

## **ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE**

**To:** The Bhartiya Cultural Society of Alberta  
Arvind Aery  
Rajesh Gupta  
"the Owner"

**RE:** The food establishment located in Edmonton, Alberta and municipally described as:  
The Bhartiya Cultural Society of Alberta, 9507 39 Avenue NW, Alberta, T6E 5T3.

**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. Foods in the main kitchen, cupboards, counters, side storage rooms, in the common area (basement) and in the priests' storage area used for private and public food storage were found to be contaminated by flies, mouse droppings and urine, unsanitary surfaces as well as cross contamination from other food ingredients.
- b. Improper manual dishwashing practiced: volunteer/staff using the kitchen reported rinsing off the pots and food equipment before use in food preparation without completing the sanitizing step.
- c. Mechanical dishwasher was not ready to test, was not sanitizing at the plate: the rinse cycle was 67°C at the plate. The interior exhibited a buildup of pink and orange material.
- d. Wet, used, dirty cleaning cloths were mounded on the food preparation tables. Sanitizer bucket and/or sanitizer spray bottles were not prepared at time of inspection.
- e. An apron in the dishwashing room was heavily soiled with a buildup of grime.
- f. Bricks and broken concrete were observed in use at the kitchen burners in the kitchen that were not clean and did not meet the requirement of food-grade, smooth, cleanable, non-absorbent, and/or durable.
- g. Multiple cutting boards made of plastic and wood were observed in poor condition: the wood cutting boards were delaminating and separating, the plastic boards were dirty, overworn, pitted, and chunks of plastic were missing.
- h. Many metal sieves, baskets, and metal mesh scoops were in poor condition with broken metal strands/mesh, missing metal strands/mesh, and/or broken rims.
- i. Overall sanitation of the facility was poor with a buildup of mouse contamination, spills, foods, debris, grime, and grease observed on/in the following items that includes but is not limited to: tables, food equipment, full kitchen (inside and out) all cupboards, drawers counters, shelving units, utensils, microwaves, interior and exterior of cold holding units

- (coolers, freezers), canopy ventilation filters, all milk crates and containers, food storage areas, all equipment storage in the pots/pan room, all equipment in the dishwashing room.
- j. Overall sanitation of the facility was poor with a buildup of mouse contamination, spills, foods, debris, grime, and grease observed on/in the following areas that includes but is not limited to: the public washrooms, child high chairs and trays, all common area tables and chairs, soap dispensers, doors/doorframes, light switches, light covers, diffusers, walls, floors, ceilings, garbage cans, and many other areas of the common spaces accessed by the public and areas not accessible to the public.
  - k. The facility was not kept free of pests or the conditions that led to the harbouring or breeding of pests:
    - Evidence of a mouse infestation was observed throughout the facility. Droppings, urine, nesting material, and other biomaterial was observed on/in but not limited to:
      - floors, walls, ceiling light coverings, bathrooms, all food storage rooms, all shelving, all food equipment, utensils, trays, cauldrons, pots, pans, bedding, blankets, comforter, sheets, drawers, cabinets, counters, tables, mixers, stands, dishwashing room, dishwashing gloves, bathrooms, etc.
      - mouse holes were observed in the staircase, in corners, in baseboards, and in storage rooms.
    - Evidence of fly infestations was observed throughout the facility of multiple species of both indoor and outdoor flies in the washrooms, common areas, storage rooms, and the kitchens.
    - Live ants were observed in the common area of the basement.
  - l. Plumbing fixtures were not in good repair: a faucet in the washroom was not functional and a toilet in the public washroom was out of order.
  - m. A thick mold-like substance was observed in the women's washroom (door frame near shower) and along the wall in the storage room for chemicals.

**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. Foods in the main kitchen, cupboards, counters, side storage rooms, in the common area (basement) and in the priests' storage area used for private and public food storage were found to be contaminated by flies, mouse droppings and urine, unsanitary surfaces as well as cross contamination from other food ingredients; which is in contravention of **Section 2(3), and Section 23 of the Food Regulation, AR 31/2006**, which states that: **2(3)** Notwithstanding subsection (2) or any other exemption under this Regulation, no food handling is exempt from the operation of this Regulation if, in the opinion of the regional health authority, the exemption would or is likely to create a nuisance. **AND Section 23(1)** All food used or to be used in a commercial food establishment must be (a) protected from contamination, and (b) handled in a sanitary manner. **2)** Subject to any procedure involved in disposing of it that is otherwise in accordance with the law, food that has become contaminated or otherwise unfit for human consumption must not be served, offered for sale, processed, packaged, displayed or stored for human consumption.
- b. Improper manual dishwashing practiced: volunteer/staff using the kitchen reported rinsing off the pots and food equipment before use in food preparation without completing the sanitizing step; which is in contravention of **Section 28(1), 28(2), and 28(3) of the Food Regulation, AR 31/2006**, which states that: **28(1)** A commercial food establishment must

have all the facilities, equipment and utensils that are necessary to ensure its safe operation and maintenance. **28(2)** 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. **28(3)** All equipment and utensils in a commercial food establishment must be (a) kept in good working order and condition, and (b) maintained in a manner that ensures the safe and sanitary handling of food.

- c. Mechanical dishwasher was not ready to test, was not sanitizing at the plate: the rinse cycle was 67°C at the plate. The interior exhibited a buildup of pink and orange material; which is in contravention of **Section 28(1), 28(2), and 28(3) of the Food Regulation, AR 31/2006**, which states that: **28(1)** A commercial food establishment must have all the facilities, equipment and utensils that are necessary to ensure its safe operation and maintenance. **28(2)** 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. **28(3)** All equipment and utensils in a commercial food establishment must be (a) kept in good working order and condition, and (b) maintained in a manner that ensures the safe and sanitary handling of food.
- d. Wet, used, dirty cleaning cloths were mounded on the food preparation tables. Sanitizer bucket and/or sanitizer spray bottles were not prepared at time of inspection; which is in contravention of **Section 28(1) and Section 28(2) of the Food Regulation, AR 31/2006**, which states that: **28(1)** A commercial food establishment must have all the facilities, equipment and utensils that are necessary to ensure its safe operation and maintenance. **28(2)** 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.
- e. An apron in the dishwashing room was heavily soiled with a buildup of grime; which is in contravention of **Section 30 of the Food Regulation, AR 31/2006**, which states that: **30(1)** A food handler must (a) wear clean clothing and footwear, (b) exhibit cleanliness and good personal hygiene, (c) ensure that food is not contaminated by hair, (d) wash hands as often as necessary to prevent the contamination of food or food areas, (e) refrain from smoking in a food area, and (f) refrain from any other conduct that could result in the contamination of food or a food area.
- f. Bricks and broken concrete were observed in use at the kitchen burners in the kitchen that were not clean and did not meet the requirement of food-grade, smooth, cleanable, non-absorbent, and/or durable; which is in contravention of **Section 18(a) and Section 28(3) of the Food Regulation, AR 31/2006**, which states that: **18** An operator must ensure that (a) all equipment and utensils used in the commercial food establishment and all surfaces in it with which food comes into contact are entirely constructed or manufactured from materials that are suitable for their intended purpose, durable, easily cleanable and free from any undesirable substance. And **28(3)** All equipment and utensils in a commercial food establishment must be (a) kept in good working order and condition, and (b) maintained in a manner that ensures the safe and sanitary handling of food.
- g. Multiple cutting boards made of plastic and wood were observed in poor condition: the wood cutting boards were delaminating and separating, the plastic boards were dirty, overworn, pitted, and chunks of plastic were missing; which is in contravention of **Section 18(a) and Section 28(3) of the Food Regulation, AR 31/2006**, which states that: **18** An operator must ensure that (a) all equipment and utensils used in the commercial food

establishment and all surfaces in it with which food comes into contact are entirely constructed or manufactured from materials that are suitable for their intended purpose, durable, easily cleanable and free from any undesirable substance. And **28(3)** All equipment and utensils in a commercial food establishment must be (a) kept in good working order and condition, and (b) maintained in a manner that ensures the safe and sanitary handling of food.

- h. Many metal sieves, baskets, and metal mesh scoops were in poor condition with broken metal strands/mesh, missing metal strands/mesh, and/or broken rims; which is in contravention of **Section 28(3) of the Food Regulation, AR 31/2006**, which states that: **28(3)** All equipment and utensils in a commercial food establishment must be (a) kept in good working order and condition, and (b) maintained in a manner that ensures the safe and sanitary handling of food.
- i. Overall sanitation of the facility was poor with a buildup of mouse contamination, spills, foods, debris, grime, and grease observed on/in the following items that includes but is not limited to: tables, food equipment, full kitchen (inside and out) all cupboards, drawers counters, shelving units, utensils, microwaves, interior and exterior of cold holding units (coolers, freezers), canopy ventilation filters, all milk crates and containers, food storage areas, all equipment storage in the pots/pan room, all equipment in the dishwashing room; which is in contravention of **Section 28(1) and Section 28(2) and Section 28(3) of the Food Regulation, AR 31/2006**, which states that: **28(1)** A commercial food establishment must have all the facilities, equipment and utensils that are necessary to ensure its safe operation and maintenance. **28(2)** 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. **28(3)** All equipment and utensils in a commercial food establishment must be (a) kept in good working order and condition, and (b) maintained in a manner that ensures the safe and sanitary handling of food.
- j. Overall sanitation of the facility was poor with a buildup of mouse contamination, spills, foods, debris, grime, and grease observed on/in the following areas that includes but is not limited to: the public washrooms, child high chairs and trays, all common area tables and chairs, soap dispensers, doors/doorframes, light switches, light covers, diffusers, walls, floors, ceilings, garbage cans, and many other areas of the common spaces accessed by the public and areas not accessible to the public; which is in contravention of **Section 28(2) of the Food Regulation, AR 31/2006**, which states that: **28(2)** 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.
- k. The facility was not kept free of pests or the conditions that led to the harbouring or breeding of pests: Evidence of a mouse infestation was observed throughout the facility. Droppings, urine, nesting material, and other biomaterial was observed on/in but not limited to: floors, walls, ceiling light coverings, bathrooms, all food storage rooms, all shelving, all food equipment, utensils, trays, cauldrons, pots, pans, bedding, blankets, comforter, sheets, drawers, cabinets, counters, tables, mixers, stands, dishwashing room, dishwashing gloves, bathrooms, etc. Mouse holes were observed in the staircase, in corners, in baseboards, and in storage rooms. Evidence of fly infestations was observed throughout the facility of multiple species of both indoor and outdoor flies in the washrooms, common areas, storage rooms, and the kitchens. Live ants were observed in the common area of the basement; which is in contravention of **Section 21(1) of the Food Regulation, AR 31/2006**, which states that: **21(1)** Subject to subsection (1.1), a

commercial food establishment must be kept free of pests and of conditions that lead to the harbouring or breeding of pests. (1.1) The following must be kept reasonably free of pests and of conditions that lead to the harbouring or breeding of pests: (a) any surrounding area, premises or facilities supporting a commercial food establishment, including any outdoor food handling areas of the commercial food establishment; (b) a mobile food establishment.

- i. Plumbing fixtures were not in good repair: a faucet in the washroom was not functional and a toilet in the public washroom was out of order; which is in contravention of **Section 17(1)(a) and Section 17(1)(f)(i),(ii), and Section 19 of the Food Regulation, AR 31/2006**, which states that: **17(1)** An operator must ensure that, before operation of the commercial food establishment commences, the commercial food establishment **(a)** is of sound construction and in a good state of repair, **17(1)(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 of the commercial food establishment, **(ii)** connected to a lawful and properly operating sewage disposal system. And **19** A person must not operate a commercial food establishment unless (a) all the requisite plans and specifications referred to in section 16 for the commercial food establishment have been approved by the executive officer, and (b) it is constructed and maintained in accordance with that approval.
- m. A thick mold-like substance was observed in the women's washroom (door frame near shower) and along the wall in the storage room for chemicals; which is in contravention of **Section 17(1)(a) and Section 19 of the Food Regulation, AR 31/2006**, which states that: **17(1)** An operator must ensure that, before operation of the commercial food establishment commences, the commercial food establishment **(a)** is of sound construction and in a good state of repair. And **19** A person must not operate a commercial food establishment unless (a) all the requisite plans and specifications referred to in section 16 for the commercial food establishment have been approved by the executive officer, and (b) it is constructed and maintained in accordance with that approval.

**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. Discard all food products that have become contaminated by pests or unsanitary substances, are no longer wholesome, or otherwise unfit for human consumption. Discard all food products that have been damaged or contain open packaging that expose the food within. Do not remove any of the described food products to be discarded from the premises and store those items in other off-site facilities. Do not donate any of the described food products to be discarded from the premises to any charitable organization.
  - b. Discard all open boxes of gloves, open boxes of face masks, and open boxes/packages of single use disposable trays/cups/plates/utensils that may have become contaminated by pests or unsanitary substances, and are no longer wholesome or safe to use.
  - c. Ensure all staff/volunteers are trained on the proper manual dishwashing methods for two or three compartment sinks. Ensure that all food equipment, utensils,

containers, dishware etc. fit and can be rotated inside of the basin to fully submerge into a sanitizing solution. Ensure that effective and approved chemicals are used during manual dishwashing; that all utensils and food equipment are to be cleaned, scrubbed, and sanitized in the following manner:

- i. wash in a 45°C detergent solution,
  - ii. rinse in 45°C clean, potable water,
  - iii. sanitize by immersing for 2 minutes in no less than 100 ppm chlorine solution or QUAT solution of 200 ppm.
  - iv. air dry.
- d. Remove buildup of pink/orange material from the dishwashing machine interior. Repair OR test the dishwasher to ensure that it sanitizes at plate level during the final rinse cycle at a temperature of 71°C or hotter. Ensure that the mechanical dishwasher is operating according to the manufacturer's specifications and is capable of effectively washing and sanitizing the dishes.
- e. Do not store wet, and used cleaning cloths on dishes/utensils/food contact surfaces. Keep wet, used cleaning cloths in an approved sanitizing solution at the correct concentrations when not in use. Once the dirty cloths are complete in usage, store in an area separate from food handling/food storage/food equipment until laundered. Ensure that the Guidelines for the Use of Wiping Cloths is followed. <https://www.albertahealthservices.ca/assets/wf/eph/wf-eh-guidelines-wiping-cloths.pdf>
- f. Train staff/volunteers on proper uniform or apron usage, storage practices, and used apron disposal methods. Retain a supply of clean aprons onsite. Ensure that staff/volunteers wear clean clothing and footwear appropriate to food processing and exhibit cleanliness and good personal hygiene when working with open food.
- g. Remove the bricks and broken concrete in use within the main kitchen. Use only items in the kitchen that are constructed in a manner that is food-grade, smooth, cleanable, non-absorbent, durable, and that are free from undesirable substances.
- h. Remove/repair/replace all broken, damaged, or otherwise unsuitable equipment, cutting boards, broken metal mesh utensils, etc. from the food areas. Ensure that food equipment is in good working condition and state of repair.
- i. Clean and maintain all food equipment such as but not limited to: tables, food equipment, full kitchen (inside and out) all cupboards, drawers counters, shelving units, utensils, microwaves, interior and exterior of cold holding units (coolers, freezers), canopy ventilation filters, all milk crates and containers, food storage areas, all equipment storage in the pots/pan room, all equipment in the dishwashing room. Ensure that all food equipment are maintained in a clean and sanitary condition.
- j. Clean and maintain all public washrooms, child high chairs and trays, all common area tables and chairs, soap dispensers, doors/doorframes, light switches, light covers, diffusers, walls, floors, ceilings, garbage cans, and many other areas of the common spaces accessed by the public and areas not accessible to the public. Ensure that the food establishment is maintained in a clean and sanitary condition.
- k. Disinfect and clean all areas of mouse droppings, fly fecal matter, and/or evidence of contamination. Abate the live fly population and mouse infestation observed in the facility. Abate the ant population within the facility. Keep up-to-date written pest control maintenance records onsite. Ensure all surfaces in the food facility are in good repair and in a condition that renders them easy to clean and in a condition that does not allow the harborage of pests. Conduct any other repairs identified by

the pest control company and wall damage/mouse hole indicated by the Public Health Inspector and/or pest control company.

- l. Repair the faucets and toilets in accordance with the Alberta Building Code requirements. Ensure that all plumbing is maintained in good repair.
  - m. Remediate/remove/replace all building materials that exhibit what appears to be a mold-like substance. Maintain the facility to ensure that moisture problems that may lead to the growth of mold-like substances do not occur.
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 Edmonton, Alberta, August 31, 2026.

Confirmation of a verbal order issued on August 28, 2026.

Executive Officer  
Alberta Health Services

If you have any questions regarding the order, contact Environmental Public Health at 1-833-476-4743 or  
<https://www.albertahealthservices.ca/eph/eph.aspx>

You have the right to appeal

A person who is directly affected by a 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>

---

Edmonton • Environmental Health • Safe Food Division

North Tower, 10030 107 Street, Edmonton, Alberta, Canada T5J3E4

[www.ahs.ca/eph](http://www.ahs.ca/eph)