulation, AR 31/2006, which states that: 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.
- o. The self-serve sauces and garnishes (cilantro, green onions, garlic, ginger, peppers, etc.) were not protected by a sneeze guard or cover. This is in contravention of section 23(1) of the Food Regulation, AR 31/2006, which states that: 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.
- p. Self-serve sauces, cut green onions, cut cilantro, diced garlic, diced ginger, and diced peppers were stored in the front dining area with no temperature control. This is in contravention of section 25(1) of the Food Regulation, AR 31/2006 which states that: All high-risk food must be stored, displayed, and transported at a temperature of (a) not more than 4°C or such higher temperature, or (b) not less than 60°C or such lower temperature.
- q. Cut vegetables were being stored in containers on a rolling cart with no temperature control. This is in contravention of section 25(1) of the Food Regulation, AR 31/2006 which states that: All high-risk food must be stored, displayed, and transported at a temperature of (a) not more than 4°C or such higher temperature, or (b) not less than 60°C or such lower temperature.
- r. A frozen raw chicken was thawing in a white bucket on the floor. This is in contravention of section 24 of the Food Regulation, AR 31/2006 which states that: All food handling in a commercial food establishment must be done in a manner that makes the food safe to eat. This is also in contravention of section 3.3.2(a) of the Food Retail and Foodservices Code 2003 (Amended June 2020), which states that: Potentially hazardous foods shall be

thawed quickly or in a manner that will prevent the rapid growth of pathogenic bacteria by thawing through the following methods: under refrigeration at 4°C or less; completely submerged in cold running water; as part of the cooking process; and by microwaving.

- s. A small residential deep fryer was being used in an area where no mechanical ventilation or fire suppression is available. The fryers use is causing a build-up of grease on the wall and outlets behind it. This is in contravention of 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.
- t. Management and staff on-site were unable to provide proof that anyone in care and control of the facility had completed a food safety course. This is in contravention of section 31(1) of the Food Regulation AR 31/2006, which states that: A person operating a commercial food establishment must, at any time when there are 5 or fewer food handlers working on the premises, ensure that at least one individual who has care and control of the commercial food establishment holds a certificate issued by the Minister confirming that individual's successful completion of a food sanitation and hygiene training program or a document that the Minister considers equivalent to such a certificate.
- u. Tiles in the walk-in cooler were damaged and in disrepair. This is in contravention of section 17(1)(a) 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 (a) is of sound construction and in a good state of repair.
- v. The staff washroom that opens into a food storage and preparation area was not equipped with a self-closing hinge. This is in contravention of section 17(1)(d) 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 (d) has all its food handling areas separated from living quarters and from other areas where activities are carried out that are incompatible with the safe and sanitary handling of food.
- w. An unfinished wooden flat used to elevate equipment was observed on the preparation line. This is in contravention of section 28(3) of the Food Regulation AR 31/2006, which states that: 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.
- x. Food containers had duct tape on them. This is in contravention of section 28(3) of the Food Regulation AR 31/2006, which states that: 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.
- y. Wooden and plastic cutting boards had deep grooves in the surfaces. This is in contravention of section 28(3) of the Food Regulation AR 31/2006, which states that: 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.

- z. The dry storage shelf on the preparation line beside the three-compartment sink was disorganized and unkept. This is in contravention of 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.
  
- aa. The ceiling air vents in the kitchen had a build-up of dust on and around them. This is in contravention of 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.
  
- bb. Food equipment and utensils were dirty and had a build-up of food debris, grime, grease, and dirt including but not limited to: the blue bulk bins throughout the facility, all containers holding dry ingredients on the preparation line in front of the three-compartment sink, the utensils held in a white bucket on the preparation line in front of the three-compartment sink, all wire racks throughout the facility including but not limited to the wire racks located in the walk-in cooler and wire racks holding clean dishes by the dish washer, all crates throughout the facility, the hand washing sinks, all equipment along the cook line, the inside surface of the back exterior door, and all surfaces on and in the coolers as well as their handles. This is in contravention of 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.
  
- cc. The general sanitation of the food establishment surfaces was poor. Dirt, food debris, grease build-up, and grime were observed on the following areas including but not limited to: the floors throughout the kitchen and front service area (especially the area where the floor meets the wall and by the interior and exterior doors), the floors in the walk-in cooler, the floor and walls behind and beside the cook line, the area under the mechanical dishwasher, the area around the grease trap, the area around the mop sink, the staff washroom, the customer washrooms (especially the wall/floor under the hand dryers), the walls throughout the facility (especially behind food preparation and cooking areas), and the outlets and surfaces behind the small deep fryer that was being used in an area with no ventilation. This is in contravention of 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.

**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. Work with the contracted professional pest control company to abate the mouse infestation and implement an ongoing integrated pest management program for the food establishment. Provide documentation from the professional pest control company to an Alberta Health Services Public Health Inspector.
  - b. Retain all pest control service records and keep them on-site for review.
  - c. Remove and safely dispose of all mouse droppings throughout the facility.
  - d. Clean and disinfect all surfaces contaminated by mouse excrement.
  - e. Discard all food and single use food containers that were contaminated or potentially contaminated by mouse activity or excrement.
  - f. Install weatherstripping along the bottom of the kitchen exterior door to limit pest entry.
  - g. Repair/service the chlorine-based mechanical dishwasher such that the concentration of the sanitizer at the plate level is measured at a sufficient level (100 ppm chlorine).
  - h. Discard all the moldy food including the tomato paste, brown sauce, and lemons and ensure all food is safe for human consumption.
  - i. Repair the hot water tap at the handwashing sink located next to the cook line such that all handwashing sinks are stocked with single-use paper towel, liquid hand soap, and running hot/cold water to allow for frequent and proper hand washing by food handlers.
  - j. Ensure that all reusable cleaning cloths are immersed in an approved sanitizer solution between uses.
  - k. Ensure all food is stored elevated off the floor by at least 6 inches to reduce the risk of cross-contamination and to allow for proper cleaning and pest monitoring.
  - l. Ensure that all food is stored with a food-grade cover to protect from contamination.
  - m. Ensure that all raw foods are stored below ready-to-eat foods and drinks to prevent cross-contamination.
  - n. Remove all mixing bowls from bulk containers and replace them with handled scoops that are stored separately from food products in a sanitary manner.
  - o. Ensure that after opening, canned items are transferred to a food safe container and are not being stored in the original can.
  - p. Install an effective barrier/sneeze guard over the self-serve sauces and garnishes in the dining room to protect from customer contamination.
  - q. Ensure that all perishable food items are always kept under temperature control. Store foods at a temperature of 4°C or less or 60°C or greater to reduce the risk of pathogen growth and subsequently foodborne illness.
  - r. Ensure that foods are thawed safely using an approved method such as: under refrigeration at 4°C or less; completely submerged under cold running water; as part of the direct cooking process; or by microwaving.
  - s. Move the deep fryer under the ventilation canopy and clean the surfaces and outlets behind where it has been used.
  - t. Ensure that a person in care and control of the food establishment holds a valid food safety certificate. When six or more food handlers are working on-site (this includes serving staff) a certified person must be at the facility. When five or fewer food handlers are working on-site, the certified person may be off-site. Refer to the list of approved food safety courses:

[https://www.alberta.ca/system/files/custom\\_downloaded\\_images/health-recognized-food-safety-courses-alberta.pdf](https://www.alberta.ca/system/files/custom_downloaded_images/health-recognized-food-safety-courses-alberta.pdf)

- u. Repair or refinish the flooring in the walk-in cooler such that the floors are smooth, impervious to moisture, and easily cleanable.
  - v. Install a self-closing hinge for the staff washroom door.
  - w. Either finish, replace, or remove the wooden flat that is elevating equipment along the preparation line such that all food preparation surfaces are smooth, impervious to moisture, and easily cleanable.
  - x. Remove all duct tape from food containers and contact surfaces.
  - y. Resurface or replace the damaged and grooved cutting boards.
  - z. Reorganize the items on the dry storage shelf such it is easy to clean, and that chemicals and tools are stored separately from food items.
  - aa. Clean the dust from the ceiling air vents and the area around them.
  - bb. Clean and sanitize all equipment, utensils, containers and surfaces including food preparation surfaces, floors, walls, ceilings, etc. in the facility and maintain the food establishment in a clean and sanitary state hereafter. If the equipment or surface is rusted or otherwise damaged/deteriorated, resurface and finish the equipment or replace it.
  - cc. Prepare, implement, and maintain a detailed written sanitation program to facilitate the proper cleaning of all areas of the food establishment, including equipment, and structural surfaces. The sanitation program must include a list of all cleaning and sanitizing agents used within the food establishment. The sanitation program must be submitted to an Alberta Health Services Executive Officer for review.
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 7<sup>th</sup>, 2024.

Confirmation of a verbal order issued to Tim Li on November 6<sup>th</sup>, 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](mailto: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>