

## **ORDER OF AN EXECUTIVE OFFICER**

**To:** Tokyo Station Ltd.  
"the Owner"

De Qiang Ke  
"the Owner"

Brandon Brian Lap H. Chui  
"the Owner"

Shi Mei Huang  
"the Owner"

Jay Tin Wing Ma  
"the Owner"

Tokyo Japan Street Market Ltd.  
"the Owner"

**RE:** The food establishment located in Calgary, Alberta and municipally described as:  
Tokyo Station  
1505 15 Avenue SW

**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 significant mold growth on a large portion of the ceiling in the main floor washroom, the hallway ceiling from the washroom to the dining area, and the dining area ceiling beside the kitchen. Mold growth was also observed on the walls and door frame of the main floor washroom.
- b. The ventilation system in the kitchen was inadequate for the level of steam generated from the noodle boiling station. Mechanical ventilation was only installed above the grill and the fryer. There was no mechanical ventilation installed above the noodle boiling station. Significant steam was observed coming from the noodle boiling station. The steam travelled into the washroom and dining room areas.

**AND WHEREAS** such inspection disclosed that the following breaches of the Public Health Act, the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003, 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 significant mold growth on a large portion of the ceiling in the main floor washroom, the hallway ceiling from the washroom to the dining area, and the dining area ceiling beside the kitchen. Mold growth was also observed on the walls and door frame of the main floor washroom. This is a contravention of section 2(1) of the Public Health Act Nuisance and General Sanitation Regulation, 2003 which states that: No person shall create, commit or maintain a nuisance.
- b. The ventilation system in the kitchen was inadequate for the level of steam generated from the noodle boiling station. Mechanical ventilation was only installed above the grill and the fryer. There was no mechanical ventilation installed above the noodle boiling station. Significant steam was observed coming from the noodle boiling station. The steam travelled into the washroom and dining room areas. 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.

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 all of the moldy drywall and all other building materials contaminated with mold.
  - b. Complete a destructive assessment to determine if water leakage/water infiltration is contributing to mold growth.
  - c. Repair all potential roof or plumbing deficiencies to stop water leakage/infiltration.
  - d. Clean and disinfect all opened areas. If the remedial work incorporates the kitchen, then the kitchen must close for the assessment and remediation period to prevent food contamination. All kitchen surfaces and equipment must be thoroughly cleaned and sanitized following remediation.
  - e. Retrofit the current ventilation system or install additional ventilation to effectively evacuate steam and vapors from the kitchen and reduce the moisture build-up.
  - f. Refinish the walls and ceiling wherever damaged materials are removed, such that all the walls and ceilings are smooth, impervious to moisture, and easily cleanable.
2. The work referred to in paragraph 1 shall be completed by **June 2<sup>nd</sup>, 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 3<sup>rd</sup>, 2024.

Confirmation of a verbal order issued to Carrie Kim on May 2<sup>nd</sup>, 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>

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