

ORDER OF AN EXECUTIVE OFFICER

To: DL Eats Ltd.
"the Owner"

Pingke Li
"the Owner"

Xiaoli
"the Owner"

RE: The food establishment located in Calgary, Alberta and municipally described as:
DL Eats
536 16 Avenue 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. The internal temperature of high-risk foods such as pork stew in a hot holding unit on the main cookline measured between 35-43 degrees C.
- b. Re-heating of some high-risk foods was done in hot holding units.
- c. A container of beef stock was thawing in room temperature.
- d. Mouse droppings were observed in several areas of the food establishment including, behind the large dough mixer, in the dry storage room, under the cooler at the back of the facility.
- e. Pest control records were not available, neither was a pest control monitoring and treatment plan in place.
- f. There was a gap at the bottom of the door of both the storage room and the restaurant units.
- g. An accumulation of grime, grease food splatter, food debris and dust were observed in the hard-to-reach areas throughout the food establishment. Areas of concern include but are not limited to, the floors underneath and behind cooking equipment, the floor beneath the dishwashing pit and grease trap, food processing equipment in the storage room, walls, the ventilation canopy in the main kitchen area, on wall behind the dough mixer, and on the exterior of the metal dumping steamer unit.
- h. Dried food debris was observed on the interior surfaces of the upright cooler in back corner of the kitchen.
- i. There was an open bag of flour in the dry storage room directly stored on the floor.
- j. Cardboard boxes were being used for storage of food equipment and plateware on shelves in the kitchen.

- k. The concentration of the sanitizing solution prepared the day before was too strong; the sanitizing solution measured between 300-400 ppm.
- l. Wet cleaning cloths with zero residual sanitizing concentration were stored on food contact surfaces.
- m. There was no written sanitation schedule or temperature logs available.
- n. The mechanical dishwasher was not sanitizing. Chlorine concentration during the sanitation cycle of the dishwasher was measured 0 ppm.
- o. The concentration of sanitizer for the dishwasher and prepared sanitizing solutions was not being monitored or verified.
- p. Improper manual dishwashing was observed. Staff were observed washing utensils and equipment with detergent and water only. No sanitizing step was completed.
- q. A handwashing sink was not available in the separate storage area where dumpling wrappers were being prepared. There was large food equipment and evidence of food handling in this area.
- r. Staff were observed handwashing with gloves on. Staff used the same gloves for food handling after completing other tasks such as dishwashing. Staff were also observed changing gloves without handwashing.
- s. The operator and staff exhibited a lack of basic food safety knowledge.

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 AR 243/2003 exist in and about the above noted premises, namely:

- a. The internal temperature of high-risk foods such as Pork stew in hot holding unit on the main line were measured between 35-43 degrees C. Re-heating of some high-risk foods is being done in hot holding units. 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.
- b. Hot holding units were used to re-heating of some high-risk foods. This is in contravention of section 24 of the Food Regulation, AR 31/2006 which states that: 24 All food handling in a commercial food establishment must be done in a manner that makes the food safe to eat.
- c. A container of beef stock was thawing in room temperature. This is in contravention of section 24 of the Food Regulation which states that: All food handling in a commercial food establishment must be done in a manner that makes the food safe to eat.
- d. Mouse droppings were observed in several areas of the food establishment including, behind the large dough mixer, in the dry storage room, under the cooler at the back of the facility. 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.
- e. Pest control records were not available, neither was a pest control monitoring and treatment plan in place. 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 must be maintained.

- f. There was a gap at the bottom of the door of both the storage room and the restaurant units. This is in contravention of section 17(2) of the Food Regulation AR 31/2006 which states that: the operator must ensure that the commercial food establishment is constructed to control the entry of pests.
- g. An accumulation of grime, food splatter, food debris and dust were observed in the hard-to-reach areas throughout the food establishment. Areas of concern include but are not limited to, the floors underneath and behind cooking equipment, the floor beneath the dishwashing pit and grease trap, food processing equipment in the storage room, walls, the ventilation canopy in the main kitchen area, and on wall behind the dough mixer. 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.
- h. Dried food debris was observed on the interior surfaces of the upright cooler in back corner of the kitchen. 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.
- i. There was an open bag of flour in the dry storage room directly stored on the floor. 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 protected from contamination, and handled in a sanitary manner.
- j. Cardboard boxes were being used for storage of food equipment and plateware on shelves in the kitchen. 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.
- k. The concentration of the sanitizing solution prepared the day before was too strong; the sanitizing solution measured between 300-400 ppm. 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.
- l. Wet cleaning cloths with zero residual sanitizing concentration were stored 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.
- m. There was no written sanitation schedule or temperature logs available. This is in contravention of section 29(1) of the Food Regulation AR 31/2006, which states that: A commercial food establishment must have written procedures designed to ensure its safe and sanitary operation and maintenance.

- n. The mechanical dishwasher was not sanitizing. Chlorine concentration during the sanitation cycle of the dishwasher was measured 0 ppm. This is in contravention of section 28(1) and (2) of the Food Regulation AR 31/2006, 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. 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.
- o. The concentration of sanitizer for the dishwasher and prepared sanitizing solutions was not being monitored or verified. This is in contravention of section 29(1) of the Food Regulation AR 31/2006, which states that: A commercial food establishment must have written procedures designed to ensure its safe and sanitary operation and maintenance.
- p. Improper manual dishwashing was observed. Staff were observed washing utensils and equipment with detergent and water only. No sanitizing step was completed. This is in contravention of section 28(1) and (2) of the Food Regulation AR 31/2006, 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. 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.
- q. A handwashing sink was not available in the separate storage area where dumpling wrappers were being prepared. There was large food equipment and evidence of food handling in this area. This is in contravention of section 17(1)(e) 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 has handwashing stations that are adequate in number and situated so as to ensure convenient access by all food handlers
- r. Staff were observed handwashing with gloves on. Staff used the same gloves for food handling after completing other tasks such as dishwashing. Staff were also observed changing gloves without handwashing. This is in contravention of sections 23(1), 24 and 30(1)(d) 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. All food handling in a commercial food establishment must be done in a manner that makes the food safe to eat. A food handler must wash hands as often as necessary to prevent the contamination of food or food areas.
- s. The operator and staff exhibited a lack of basic food safety knowledge. This is in contravention of section 2(1) of the Nuisance and General Sanitation Regulation AR 243/2003, which states that: No person shall create, commit or maintain a nuisance.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:

- a. Re-heat all foods on the stove rapidly to 74 degrees C, then maintain all high-risk foods under hot holding at a temperature of 60 degree C or greater.
- b. Do not thaw foods at room temperature. Food must be thawed by one of the following approved methods: thaw in the refrigerator, thaw under running cold water, thaw during the cooking process, or thaw in the microwave if the food being cooked immediately.
- c. Remove and safely dispose of mouse droppings and harbourage materials. Retain a professional pest control company for weekly pest control services. Implement additional measures to effectively control and eliminate the presence of pests in the food establishment.
- d. Provide documentation from the pest control company to an Alberta Health Services Public Health Inspector indicating that the food establishment is free of pest activity.
- e. Properly seal all exterior entry points. Complete all work or repairs identified by the pest control company to aid in eliminating the presence of pests.
- f. Thoroughly clean and sanitize all surfaces and equipment throughout the food establishment.
- g. Ensure all food products are stored in airtight containers.
- h. Remove all cardboard boxes. All surfaces must be smooth, easy to clean and impervious to moisture.
- i. Prepare an approved sanitizer solution such as chlorine at 100 ppm at adequate intervals. Mix ½ teaspoon of unscented household bleach per liter of water.
- j. Store all cleaning cloths in an approved sanitizer solution in between use.
- k. 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. Ensure to include daily, weekly and monthly cleaning duties.
- l. Service the dishwasher and ensure the concentration of chlorine sanitizer during the sanitation cycle of the dishwasher is at 100 ppm at dish level. Monitor and maintain records on site of the sanitizing concentration.
- m. Verify the concentration of chlorine sanitizer when preparing sanitizer solutions for surface sanitizing. Maintain records on site.
- n. For manual washing, ensure all dishes, equipment and utensils are washed, rinsed and sanitized by full submersion in an approved sanitizing solution such as chlorine at 100 ppm for at least 2 minutes prior to airdrying.

- o. Cease all food processing in the storage area immediately. Provide plans to an Alberta Health Services, Public Health Inspector for approval to install a handwashing sink, preparation table(s) and equipment in this area.
- p. Ensure single-use gloves are discarded after each use or when they become contaminated. Handwashing must occur prior to donning new gloves.
- q. A manager/owner must register and successfully complete an approved food safety course. Provide the completion certificate to an Alberta Health Services, Public Health Inspector. Please see the list of recognized food safety courses here: https://www.alberta.ca/system/files/custom_downloaded_images/health-recognized-food-safety-courses-alberta.pdf
- r. All other staff members are required to take the Alberta Food Safety Basics Interactive Course: <https://www.albertahealthservices.ca/assets/wf/eph/wf-eh-home-study-food-safety-trad-chinese.pdf> Provide the completion certificates to an Alberta Health Services, Public Health Inspector.

2. The work referred to in paragraph 1 (a-p) shall be completed **immediately**.
The work referred to in paragraph 1 (q & r) shall be completed by **November 8, 2024**.

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 25, 2024.

Confirmation of a verbal order issued to Pingke Li on October 18, 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>

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