

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: Fresh Bites Inc.
"the Owner"

Neeraj Ghai
"the Owner"

Katherine-Jane Patrick
"the Owner"

Nancy C Southern
"the Owner"

RE: The food establishment located in Calgary, Alberta and municipally described as:
Fresh Bites Inc.
106 - 10761 25 Street NE

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected and received a report about the above noted premises pursuant to the provisions of the Public Health Act, RSA 2000, c. P-37, as amended;

AND WHEREAS such inspection and report 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 processing facility had multiple positive results of *Listeria* from sampling ready-to-eat foods and environmental surfaces including food contact surfaces and non-food contact surfaces.
- b. The contact time for sanitizer was not being followed. Sanitizer was wiped off with cleaning cloths almost immediately after application.
- c. Food slicers were not properly cleaned before the use of a sanitizer.
- d. After loading unclean food equipment into the dishwasher, the staff member replaced single use gloves without handwashing in between.
- e. During production time, there were no paper towels at the handwashing sink located between the cook line and front entrance to the production floor.
- f. Used cleaning cloths were placed on various surfaces after use.

AND WHEREAS such inspection and/or report 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 processing facility had persistent, positive results of *Listeria* from sampling ready-to-eat foods and environmental surfaces including food contact surfaces and non-food

contact surfaces. This is in contravention of the Food Regulation AR31/2006, section 24, 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 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.

- b. The contact time for sanitizer was not being followed. Sanitizer was wiped off with cleaning cloths almost immediately after application. 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.
- c. Food slicers were not properly cleaned before the use of a sanitizer. 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.
- d. After loading unclean food equipment into the dishwasher, the staff member replaced single use gloves without handwashing in between. This is in contravention of the Food Regulation AR31/2006, section 30(1)(d), which states that: A food handler must wash hands as often as necessary to prevent the contamination of food or food areas.
- e. During production time, there were no paper towels at the handwashing sink located between the cook line and front entrance to the production floor. This is in contravention of the Food Regulation AR31/2006, section 30(4), which states that: The handwashing stations referred to in section 17(1)(e) must be maintained and kept supplied.
- f. Used cleaning cloths were placed on various surfaces after use. 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.

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. Submit environmental samples to the satisfaction of the Canadian Food Inspection Agency (CFIA). These samples must have a negative result.
 - b. Conduct a thorough cleaning of the entire facility.
 - c. Properly clean and sanitize all food equipment and food contact surfaces following minimum contact time for the sanitizer.
 - d. Ensure proper handwashing procedures are followed, including washing hands when changing gloves or tasks.

- e. Provide adequate handwashing supplies at all handwashing sinks at all times during operation.
 - f. Submerge cleaning cloths in a sanitizer between uses.
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 receipt of the report 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, August 21, 2026.

Confirmation of a verbal order issued to Marty Schaufert and Arlyn Zoleta on August 20, 2026.

Executive Officer
Alberta Health Services

If you have any questions regarding the order, contact Environmental Public Health at 1-833-476-4743 or
<https://www.albertahealthservices.ca/eph/eph.aspx>

You have the right to appeal

A person who is directly affected by a 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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10101 Southport Road SW, Calgary, Alberta, Canada T2W 3N2

www.ahs.ca/eph