

## **ORDER OF AN EXECUTIVE OFFICER**

**To:** Fortune Foods Calgary ULC  
"the Owner"

Christian Benitez  
"the Owner"

**RE:** The food establishment located in Calgary, Alberta and municipally described as:  
Seafood City Supermarket  
3320 Sunridge Way 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 very low water pressure at the handwashing sink in the meat department. The handwashing sink at Grill City and the meat department did not have sufficient hot water.
- b. The QUAT sanitizer solutions were not being maintained at 200 ppm. Several QUAT sanitizer buckets were measured at 0 ppm, and other buckets were measured above 400 ppm. The QUAT sanitizer dispensers were also not dispensing at the correct concentration.
- c. Test strips were not being used to check the QUAT sanitizer concentrations.
- d. The sanitization cycle of the low temperature mechanical dishwasher was not being tested to verify the chlorine concentration.
- e. High-risk foods, including raw meat, were stored at room temperature.
- f. A cleaning schedule with written sanitation procedures was not available.
- g. The cutting boards were stored with debris from meat trimmings and meat juices on the surfaces in the meat department; the cutting boards and meat saw were not being cleaned and sanitized at 4 hour intervals and between species.
- h. Raw meat products were being thawed at room temperature. The meat measured between 12-15°C. Raw meat products were thawing in stagnant water at 12-15°C.
- i. Scoops were stored inside the bulk ingredient food containers; the scoop handles were covered in the food ingredients.
- j. The 3-compartment sink in the seafood department was leaking, flooding the floor in the area.
- k. The temperature of food in the hot holding front display units at Grill City and the Go Grill stations were below 60 °C. Staff and management did not know what the correct holding temperature must be. Records of hot holding temperatures were not kept.
- l. The staff and management did not demonstrate adequate food safety knowledge.

**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. There was very low water pressure at the handwashing sink in the meat department. The handwashing sink at Grill City and the meat department did not have sufficient hot water. This is in contravention of the Food Regulation, AR 31/2006, section 17(1)(f)(i), which states that: An operator must ensure that the commercial food establishment is supplied with hot and cold running water that is safe for human consumption and available in quantities sufficient to meet the needs of the commercial food establishment.
- b. The QUAT sanitizer solutions were not being maintained at 200 ppm. Several QUAT sanitizer buckets were measured at 0 ppm, and other buckets were measured above 400 ppm. The QUAT sanitizer dispensers were also not dispensing at the correct concentration. 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.
- c. Test strips were not being used to check the QUAT sanitizer concentrations. 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.
- d. The sanitization cycle of the low temperature mechanical dishwasher was not being tested to verify the chlorine concentration. This is in contravention of the Food Regulation, AR 31/2006, section 29(1), which states that a commercial food establishment must have written procedures designed to ensure its safe and sanitary operation and maintenance.
- e. High-risk foods, including raw meat, were stored at room temperature. This is in contravention of the Food Regulation, AR 31/2006, section 25(1) 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. A cleaning schedule with written sanitation procedures was not available. This is in contravention of the Food Regulation, AR 31/2006, section 29(1) which states that a commercial food establishment must have written procedures designed to ensure its safe and sanitary operation and maintenance.
- g. The cutting boards were stored with debris from meat trimmings and meat juices on the surfaces in the meat department; the cutting boards and meat saw were not being cleaned and sanitized at 4 hour intervals and between species. 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.
- h. Raw meat products were being thawed at room temperature. The meat measured between 12-15°C. Raw meat products were thawing in stagnant water at 12-15°C. This is in contravention of the Food Regulation, AR 31/2006, section 25(1) 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. This is also in contravention of the Food Retail and Foodservices Code 2003 (Amended June 2020),

section 3.3.2(a) which states that potentially hazardous foods shall be thawed quickly or in a manner that will prevent the rapid growth of pathogenic bacteria by thawing through the following methods: under refrigeration at 4°C or less; completely submerged in cold running water; as part of the cooking process; and by microwaving.

- i. Scoops were stored inside the bulk ingredient food containers; the scoop handles were covered in the food ingredients. This is in contravention of the Food Regulation, AR 31/2006, section 28(3), 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.
- j. The 3-compartment sink in the seafood department was leaking, flooding the floor in the area. This is in contravention of the Food Regulation, AR 31/2006, section 17(1)(f)(i), which states that the commercial food establishment is connected to a lawful and properly operating sewage disposal system.
- k. The temperature of food in the hot holding front display units at Grill City and the Go Grill stations were below 60 °C. Staff and management did not know what the correct holding temperature must be. Records of hot holding temperatures were not kept. 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.
- l. The staff and management did not demonstrate adequate food safety knowledge. This is in contravention of the Food Retail and Foodservices Code, 2003, section 6.3.2, which states that: Every operator of a food establishment must ensure that food handlers have the necessary knowledge and skills to enable them to handle food hygienically.

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. Ensure all handwashing stations are equipped with a sufficient supply of hot and cold running water with adequate water pressure.
  - b. All QUAT sanitizer solutions used to sanitize food-contact surfaces must be at a concentration of 200 ppm. Ensure sanitizer solutions of the correct concentrations are available for use in food preparation areas.
  - c. Ensure the sanitizer dispensers are dispensing sanitizer solution at the correct concentration (i.e., 200 ppm QUAT solution). Test the sanitizing solution at the dispensers with the corresponding chemical test strips.
  - d. Ensure all staff are properly trained to test sanitizing solutions using the corresponding test strips. Maintain daily record onsite of testing.
  - e. Test the concentration of chlorine following the dishwasher sanitizing cycle. Record the concentration at least twice daily. Maintain records onsite.
  - f. Ensure all perishable foods are stored at 4°C or below or at or 60°C or above.
  - g. Thaw foods in one of the following ways: under refrigeration at 4°C or less; completely submerged in cold running water; as part of the direct cooking process; or by microwaving.
  - h. Store scoops in a clean container outside of the bulk food container.
  - i. Properly repair the 3-compartment sink in the seafood department to stop the leak.
  - j. Verify the temperature of hot and cold holding units at least twice daily. Maintain temperature records onsite.

- k. Prepare a written sanitation procedure/cleaning schedule for all kitchen equipment, utensils and surfaces. Describe the clean-in-place procedures for equipment that cannot be washed and sanitized in the sink basins or dishwasher. The sanitation procedure/cleaning schedule must be provided to an Alberta Health Services, Executive Officer for review. Implement the cleaning schedule.
  - l. A manager for each shift must re-take a Section 31 course in food safety. Provide the completion certificate(s) to an Alberta Health Services, Executive Officer.  
[https://www.alberta.ca/system/files/custom\\_downloaded\\_images/health-recognized-food-safety-courses-alberta.pdf#search=approved%20food%20safety](https://www.alberta.ca/system/files/custom_downloaded_images/health-recognized-food-safety-courses-alberta.pdf#search=approved%20food%20safety)
2. The work referred to in paragraph 1, section **a to j**, shall be completed by **May 3, 2024**.  
The work referred to in paragraph 1, section **k**, shall be completed by **May 6, 2024**  
The work referred to in paragraph 1, section **l**, shall be completed by **May 9, 2024**.

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 2, 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](mailto: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>