

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: Vinh Sanh Tien
"the Owner"

RE: The food establishment located in Calgary, Alberta and municipally described as:
Dong Khanh Vietnamese Restaurant
304-2066 18 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. Evidence of a mouse infestation was observed in the facility. A dead mouse was noted below the cooking line and a live mouse in a catch box. Mouse droppings were seen in various areas including, but not limited to: in the kitchen area, on counters and shelves, on and below equipment, in the storage area, floor in the customer area, in the serving and bar areas.
- b. An effective pest control program was not in place and no pest control records could be found on site.
- c. Some holes, gaps and other areas of pest harborage were identified.
- d. The prep cooler was not operating properly; the ambient temperature was between 7° degrees Celsius and 9° degrees Celsius.
- e. No sanitizer solution was prepared or available for use in the kitchen.
- f. Cooking oil was stored in plastic, nonfood grade containers, that were originally used for detergent.
- g. Broken plastic lids were used to cover containers of food in the walk-in cooler.
- h. Baseboards near the back storage room were not attached to the wall.
- i. Ceiling tiles were separating from the ceiling and were hanging above the ventilation canopy.
- j. Equipment and surfaces in the food establishment had an accumulation of grease, dust and/or food debris; this included but was not limited to floors below equipment throughout the facility, ceiling, ventilation canopy, storage areas, shelving, cooking equipment, and electrical outlets.

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. Evidence of a mouse infestation was observed in the facility. A dead mouse was noted below the cooking line and a live mouse in a catch box. Mouse droppings were seen in

various areas including, but not limited to: in the kitchen area, on counters and shelves, on and below equipment, in the storage area, floor in the customer area, in the serving and bar areas. This is in contravention of section 21(1) of the Food Regulation, AR 31/2006 which states that: Subject to subsection (1.1), a commercial food establishment must be kept free of pests and of conditions that lead to the harbouring or breeding of pests.

- b. An effective pest control program was not in place and no pest control records could be found on site. This is in contravention of the Food Regulation AR 31/2006 section 21 (2), 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) and (1.1) must be maintained.
- c. Some holes, gaps and other areas of pest harborage were identified. This contravenes section 21(1) of the Food Regulation, AR 31/2006 which states that: Subject to subsection (1.1), a commercial food establishment must be kept free of pests and of conditions that lead to the harbouring or breeding of pests.
- d. The prep cooler was not operating properly; the ambient temperature was between 7 ° degrees Celsius and 9 °degrees Celsius. This is in contravention of Food Regulation AR 31/2006, section 25(1)(a), 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.
- e. No sanitizer solution was prepared or available for use in the kitchen. 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.
- f. Cooking oil was stored in plastic, nonfood grade containers, that were originally used for detergent. This is in contravention of the Food Regulation AR 31/2006 section 23 (1)(a)(b), 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.
- g. Broken plastic lids were used to cover containers of food in the walk-in cooler. This contravenes section 28(3)(a)(b) 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. Baseboards near the back storage room were not attached to the wall. 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.
- i. Ceiling tiles were separating from the ceiling and were hanging above the ventilation canopy. 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.

- j. Equipment and surfaces in the food establishment had an accumulation of grease, dust and/or food debris; this included but was not limited to floors below equipment throughout the facility, ceiling, ventilation canopy, storage areas, shelving, cooking equipment, and electrical outlets. 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.

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 a 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 until further notice.
 - b. Remove and safely dispose of all mouse droppings and harborage materials.
 - c. Clean and disinfect all surfaces contaminated by mouse activity and excrement.
 - d. Follow the instructions of your pest control operator regarding the repair of holes, gaps, and other areas of pest harbourage.
 - e. Repair the prep cooler. Ensure that it is maintaining 4°degrees Celsius or less.
 - f. Ensure that an approved sanitizing solution (i.e. 100 part per million bleach or 200 part per million Quaternary Ammonium Compounds) is prepared whenever food handling is occurring.
 - g. Do not store food in reused chemical pails. Ensure that all food is stored in food grade containers.
 - h. Discard any broken or damaged equipment. Ensure that all equipment is maintained in good repair.
 - i. Properly install the baseboards by the back storage area.
 - j. Ensure that all ceiling tiles are in good repair and are properly installed.
 - k. Ensure that all equipment and areas in the kitchen are clean, sanitized and free from defects and/or grease, dirt and grime.
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 10, 2026

Confirmation of a verbal order issued to Dong Th and Vinh Sanh Tien on June 9, 2026.

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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