

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: 345304 Alberta Ltd.
"the Owner"

Jim Wong
"the Owner"

RE: The food establishment located in Calgary, Alberta and municipally described as:
Kinmen Food Processing Company
8 - 2219 35 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. There was evidence of a mice infestation. Mouse droppings were observed in minor clutter areas, dry storage, laundry room, office, side room at the entrance and the non-operational walk-in-freezer in the back.
- b. Extensive mould growth was observed on the ceiling of the side room in the back area.
- c. The facility was not clean and well maintained. Heavy accumulation of dirt and debris was observed on the floor, walls, ceilings, food contact surfaces and processing equipment. Several surfaces throughout the facility were visibly soiled and were not being cleaned on regular basis. Buckets used for storing tofu were visibly dirty.
- d. Non-food related items were observed throughout the facility. Numerous visibly dirty cardboard boxes, plastic covers, personal, and miscellaneous items were piled around the facility, including near food production areas.
- e. A large hole was observed in the right corner of the wall in the tofu processing area. Surrounding wall tiles were also damaged and broken.
- f. The upstairs area of the facility was heavily cluttered with non-food related items.
- g. Staff present onsite lacked basic food safety knowledge.
- h. Empty buckets used to store food were dirty and not being properly cleaned and sanitized prior to re-use.
- i. Food products in the walk-in-cooler were measured at 12.5°C.
- j. Foods were observed held at unsafe temperatures: tofu was measured at 19.1°C, egg noodles measured at 13.3°C, milk measured at 18.4°C, and eggs measured at 11.6 °C.

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

- a. There was evidence of a mice infestation. Mouse droppings were observed in minor clutter areas, dry storage, laundry room, office, side room at the entrance and the non-operational walk-in-freezer in the back. This is in contravention of the Food Regulation, AR31/2006, section 21(1), 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. Extensive mould growth was observed on the ceiling of the side room in the back area. This is in contravention of the Nuisance and General Sanitation Regulation, AR 243/2003, section 2(1), which states that: No person shall create, commit or maintain a nuisance.
- c. The facility was not clean and well maintained. Heavy accumulation of dirt and debris was observed on the floor, walls, ceilings, food contact surfaces and processing equipment. Several surfaces throughout the facility were visibly soiled and were not being cleaned on regular basis. Buckets used for storing tofu were visibly dirty. 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. Non-food related items were observed throughout the facility. Numerous visibly dirty cardboard boxes, plastic covers, personal, and miscellaneous items were piled around the facility, including near food production areas. 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.
- e. A large hole was observed in the right corner in the tofu processing area. Surrounding wall tiles were also damaged and broken. This is in contravention of the Food Regulation, AR31/2006, section 17(1)(a), 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.
- f. The upstairs area of the facility was heavily cluttered with non-food related items. 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.
- g. Staff present onsite lacked basic food safety knowledge. This is in contravention of the Nuisance and General Sanitation Regulation, AR243/2003, section 2(1), which states that: No person shall create, commit or maintain a nuisance.
- h. Empty buckets used to store food were dirty and not being properly cleaned and sanitized prior to re-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.

- i. Food in the walk-in-cooler was measured at 12.5 °C. This is in contravention of the Food Regulation, AR31/2006, section 28(3) which states that: All equipment and utensils in a commercial food establishment must be (a) kept in good working order and condition, and (b) maintained in a manner that ensure the safe and sanitary handling of food. This is also a violation 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 degrees Celsius or such higher temperature, or not less than 60 degrees Celsius or such lower temperature as an executive officer stipulates under subsection (4).
- j. Foods were observed held at unsafe temperatures: tofu was measured at 19.1°C, egg noodles measured at 13.3 °C, milk measured at 18.4°C, and eggs measured at 11.6 °C. 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 as an executive officer stipulates under subsection (4).

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. Remove all the mouse droppings and clean and disinfect the affected areas.
 - b. Increase the frequency of pest control visits to weekly to eliminate any further mouse activity.
 - c. Provide an Executive Officer with Alberta Health Services with copies of all pest control records on a weekly basis until otherwise specified.
 - d. Remove all the damaged building material on the ceiling of the side room in the back area and refinish the ceiling to address the mould.
 - e. Deep clean the entire food premise including but not limited to: the floors, walls, ceilings, food equipment, shelving units and areas around the food processing equipment.
 - f. Implement and maintain a written sanitation plan, ensuring that it includes the cleaning and sanitizing requirements for the facility and for all equipment and machinery onsite.
 - g. Declutter and organize all areas in the facility.
 - h. Remove personal belongings and non-essential items from the premises.
 - i. Repair and seal the hole in the wall and replace missing tiles on the wall in the tofu processing area.
 - j. Ensure all staff complete the basic food safety training.

- k. Properly clean and sanitize all food storage buckets prior to re-use.
 - l. Ensure the walk-in-cooler is capable of maintaining food at 4°C or below.
 - m. Ensure high risk food in the cooler is maintained at 4°C or below.
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, July 14, 2025.

Confirmation of a verbal order issued to Jim Wong on July 9, 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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10101 Southport Road SW, Calgary, Alberta, Canada T2W 3N2

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