

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: LAI & LAM Investments Ltd.
"the Owner"

Lily Lai
"Director"

Louis Lai
"Director"

RE: The food establishment located in Calgary, Alberta and municipally described as:
Subway
429 58 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. There was no hot water available within the food establishment.
- b. The available QUAT sanitizer test strips were expired or discolored.
- c. The operator could not present proof of food safety certification.

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 no hot water available within the food establishment. This is in contravention of the Food Regulation AR 31/ 2006 s 17(1)(f)(i), which states that; An operator must ensure that, before operation of the commercial food establishment commences, the commercial food establishment (f) is (i) supplied with hot and cold running water that is safe for human consumption and available in quantities sufficient to meet the needs the commercial food establishment.
- b. The available QUAT sanitizer test strips were expired or discolored. This is in contravention of the Food Regulation AR 31/2006 s 28(1) and (2), 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 and 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. The operator could not present proof of food safety certification. This is in contravention of the Food Regulation AR 31/2006 s 31(1), which states that: A person operating a commercial food establishment must at any time when there are 5 or fewer food handlers working on the premises, ensure that at least one individual who has care and control of the commercial food establishment holds a certificate issued by the Minister confirming that individual's successful completion of a food sanitation and hygiene training program or a document that the Minister considers equivalent to such a certificate.

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. Repair the plumbing to ensure there is a constant supply of hot and cold, potable, running water sufficient to meet the needs of the commercial food establishment.
 - b. Obtain adequate test strips to measure the concentration of sanitizer(s) used in the food establishment.
 - c. Provide the food safety certification of an individual who has care and control of the food establishment to an Alberta Health Services Public Health Inspector.
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 15, 2021

Confirmation of a verbal order issued to Louis Lai on July 14, 2021.

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 Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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www.albertahealthservices.ca/eph.asp