

## **ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE**

**To:** Co Do Vietnamese Restaurant Inc.  
"the Owner"

Hue Thi Phung  
"the Director"

**RE:** The food establishment located in Calgary, Alberta and municipally described as:  
Co Do Vietnamese Restaurant  
1411 17 Avenue SW

**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 low temperature dishwasher was not sanitizing dishes. The concentration of sanitizer at the plate level was undetectable.
- b. There were no paper towels available at any of the handwashing stations in the kitchen or the bar. The paper towel dispenser at the entrance to the kitchen was jammed and staff were unable to open the dispenser to fix it, the paper towel dispensers for the south kitchen handwashing sink and the bar handwashing sink were empty.
- c. There was a plumbing leak at the waste water pipe for the dishwashing prerinse sink. A bucket below the plumbing was full of waste water.
- d. Raw bean sprouts were being stored on the counter. The internal temperature measured 10.2 degrees Celsius.
- e. Open cans of food were being stored in the walk-in cooler.
- f. Surfaces and equipment in the food establishment had an accumulation of grease, soil, and/or food debris; this included but was not limited to walls, floors underneath equipment, tables, shelving and food containers, shelving throughout the facility, the south handwashing sink in the kitchen, the stove, the stockpot burners, the compressor of the food preparation cooler in the kitchen, and ventilation canopy baffle filters.
- g. Damaged food containers and utensils were in use in the food establishment.
- h. Containers of food were stored directly on the floor in the walk-in cooler. Boxes of food were stored directly on the floor of the kitchen.
- i. A mop bucket was stored on top of food equipment.
- j. There was an accumulation of items that were not associated with or required for the operation or maintenance of the food establishment. This included non-functional equipment and equipment/utensils that were no longer in use.
- k. Mouse droppings were observed in the back dry storage room on shelving and in spaces between walls and shelving.

- l. The food preparation cooler had damaged door gaskets.
- m. The condensers for both the walk-in cooler and walk-in freezer were leaking.
- n. Used cigarettes were observed in the kitchen, in the back room of the kitchen by the walk-in freezer, and in the back room between the kitchen and the dry storage room. Staff personal items (coffee) were being stored on food counters.
- o. There was no tap handle for the handwashing sink in the female washroom.
- p. There were several damaged surfaces in the facility including a damaged area of countertop, two damaged ceiling tiles, a hole in the wall behind the dishwasher, and damaged walls and damaged baseboards in the space between the kitchen and the dry storage room.
- q. There was a gap at the back exterior door.

**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 low temperature dishwasher was not sanitizing dishes. The concentration of sanitizer at the plate level was undetectable. This contravenes 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.
- b. There were no paper towels available at any of the handwashing stations in the kitchen or the bar. The paper towel dispenser at the entrance to the kitchen was jammed and staff were unable to open the dispenser to fix it, the paper towel dispensers for the south kitchen handwashing sink and the bar handwashing sink were empty. This contravenes 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.
- c. There was a plumbing leak at the waste water pipe for the dishwashing prerinse sink. A bucket below the plumbing was full of waste water. This contravenes section 17(1)(f)(ii) 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 is connected to a lawful and properly operating sewage disposal system.
- d. Raw bean sprouts were being stored on the counter. The internal temperature measured 10.2 degrees Celsius. This contravenes 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 not more than 4°C or such higher temperature, or not less than 60°C or such lower temperature as an executive officer stipulates under subsection (4).
- e. Open cans of food were being stored in the walk-in cooler. This contravenes 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 protected from contamination, and handled in a sanitary manner.
- f. Surfaces and equipment in the food establishment had an accumulation of grease, soil, and/or food debris; this included but was not limited to walls, floors underneath equipment, tables, shelving and food containers, shelving throughout the facility, the south handwashing sink in the kitchen, the stove, the stockpot burners, the compressor of the food preparation cooler in the kitchen, and ventilation canopy baffle filters. This contravenes 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.

- g. Damaged food containers and utensils were in use in the food establishment. This contravenes section 28(3) of the Food Regulation, AR 31/2006 which states that: All equipment and utensils in a commercial food establishment must be kept in good working order and condition, and maintained in a manner that ensures the safe and sanitary handling of food.
- h. Containers of food were stored directly on the floor in the walk-in cooler. Boxes of food were stored directly on the floor of the kitchen. This contravenes section 23(1)(a) of the Food Regulation, AR 31/2006 which states that: All food used or to be used in a commercial food establishment must be protected from contamination.
- i. A mop bucket was stored on top of food equipment. This contravenes section 23(1)(a) of the Food Regulation, AR 31/2006 which states that: All food used or to be used in a commercial food establishment must be protected from contamination.
- j. There was an accumulation of items that were not associated with or required for the operation or maintenance of the food establishment. This included non-functional equipment and equipment/utensils that were no longer in use. This contravenes section 20(1) of the Food Regulation, AR 31/2006 which states that: 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.
- k. Mouse droppings were observed in the back dry storage room on shelving and in spaces between walls and shelving. This contravenes 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.
- l. The food preparation cooler had damaged door gaskets. This contravenes section 28(3) of the Food Regulation, AR 31/2006 which states that: All equipment and utensils in a commercial food establishment must be kept in good working order and condition, and maintained in a manner that ensures the safe and sanitary handling of food.
- m. The condensers for both the walk-in cooler and walk-in freezer were leaking. This contravenes section 28(3) of the Food Regulation, AR 31/2006 which states that: All equipment and utensils in a commercial food establishment must be kept in good working order and condition, and maintained in a manner that ensures the safe and sanitary handling of food.
- n. Used cigarettes were observed in the kitchen, in the back room of the kitchen by the walk-in freezer, and in the back room between the kitchen and the dry storage room. Staff personal items (coffee) were being stored on food counters. This contravenes section 30(1)(e) and (f) of the Food Regulation, AR 31/2006 which states that: A food handler must refrain from smoking in a food area, and refrain from any other conduct that could result in the contamination of food or a food area.
- o. There was no tap handle for the handwashing sink in the female washroom. This contravenes 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.

- p. There were several damaged surfaces in the facility including two damaged ceiling tiles, a hole in the wall behind the dishwasher, and damaged walls and missing baseboards in the space between the kitchen and the dry storage room. This contravenes 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 is of sound construction and in a good state of repair.
- q. There was a gap at the back exterior door. This contravenes 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.

**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. Ensure that the concentration of sanitizer at the plate level for the low temperature mechanical dishwasher is at a sufficient level (100 ppm chlorine);
  - b. Ensure all handwashing sinks are stocked with soap and paper towels in dispensers at all times;
  - c. Repair the waste water pipe for the dishwashing prerinse sink to stop the leak;
  - d. Ensure all high-risk foods are stored at a temperature of 4°C or below or 60°C or greater;
  - e. Thoroughly clean and sanitize all surfaces and equipment throughout the food establishment;
  - f. Remove any damaged utensils and food storage containers from the facility;
  - g. Ensure that food, food contact surfaces, and equipment are protected from contamination at all times;
  - h. Remove any and all items (i.e., non-functional and unused equipment and unused equipment/utensils) not associated with or required for operation or maintenance from the food establishment;
  - i. Remove and safely dispose of mouse droppings. Clean and disinfect all surfaces contaminated by mouse excrement;
  - j. Ensure that all food equipment is in good working order;
  - k. Ensure that all staff refrain from smoking or storing used cigarettes in the facility;
  - l. Ensure that staff personal items are stored separately from food and food contact surfaces;
  - m. Repair or replace the tap handle for the handwashing sink in the female washroom;
  - n. Repair damaged surfaces in the facility. Ensure all surfaces in the facility are smooth, non-absorbent to moisture, and easy to clean;
  - o. Ensure that the gap at the back door is sealed to help prevent the entry of pests;

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, September 18, 2024.

Confirmation of a verbal order issued to Hue Thi Phung on September 17, 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>

Order of an Executive Officer – Notice of Closure

RE: The Food Establishment located in Calgary, Alberta and municipally described as: Co Do Vietnamese Restaurant, 1411 17 Avenue SW

Page 6 of 6

---

---

Calgary • Southport • Environmental Public Health

10101 Southport Road SW, Calgary, Alberta, Canada T2W 3N2

[www.ahs.ca/eph](http://www.ahs.ca/eph)