

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: Portico Lounge Ltd.
"the Owner"

Mussie Tedla
"the Owner"

Meseret Mamo
"the Owner"

RE: The food establishment located in Calgary, Alberta and municipally described as:
Portico Lounge
3 - 1806 35 Street 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. The food establishment had a significant cockroach infestation. There were cockroach egg casings at the kitchen handwashing sink and in the crevice of the kitchen counter. Cockroaches were found in food, all kitchen sinks, on floors, walls, and on the interior and exterior of food equipment. Cockroaches had nested in cracks and crevices of the kitchen counter, drawers and behind shelf brackets. Cockroach feces were observed throughout the facility including electrical outlets and shelves. The single pest control glue board in the kitchen was completely full of cockroach remains. The bar also had a live cockroach activity.
- b. Mouse droppings were observed in the front service area cupboards.
- c. The grease interceptor had reached full capacity causing sewage to back up in all kitchen sinks. There was an obnoxious odor throughout the food establishment due to the sewage back up.
- d. The kitchen handwashing sink was not equipped with handwashing supplies.
- e. Paper towels in the washroom were stored on the counter.
- f. The paper towel dispenser in the washroom was not operational.
- g. The kitchen handwashing sink was obstructed with a plate and a bag of chicken wings.
- h. A bag of frozen chicken wings was thawing in the kitchen handwashing sink.
- i. Cooked meats and vegetables were stored on the stove with no means of temperature control. The internal food temperatures measured 35.1 and 57.5 degrees Celsius, respectively.

- j. A container of raw meat was stored directly on another container of cooked food in the refrigerator.
- k. Cooked foods and raw meat in the refrigerator measured 6.4 and 8.4 degrees Celsius.
- l. Melted butter with spices was stored with no means of temperature control. The internal food temperature measured 23.4 degrees Celsius.
- m. Lemon slices in the bar cooler measured 7.5 degrees Celsius.
- n. An approved sanitizing solution was not available for surfaces.
- o. A used cleaning cloth was stored by the sink in the front service area, not in a sanitizing solution.
- p. Pest control reports with inspection findings and implemented treatments were not available.
- q. Food handlers lacked basic knowledge in safe food handling.
- r. There was heavy ice accumulation in the freezer compartment.
- s. The bottom shelf of the freezer compartment was in a state of disrepair; the finish was cracked, worn and rusted, and food debris was accumulating on the surface.
- t. A single use utensil was being re-used for handling dry food.
- u. Utensils stored in food containers had food debris on the handles.
- v. Sanitizer test strips were not available.
- w. Grease was dripping from the kitchen exhaust ventilation hood.
- x. Surfaces under the kitchen exhaust ventilation hood were lined with aluminum foil.
- y. The cupboards in the front service area were lined with cardboard.
- z. The wastewater line of the kitchen handwashing sink was uncapped.
- aa. The fan in the refrigerator was operating without a protective cover.
- bb. The light bulb in the cooler did not have a protective cover or shatterproof shield.
- cc. There was a cracked food container in the kitchen.
- dd. There were blackened cut marks on the cutting board.
- ee. The shisha re-processing and storage area was dirty and disorganized with hookah pipes and recyclable items on the floor.
- ff. There was a hole in the wall by the shisha reprocessing sink.
- gg. A floor drain cover was missing by the shisha reprocessing sink.
- hh. Shelving units in the storage area for hookah pipes were constructed with unfinished wood.
- ii. The finish on the floor in the shisha reprocessing and storage area was badly worn.
- jj. Lost and found items including clothing from patrons were stored on the bar countertop.
- kk. Storage rooms were dirty and cluttered with items haphazardly piled on the floor.
- ll. The kitchen and bar were filthy including but not limited to walls, sinks, floors and all food equipment.
- mm. Lighting in the kitchen was dim.
- nn. There were holes and tears in the upholstery of the dining room seating.
- oo. Ceiling tiles were either missing, out of place or damaged in the bar and shisha area.
- pp. Vent covers in the washroom were not secured to the ceiling.
- qq. An electrical outlet cover was missing in the storage area for hookah pipes.
- rr. A cleaning schedule was not available.

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 food establishment had a significant cockroach infestation. There were cockroach egg casings at the kitchen handwashing sink and on the kitchen counter. Cockroaches were found in food, all kitchen sinks, on floors, walls, and on the interior and exterior of food equipment. Cockroaches had nested in cracks and crevices of the kitchen counter, drawers and behind shelf brackets. Cockroach feces were observed throughout the facility including electrical outlets and shelves. The single pest control glue board in the kitchen was completely full of cockroach remains. The bar also had a live cockroach activity. This is in contravention of the Food Regulation AR 31/2006, section 21 (1), which states that: The commercial food establishment and any surrounding area, premises or facilities supporting the commercial food establishment must be kept free of pests and of conditions that lead to the harbouring or breeding of pests.
- b. Mouse droppings were observed in the front service area cupboards. This is in contravention of the Food Regulation AR 31/2006, section 21 (1) and (2), which states that: The commercial food establishment and any surrounding area, premises or facilities supporting the commercial food establishment must be kept free of pests and of conditions that lead to the harbouring or breeding of pests.
- c. The grease interceptor had reached full capacity causing sewage to back up in all kitchen sinks. There was an obnoxious odor throughout the food establishment due to the sewage back up. This is in contravention of the Nuisance and General Sanitation Regulation AR 243/2003, section 2 (1), which states that: A practice or condition of this food establishment is creating a nuisance. No person shall create, commit or maintain a nuisance.
- d. The kitchen handwashing sink was not equipped with handwashing supplies. This is in contravention of the Food Regulation AR 31/2006, section 30 (4), which states that: The handwashing stations referred to in section 17 (1) (e) must be maintained and kept supplied.
- e. Paper towels in the washroom were stored on the counter. This is in contravention of the Food Regulation AR 31/2006, section 30 (4), which states that: The handwashing stations referred to in section 17 (1) (e) must be maintained and kept supplied.
- f. The paper towel dispenser in the washroom was not operational. This is in contravention of the Food Regulation AR 31/2006, section 30 (4), which states that: The handwashing stations referred to in section 17 (1) (e) must be maintained and kept supplied.
- g. The kitchen handwashing sink was obstructed with a plate and a bag of chicken wings. This is in contravention of the Food Regulation AR 31/2006, section 17 (1) (e), which states that: An operator must ensure that, before operation of the commercial food establishment commences, the commercial food establishment has handwashing stations that are adequately in number and situated so as to ensure convenient access by all food handlers.
- h. A bag of frozen chicken wings was thawing in the kitchen handwashing sink. This is in contravention of the Food Regulation AR 31/ 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.
- i. Cooked meats and vegetables were stored on the stove with no means of temperature control. The internal food temperatures measured 35.1 and 57.5 degrees Celsius, respectively. This is in contravention of the Food Regulation AR 31/2006, section 25 (1) (a) (b), which states that: All high risks 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.

- j. A container of raw meat was stored directly on another container of cooked food in the refrigerator. This is in contravention of the Food Regulation AR 31/2006, section 23 (1) (a), which states that: All food used or to be used in a commercial food establishment must be protected from contamination.
- k. Cooked foods and raw meat in the refrigerator measured 6.4 and 8.4 degrees Celsius. This is in contravention of the Food Regulation AR 31/2006, section 25 (1) (a) (b), which states that: All high risks 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.
- l. Melted butter with spices was stored with no means of temperature control. The internal food temperature measured 23.4 degrees Celsius. This is in contravention of the Food Regulation AR 31/2006, section 25 (1) (a) (b), which states that: All high risks 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.
- m. Lemon slices in the bar cooler measured 7.5 degrees Celsius. This is in contravention of the Food Regulation AR 31/2006, section 25 (1) (a) (b), which states that: All high risks 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.
- n. An approved sanitizing solution was not available for surfaces. This is in contravention of the Food Regulation AR 31/2006, 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.
- o. A used cleaning cloth was stored by the sink in the front service area, not in a sanitizing solution. This is in contravention of the Food Regulation AR 31/2006, 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.
- p. Pest control reports with inspection findings and implemented treatments were not available. 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) must be maintained.
- q. Food handlers lacked basic knowledge in safe food handling. This is in contravention of the Nuisance and General Sanitation Regulation AR 243/2003, section 2 (1), which states that: A practice or condition of this food establishment is creating a nuisance. No person shall create, commit or maintain a nuisance.
- r. There was heavy ice accumulation in the freezer compartment. This is in contravention of the Food Regulation AR 31/2006, section 28 (3) (a), which states that: All equipment and utensils in a commercial food establishment must be kept in good working order and condition.
- s. The bottom shelf of the freezer compartment was in a state of disrepair; the finish was cracked, worn and rusted, and food debris was accumulating on the surface. This is in

contravention of the Food Regulation AR 31/2006, section 28 (3) (a), which states that: All equipment and utensils in a commercial food establishment must be kept in good working order and condition.

- t. A single use utensil was being re-used for handling dry food. This is in contravention of the Food Regulation AR 31/2006, section 28 (4) (a), which states that: Single service utensils must not be used more than once.
- u. Utensils stored in food containers had food debris on the handles. This is in contravention of the Food Regulation AR 31/2006, 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.
- v. Sanitizer test strips were not available. This is in contravention of the Food Regulation AR 31/2006, section 28 (1), 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.
- w. Grease was dripping from the kitchen exhaust ventilation hood. This is in contravention of the Food Regulation AR 31/2006, section 17 (1) (f) (iv), which states that: An operator must ensure that, before, operation of the commercial food establishment commences, the commercial food establishment is equipped with a properly operating means of providing ventilation to food handling areas that are subject to the generation or accumulation of odours, fumes, steam, vapours, smoke or excessive heat.
- x. Surfaces under the kitchen exhaust ventilation hood were lined with aluminum foil. This is in contravention of the Food Regulation AR 31/ 2006, section 28 (3) (b), which states that: All equipment and utensils in a commercial food establishment must be maintained in a manner that ensures the safe and sanitary handling of food.
- y. The cupboards in the front service area were lined with cardboard. This is in contravention of the Food Regulation AR 31/ 2006, section 28 (3) (b), which states that: All equipment and utensils in a commercial food establishment must be maintained in a manner that ensures the safe and sanitary handling of food.
- z. The wastewater line of the kitchen handwashing sink was uncapped. This is in contravention of the Food Regulation AR 31/2006, section 17 (1) (f) (ii), which states that An operator must ensure that, before operation of the commercial food establishment commences, the commercial food establishment is connected to a lawful and properly operating sewage disposal system.
- aa. The fan in the refrigerator was operating without a protective cover. This is in contravention of the Food Regulation AR 31/2006, section 28 (3) (a), which states that: All equipment and utensils in a commercial food establishment must be kept in good working order and condition.
- bb. The light bulb in the cooler did not have a protective cover or shatterproof shield. This is in contravention of the Food Regulation, AR 31/2006, section 23 (1) (a), which states that: All food used or to be used in a commercial food establishment must be protected from contamination.
- cc. There was a cracked food container in the kitchen. This is in contravention of the Food Regulation AR 31/2006, section 28 (3) (a), which states that: All equipment and utensils in a commercial food establishment must be kept in good working order and condition.

- dd. There were blackened cut marks on the cutting board. This is in contravention of the Food Regulation AR 31/2006, section 28 (3) (a), which states that: All equipment and utensils in a commercial food establishment must be kept in good working order and condition.
- ee. The shisha re-processing and storage area was dirty and disorganized with hookah pipes and recyclable items on the floor. This is in contravention of the Food Regulation AR 31/2006, 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.
- ff. There was a hole in the wall by the shisha reprocessing sink. This is in contravention of the Food Regulation, AR 31/2006, 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.
- gg. A floor drain cover was missing by the shisha reprocessing sink. This is in contravention of the Food Regulation AR 31/ 2006, section 17 (2), which states that: Subject to subsection (2.1), the operator must ensure that the commercial food establishment in constructed to control the entry of pests.
- hh. Shelving units in the storage area for hookah pipes were constructed with unfinished wood. This is in contravention of the Food Regulation, AR 31/2006, 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.
- ii. The finish on the floor in the shisha reprocessing and storage area was badly worn. This is in contravention of the Food Regulation, AR 31/2006, 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.
- jj. Lost and found items including clothing from patrons were stored on the bar countertop. This is in contravention of the Food Regulation AR 31/2006, section 20 (1): 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.
- kk. Storage rooms were dirty and cluttered with items haphazardly piled on the floor. This is in contravention of the Food Regulation AR 31/2006, section 28 (3) (b): All equipment and utensils in a commercial food establishment must be maintained in a manner that ensures the safe and sanitary handling of food.
- ll. The kitchen and bar were filthy including but not limited to walls, sinks, floors and all food equipment. This is in contravention of the Food Regulation AR 31/2006, 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.
- mm. Lighting in the kitchen was dim. This is in contravention of the Food Regulation AR 31/2006 section 17(1) (f) (iii), which states that: An operator must ensure that, before operation of the commercial food establishment commences, the commercial food

establishment is equipped with lighting that is adequate in intensity to enable the sanitary operation and maintenance of the food handling areas.

- nn. There were holes and tears in the upholstery of the dining room seating. This is in contravention of the Food Regulation, AR 31/2006, 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.
- oo. Ceiling tiles were either missing, out of place or damaged in the bar and shisha area. This is in contravention of the Food Regulation, AR 31/2006, 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.
- pp. Vent covers in the washroom were not secured to the ceiling. This is in contravention of the Food Regulation, AR 31/2006, 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.
- qq. An electrical outlet cover was missing in the storage area for hookah pipes. This is in contravention of the Food Regulation, AR 31/2006, 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.
- rr. A cleaning schedule was not available. This is in contravention of the Food Regulation AR 31/2006, section 29 (1) and (2) (a) (b): A commercial food establishment must have written procedures designed to ensure its safe and sanitary operation and maintenance. The procedures must include the cleaning and sanitizing requirements for the commercial food establishment and for the equipment and utensils in it, if any, that are not normally washed in a dishwasher, and a list of all cleaning and sanitizing agents used in the commercial food establishment, including their concentrations and uses.

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. Schedule and participate in a Compliance Review Hearing with Alberta Health Services, Environmental Public Health management.
 - b. Retain the services of a professional pest control company to eliminate the pest infestations throughout the food establishment. A minimum of two treatments, one week apart, is required to ensure successful results. Continue weekly treatments as needed. Implement an ongoing integrated pest management program for the interior and exterior of the food establishment. Provide documentation from the professional pest control company to an Alberta Health Services, Executive Officer,

- indicating the pest infestations are abated. Provide copies of all invoices and reports to an Executive Officer of Alberta Health Services.
- c. Remove mouse droppings, cockroach remains and cockroach feces and disinfect contaminated surfaces.
 - d. Eliminate all possible pest entry points and repair all structural deficiencies.
 - e. Clean the grease interceptor and repair any plumbing deficiencies. Wastewater must be discharged to a properly operating sewage system.
 - f. Clean and disinfect all food preparation surfaces including the two-compartment sink, followed by a rinse with potable water.
 - g. Provide handwashing supplies in suitable dispensers at all handwashing sinks.
 - h. Ensure all handwashing sinks are clean, clear and accessible to food handlers.
 - i. Thaw perishable foods in one of the following ways: 1) in a refrigerator at 4 degrees Celsius or less, 2) under cold running water, 3) in a microwave, or 4) as part of the immediate cooking process.
 - j. Do not store perishable foods in the temperature danger zone (4 to 60 degrees Celsius).
 - k. Store perishable foods at 4 degrees Celsius or less under refrigeration or store perishable foods hot at 60 degrees Celsius or greater.
 - l. Store raw meats below vegetables, cooked and ready to eat foods.
 - m. Prepare an approved surface sanitizing solution such as 100ppm chlorine before handling food. Use the solution to sanitize surfaces following cleaning.
 - n. Keep cleaning cloths immersed in an approved sanitizing solution between uses.
 - o. The person in care and control of the food establishment must complete an approved food safety course and provide the completion certificate to an Alberta Health Services, Executive Officer.
 - p. Remove ice build-up in the freezer compartment.
 - q. Repair or replace the freezer compartment shelf so that surfaces are in good repair, smooth and washable.
 - r. Discard used, single-use utensils.
 - s. Store utensils in a manner that prevents the handles from being in contact with food (i.e. store utensils in a clean container outside of the bulk food container).
 - t. Provide test strips for monitoring sanitizer concentration.
 - u. Clean the kitchen exhaust ventilation hood.
 - v. Remove aluminum foil and cardboard from shelves. Clean shelves regularly.
 - w. Cap the wastewater line of the kitchen handwashing sink.
 - x. Install a compatible protective cover over the refrigerator fan.
 - y. Install a light fixture with a protective cover or shatterproof shield in the refrigerator.
 - z. Discard any damaged food containers, equipment or utensils.
 - aa. Repair or replace all cutting boards that are worn/damaged and unable to be properly cleaned.
 - bb. Clean and organize the shisha area and storage rooms. Store items off the floor and remove clutter that impedes cleaning and pest control services. All areas must be accessible.
 - cc. Repair the wall by the shisha reprocessing sink. Ensure the finish is smooth, non-absorbent to moisture and easy to clean.
 - dd. Install a floor drain cover by the shisha reprocessing sink.
 - ee. Apply a finish on the surfaces of raw wood shelving units. Surfaces must be smooth, non-absorbent to moisture and easy to clean.
 - ff. Apply a new finish to the floor in the shisha reprocessing and storage area.
 - gg. Remove unrelated articles from the food service areas and store them separately.

- hh. Conduct a thorough cleaning of the entire food establishment including hard to reach areas.
 - ii. Provide adequate lighting throughout the premises.
 - jj. Repair or replace damaged dining room seating upholstery.
 - kk. Install, re-position or replace ceiling tiles.
 - ll. Secure vent covers to the ceiling.
 - mm. Install an electrical outlet cover in the shisha storage area.
 - nn. Prepare, implement, and maintain a detailed written cleaning schedule to facilitate the proper cleaning of all areas of the food establishment, including equipment, and structural surfaces. The cleaning schedule must include a list of all cleaning and sanitizing agents used within the food establishment, all equipment to be cleaned and the frequency of cleaning. The sanitation program must be submitted to an Alberta Health Services Executive Officer for review.
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, April 10, 2024.

AMENDED on April 11, 2024 at Calgary, Alberta.

Confirmation of a verbal order issued to Mussie Tedla on April 5, 2024.

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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www.ahs.ca/eph

AMENDED