

ORDER OF AN EXECUTIVE OFFICER

To: 1718085 Alberta Ltd.
"the Owner"

Kanwaljit Singh Jaspal
"the Owner"

RE: The food establishment located in Calgary, Alberta and municipally described as:
Moonlight Pub
275 - 265 Falshire Drive 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. The owner was operating contrary to the terms and conditions of the food handling permit which included a restriction of single-use, disposable customer utensils only.
- b. The dishwasher was not operational.
- c. Staff were washing customer dishes, glassware, and eating utensils in bus bins placed into the 2-compartment sink.

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. The owner was operating contrary to the terms and conditions of the food handling permit which included a restriction of single-use, disposable customer utensils only. This is in contravention of the Food Regulation AR 31/2006 section 9(4), which states that: An operator must ensure that the terms and conditions of the permit are not contravened.
- b. The dishwasher was not operational. This is in contravention of the Food Regulation AR 31/2006 sections 19 and 28(1),(3), which states: 19 A person must not operate a commercial food establishment unless all the requisite plans and specifications referred to in section 16 of the commercial food establishment have been approved by the executive officer, and it is constructed and maintained in accordance with that approval; and 28(1) A commercial food establishment must have all the facilities, equipment and utensils that are necessary to ensure its safe operation and maintenance, and 28(3)(a) All equipment and utensils in a commercial food establishment must be (a) kept in good working order and condition.

- c. Staff were washing customer dishes, glassware, and eating utensils in bus bins placed into the 2-compartment sink. This is in contravention of the Food Regulation AR 31/2006 sections 28(1)(2) which states: 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.

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. Repair or replace the mechanical dishwasher so it is fully operational, **or**, remove the nonoperational dishwasher and the existing 2-compartment dishwashing sink, and replace both the dishwasher and the 2-compartment sink with a 3-compartment dishwashing sink for washing utensils and reusable customer dishes. If the latter option is chosen, submit plans to an Executive Officer of Alberta Health Services for approval prior to completing any work.
2. The work referred to in paragraph 1 shall be completed by **June 17, 2023**.

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, May 9, 2023.

Confirmation of a verbal order issued to Kanwaljit Jaspal on May 5, 2023.

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>.

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Copies of standards are available by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>