

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: 2245062 Alberta Ltd.
Riaz Khan
9266 34 Avenue NW, Edmonton Alberta, T6E 5P2.
"the Owner"

RE: The food establishment located in Edmonton, Alberta and municipally described as:
Chutney Restaurant South, 9266 34 Avenue NW, T6E 5P2.

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. Damage was observed to the food facility due to fire, water, and/or smoke infiltration which occurred on April 8, 2025.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Food Regulation, Alberta Regulation 31/2006, the Food Retail and Foodservices Code, and the Nuisance and General Sanitation Regulation, AR 243/2003 exist in and about the above noted premises, namely:

- a. Damage was observed to the food facility due to fire, water, and/or smoke infiltration which occurred on April 8, 2025; which is in contravention of **Section 2(1) of the Nuisance and General Sanitation Regulation, AR 243/2003**, which states that: **2(1)** No person shall create, commit or maintain any condition which is or may become injurious or dangerous to public health, or may hinder in any manner the prevention or suppression of disease.
- b. Damage was observed to the food facility due to fire, water, and/or smoke infiltration which occurred on April 8, 2025; which is in contravention of **Section 17(1) & 19 of the Food Regulation, AR 31/2006** which states that: **17(1)** "An operator shall 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, **(b)** is so designed as to facilitate the effective cleaning and sanitizing of it and all equipment, utensils and surfaces with which food comes into contact, in it, **(c)** is so designed as to ensure the safe and sanitary handling of food in it" and **19** "A person shall not operate a 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."
- c. Damage was observed to the food facility due to fire, water, and/or smoke infiltration which occurred on April 8, 2025; which is in contravention of **Section 23 of the Food**

Regulation, AR 31/2006 which states that: **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.

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 Discard all high-risk food that is stored in coolers and freezers due to temperature fluctuations and power interruptions.
 - b. Discard the following food and/or food related items that were fire/water/smoke-damaged, that has become contaminated, or is otherwise unfit for consumption that includes but is not limited to:
 - Any spoiled food, open foods, and any dry goods (i.e., flour, sugar, spices, etc.) even if the package isn't open (dry foods are absorbent).
 - Foods and food product packaging in plastic or paper-based packaging as the material is porous (ie. Cardboard, single-use disposable food related items).
 - Food products with caps and lids as they may not stay airtight.
 - All unrefrigerated raw vegetables or fruits.
 - If in doubt that a food or a food related item was contaminated, discard it.
 - Do not donate any contaminated foods.
 - c. Discard canned food where the can is bulging, rusted or dented. For cans that are in good condition, clean and sanitize the exterior of all canned foods before opening to ensure the contents are not contaminated when opened.
 - d. Clean and sanitize the soot/smoke damage from food appliances such as coolers and/or freezers that may have been exposed to smoke, soot, and/or dirty water. Please consult a professional appliance technician to ensure that no damage to the appliance has occurred and it can be used again safely.
 - e. Repair all fire, smoke, and/or water damage that has occurred to food storage, food preparation, washrooms, customer areas, and all structural components. Ensure that all repairs are done in accordance with the requirements of the Alberta Building Code, as well as the Alberta Public Health Act and all associated Regulations, Codes, and guidelines.
 - f. Thoroughly clean and sanitize the entire facility to remove contamination once repairs and remediation have been completed.
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, April 10, 2025

Confirmation of a verbal order issued to Riaz Khan on April 8, 2025.

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>

Edmonton • Environmental Health • Safe Food Division

Suite 900, North Tower, 10030 107 Street NW, Edmonton, Alberta, Canada T5J 3E4

www.ahs.ca/eph