

ORDER OF AN EXECUTIVE OFFICER

To: El Mariachi Catering LTD.
"the Owner"

Kimberly Ortiz
"the Owner"

RE: The food establishment located in Calgary, Alberta and municipally described as:
Molcajete Mexican Eatery & Market, 1235 26 Avenue SE

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. Mop buckets were noted inside the kitchens during operation in stall 132 near the food preparation area and stall 133 by the dishwashing sink.
- b. A container of purple onions was stored next to a garbage bin in stall 132.
- c. Personal items, including phone, drinks, lighters, jackets, bags, were stored on top of food containers and equipment in stall 132.
- d. A pool of water noted inside the bottom of the display cooler located next to dishwashing sink in stall 133.
- e. The ambient temperature of the only display cooler located near the two-compartment sink in stall 133 was measured at 13.5°C, the digital temperature display showed 82°F (approximately 27.8°C). Temperatures of high-risk foods inside the cooler were measured: Fried rice at 11.6 °C, two containers of tomato chicken at 12.0 °C and 11.0 °C.
- f. In stall 133, the ambient temperature of the only display cooler located near the till area was measured at 7.1°C. In stall 132, the ambient temperature of the left display cooler at the retail area was measured at 8°C.
- g. None of the fridges in both stalls have a display thermometer to accurately show the internal ambient temperature.
- h. There is an insufficient amount of drain stoppers available to properly complete washing and sanitizing at the three-compartment sink available in stall 132 and two-compartment sink available in stall 133.
- i. Neither the two-compartment or three-compartment sink is big enough to allow submersion of the tortilla chip plastic container, and improper clean-in-place method was observed to clean and sanitize the containers.
- j. Operator demonstrated incorrect dishwashing procedures, that all equipment and utensils were washed with water without soap, and sanitized incorrectly with bleach and soap.
- k. No bleach test strips were available.
- l. Mouse droppings were noted in both stalls and the basement storage unit. In stall 132, droppings were found at the corner of the handwashing sink and on top of pails of food

- containers by the hot holding table. In stall 133, droppings were found on top of pails of food containers. In the basement storage room, droppings were found behind the shelves.
- m. Approximately five flies were found in stall 132 at the food preparation area and dishwashing area.
 - n. The flooring in front of the three-compartment sink in stall 132 was worn out which exposed an unsmooth surface.
 - o. The basement storage room was not organized for easy access.
 - p. A pool of water was noted under the two-compartment sink in stall 133.
 - q. The hot water faucet at stall 132's three-compartment sink was leaking, and the hot water supply was shut off to cease the leak.

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. Mop buckets were noted inside the kitchens during operation in stall 132 near the food preparation area and stall 133 by the dishwashing sink. 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."
- b. A container of purple onions was stored next to a garbage bin. This is in contravention of 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."
- c. Personal items, including phone, drinks, lighters, jackets, bags, were stored on top of food containers and equipment in stall 132. This is in contravention of 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."
- d. A pool of water noted inside the bottom of the display cooler located next to dishwashing sink in stall 133. This is in contravention of 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."
- e. The ambient temperature of the only display cooler located near the two-compartment sink in stall 133 was measured at 13.5°C, the digital temperature display showed 82°F (approximately 27.8°C). Temperatures of high-risk foods inside the cooler were measured: Fried rice at 11.6 °C, two containers of tomato chicken at 12.0 °C and 11.0 °C. This is in contravention of 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."
- f. In stall 133, the ambient temperature of the only display cooler located near the till area was measured at 7.1°C. In stall 132, the ambient temperature of the left display cooler at the retail area was measured at 8°C. This is in contravention of 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."
- g. None of the fridges in both stalls have a display thermometer to accurately show the internal ambient temperature. This is in contravention of section 18(b)(iii) of the Food Regulation AR 31/2006, which states that: "An operator must ensure that all refrigeration

and hot holding equipment used in the commercial food establishment is equipped with an accurate thermometer.”

- h. There is an insufficient amount of drain stoppers available to properly complete washing and sanitizing at the three-compartment sink available in stall 132 and two-compartment sink available in stall 133. This is in contravention of section 28(1) 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.”
- i. Neither the two-compartment or three-compartment sink is big enough to allow submersion of the tortilla chip plastic container, and improper clean-in-place method was observed to clean and sanitize the containers. This is in contravention of section 17(1)(b) and 28(2) 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 designed so as to facilitate the effective cleaning and sanitizing of it and of all equipment, utensils and surfaces with which food comes into contact in it,” and “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.”
- j. Operator demonstrated incorrect dishwashing procedures, that all equipment and utensils were washed with water without soap, and sanitized incorrectly with bleach and soap. 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. No bleach test strips were available. This is in contravention of section 28(1) 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.”
- l. Mouse droppings were noted in both stalls and the basement storage unit. In stall 132, droppings were found at the corner of the handwashing sink and on top of pails of food containers by the hot holding table. In stall 133, droppings were found on top of pails of food containers. In the basement storage room, droppings were found behind the shelves. This is in contravention of section 21(1) of the Food Regulation AR 31/2006, which states that: “A commercial food establishment must be kept free of pests and of conditions that lead to the harbouring or breeding of pests.”
- m. Approximately five flies were found in stall 132 at the food preparation area and dishwashing area. This is in contravention of section 21(1) of the Food Regulation AR 31/2006, which states that: “A commercial food establishment must be kept free of pests and of conditions that lead to the harbouring or breeding of pests.”
- n. The flooring in front of the three-compartment sink in stall 132 was worn out which exposed an unsmooth surface. This is in contravention of 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.”
- o. The basement storage room was not organized for easy access. 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.”

- p. A pool of water was noted under the two-compartment sink in stall 133. This is in contravention of section 19(b) of the Food Regulation AR 31/2006, which states that: “A person must not operate a commercial food establishment unless it is constructed and maintained in accordance with that approval.”
- q. The hot water faucet at stall 132’s three-compartment sink was leaking, and the hot water supply was shut off to cease the leak. This is in contravention of section 19(b) of the Food Regulation AR 31/2006, which states that: “A person must not operate a commercial food establishment unless it is constructed and maintained in accordance with that approval.”

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. Remove the mop buckets from kitchens when not in use.
 - b. Provide sufficient separation between food storage and garbage.
 - c. Provide enough storage space for personal belongings to ensure these items are not stored on food storage, equipment and preparation area.
 - d. Remove the pool of water from the bottom interior of the display fridge located near the dishwashing area in stall 133.
 - e. Discard all the temperature abused high-risk foods.
 - f. Repair the dysfunctional refrigeration units and ensure all units maintain an ambient temperature of 4°C or lower.
 - g. Equip each refrigerator with a functioning display thermometer to ensure accurate temperature monitoring.
 - h. Create a temperature log sheet and record the temperature of all refrigeration unit daily.
 - i. Ensure each dishwashing compartment has its own functional drain stopper.
 - j. Practice proper clean-in-place methods for the tortilla chip containers OR install larger compartment sinks that can accommodate the largest tortilla chip container OR switch to smaller tortilla chip containers that fit the existing compartment sinks.
 - k. Review and familiarize the proper dishwashing procedures including washing, rinsing, and sanitizing.
 - l. Obtain bleach test strips which can verify a concentration of 100 ppm.
 - m. Clean up all mice droppings and then clean and sanitize all areas where mice droppings were present.
 - n. Monitor the flies and ensure the infestation does not worsen. Remove any food waste and garbages daily, ensure garbages are covered when not in use. Contact a pest control operator if the situation does not improve.
 - o. Repair the damaged flooring and ensure its properly refinished to provide a smooth, non-porous, and easily cleanable surface that supports effective cleaning and sanitation.
 - p. Organize the basement to accommodate easy access, inspection for pests, and cleaning.
 - q. Repair the plumbing leakage in stall 132 and 133, and ensure a continuous supply of hot water is maintained in stall 132.
 - r. Implement and maintain a cleaning schedule record, including daily, weekly, biweekly, monthly tasks, depending on operational needs.

2. The work referred to in paragraph 1 shall be completed by October 29, 2025.

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 08, 2025

Confirmation of a work order issued to Lillian R Ortiz-Gonzalez via email on October 8, 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>

Order of an Executive Officer

RE: The Food Establishment located in Calgary, Alberta and municipally described as: Molcajete Mexican Eatery & Market, 1235 26 Avenue SE

Page 6 of 6

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10101 Southport Road SW Calgary AB, T2W 3N2

<https://www.ahs.ca/eph>