

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: 2611254 Alberta Ltd.
"the Owner"

Rahul P Gandhi
"the Owner"

Hetalkumar Patel
"the Owner"

Jigisha Patel
"the Owner"

Biren Kumar Patel
"the Owner"

RE: The food establishment located in Calgary, Alberta and municipally described as:
Bombay Spices – Grab & Go
1110 - 4250 109 Avenue NE

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 food preparation area was being operated in contrary to the restrictions on the food handling permit.
- b. The food preparation area was being operated without a handwashing sink.
- c. An ice cream scoop and a spoon were stored in a cup of dirty water.
- d. There was no physical barrier or separation between the food preparation area and the customer area.
- e. Dirty cleaning cloths were stored on the food preparation table.
- f. Cheese and chutney containing mint and coriander measured between 8 to 9 degrees Celsius in the cooler.
- g. An approved sanitizer was not available for surfaces and dishwashing.
- h. Drain plugs were not available for the dishwashing sinks.
- i. A probe thermometer was not available.
- j. Sanitizer test strips were not available.
- k. Incense was being burned in the food preparation area.
- l. There was an opened can of mango pulp under refrigeration.
- m. The sugarcane juicer was not being cleaned and sanitized properly.

- n. Sugarcane sticks were stored on the floor.

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 food preparation area was being operated in contrary to the restrictions on the food handling permit. This is in contravention of the Food Regulation, AR31/2006, section 9(1) (5), which states that: 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. The food preparation area was being operated without a handwashing sink. This is in contravention of the Food Regulation, AR31/2006, section 17(1)(e), which states that: 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. An ice cream scoop and a spoon were stored in a cup of dirty water. This is in contravention of the Food Regulation, AR31/2006, section 28(1), which states that: A commercial food establishment must have all the facilities, equipment and utensils that are necessary to ensure its safe operation and maintenance.
- d. There was no physical barrier or separation between the food preparation area and the customer area. This is in contravention of Food Regulation, AR31/2006, section 17(1)(c), which states that: An operator must ensure that, before operation of the commercial food establishment commences, the commercial food establishment is designed so as to ensure the safe and sanitary handling of food in it.
- e. Dirty cleaning cloths were stored on the food preparation table. This is in contravention of the Food Regulation, AR31/2006, section 28(2), 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.
- f. Cheese and chutney containing mint and coriander measured between 8 to 9 degrees Celsius in the cooler. This is in contravention of the Food Regulation, AR31/2006, section 25(1)(a)(b), which states that: All high-risk food must be stored, displayed and transported at a temperature of not more than 4°C or such higher temperature, or not less than 60°C or such lower temperature.
- g. An approved sanitizer was not available for surfaces and dishwashing. This is in contravention of the Food Regulation, AR31/2006, section 28(2), 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.
- h. Drain plugs were not available for the dishwashing sinks. This is in contravention of the Food Regulation, AR31/2006, section 28(1), which state that: A commercial food establishment must have all the facilities, equipment and utensils that are necessary to ensure its safe operation and maintenance.
- i. A probe thermometer was not available. This is in contravention of the Food Regulation, AR31/2006, section 18(b)(iii), which states that: An operator must ensure that all refrigeration and hot holding equipment used in the commercial food establishment is equipped with an accurate thermometer.

- j. Sanitizer test strips were not available. This is in contravention of the Food Regulation, AR31/2006, section 28(1), which states that: A commercial food establishment must have all the facilities, equipment and utensils that are necessary to ensure its safe operation and maintenance.
- k. Incense was being burned in the food preparation area. This is in contravention of the Food Regulation, AR31/2006, section 23(1)(a), which states that: All food used or to be used in a commercial food establishment must be protected from contamination.
- l. There was an opened can of mango pulp under refrigeration. This is in contravention of the Food Regulation, AR31/2006, section 23(1), which states that: All food used or to be used in a commercial food establishment must be protected from contamination and handled in a sanitary manner.
- m. The sugarcane juicer was not being cleaned and sanitized properly. This is in contravention of the Food Regulation, AR31/2006, section 28(2), 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.
- n. Sugarcane sticks were stored on the floor. This is in contravention of the Food Regulation, AR31/2006, section 23(1)(a), which states that: All food used or to be used in a commercial food establishment must be protected from 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. Comply to the food handling permit condition – Prepackaged food and/ or whole produce only (no preparation of food).
 - b. Submit a floor plan of the food preparation areas to an Executive Officer with Alberta Health Services for a review prior to any further renovations.
 - c. Cease all open food handling until approval for open food handling is granted by an Executive Officer of Alberta Health Services after an on-site inspection.
 - d. Install a handwashing sink with hot and cold running water in a convenient location within the food preparation area.
 - e. Install an effective sneeze guard or provide adequate separation between the food preparation area and the customer area.
 - f. Repair the line cooler so that perishable foods are stored at 4°C or less under refrigeration.
 - g. Prepare an approved sanitizer solution for use in this establishment.
 - h. Immerse used cleaning cloths in an approved sanitizer solution between uses.
 - i. Provide sanitizer test strips for measuring the sanitizer concentration.
 - j. Install a dipper well or provide a scoop for each ice cream flavor and store ice cream scoops in a clean and sanitary manner.
 - k. Provide proper fitting drain plugs for the dishwashing sinks.
 - l. Transfer food from an opened can to a food grade container.
 - m. Provide a probe thermometer that can measure between 0°C to 100°C.

- n. Remove incense or non-compatible items from food preparation or food storage areas.
 - o. Clean and sanitize food equipment properly.
 - p. Store foods at least 6 inches off the floor.
 - q. Provide a sanitation plan for review by an Executive Officer with Alberta Health Services prior to doing any further open food preparation onsite.
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, June 18, 2025.

Confirmation of a verbal order issued to Biren Patel on June 11, 2025.

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>

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www.ahs.ca/eph