

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

**To:** 2212917 Alberta Ltd.  
Rajendrasinh Jhala  
Patel Nishant  
Patel Aksar  
"the Owner"

**RE:** The food establishment located in Edmonton, Alberta and municipally described as:  
Cosmic Pizza and Donair  
5021 – 22 Avenue SW  
Edmonton, Alberta T6X 2N4

**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 is evidence of a mouse infestation. A live mouse was observed and mouse droppings are present on food, food equipment, food packaging, and under and on shelving units where food, food equipment and food packaging is being stored. There is a significant amount mouse droppings in the dry storage areas, in the front counter cabinetry, behind the front and back deli tables, in the customer waiting area in the gap behind the table, behind the dough mixer, in the washroom and on the shelving units.
- b. There is food visibly contaminated with rodent droppings and urine present in the kitchen and the dry storage areas.
- c. Pizza boxes, plastic utensils, plastic bags, napkins and take out containers are visibly contaminated with mouse droppings and urine.
- d. A build-up of grease, debris, food particles and rodent droppings is present on kitchen equipment, utensils, food storage bins.
- e. Staff were not ensuring ground beef reached a safe cooking temperature during preparation. Ground beef, that appeared undercooked, was intended to be used as a pizza topping. This may not ensure a safe cooking temperature of the meat is achieved.
- f. There is no approved sanitizer prepared and in use in the facility.
- g. The facility is not sanitizing dishes or utensils during manual dishwashing. A written dishwashing procedure is not available.
- h. The hot water tank and walk in cooler condensate discharge lines are feeding into the 3-compartment sink where dishes or food may be present.
- i. A hand sink is not accessible in the front service area where food handling is taking place.
- j. The hand sink is not stocked with paper towel.
- k. Pest control records are not available on site.

- i. The ceilings, walls, floors, cupboards, shelving units, food equipment, electrical conduit lines and walk in cooler racks had a build up of dust, grime, food debris and grease.

**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 is evidence of a mouse infestation. A live mouse was observed and mouse droppings are present on food, food equipment, food packaging, and under and on shelving units where food, food equipment and food packaging is being stored. There is a significant amount mouse droppings in the dry storage areas, in the front counter cabinetry, behind the front and back deli tables, in the customer waiting area in the gap behind the table, behind the dough mixer, in the washroom and on the shelving units, which is in which is in contravention of **Section 21(1) of the Food Regulation, AR 31/2006** which states that: 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.
- b. There is food visibly contaminated with rodent droppings and urine present in the kitchen and the dry storage areas, which is in contravention of **Sections 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.
- c. Pizza boxes, plastic utensils, plastic bags, napkins and take out containers were visibly contaminated with mouse droppings and urine, which is in contravention of **Section 28(2) of the Food Regulation, AR 31/2006** which states 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. A build-up of grease, debris, food particles and rodent droppings is present on kitchen equipment, utensils, food storage bins, which is in contravention of **Section 28(2) of the Food Regulation, AR 31/2006** which states 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. Staff were not ensuring ground beef reached a safe cooking temperature during preparation. Ground beef, that appeared undercooked, was intended to be used as a pizza topping. This may not ensure a safe cooking temperature of the meat is achieved, which is in contravention of **Section 24 of the Food Regulation, AR 31/2006** which states all food handling in a commercial food establishment must be done in a manner that makes the food safe to eat.

- f. There is no approved sanitizer prepared and in use in the facility, which is in contravention of **Section 28(2) of the Food Regulation, AR 31/2006** which states 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.
- g. The facility is not sanitizing dishes or utensils during manual dishwashing. A written dishwashing procedure is not available, which is in contravention of **Section 28(2)(3) of the Food Regulation, AR 31/2006** which states a commercial food establishment, all equipment and utensils in it and all surfaces in it 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. 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.
- h. The hot water tank and walk in cooler condensate discharge lines are feeding into the 3-compartment sink where dishes or food may be present, which is in contravention of **Section 28(3) of the Food Regulation, AR 31/2006** which states 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.
- i. A hand sink is not accessible in the front service area where food handling is taking place, which is in contravention of **Section 17(1)(e) of the Food Regulation, AR 31/2006** which states an operator must ensure that, before operation of the commercial food establishment commences, the commercial food establishment has handwashing stations that are adequate in number and situated so as to ensure convenient access by all food handlers.
- j. The hand sink was not stocked with paper towel, which is in contravention of **Sections 30(4) of the Food Regulation, AR 31/2006** which states the handwashing stations referred to in section 17(1)(e) must be maintained and kept supplied.
- k. Pest control records are not available on site, which is in contravention of **Section 21(2) of the Food Regulation, AR 31/2006** which states (2) A written record of all pest control measures used in the commercial food establishment and surrounding area, premises and facilities referred to in subsections (1) and (1.1) must be maintained.
- l. The ceilings, walls, floors, cupboards, shelving units, food equipment, electrical conduit lines and walk in cooler racks had a build up of dust, grime, food debris and grease, which is in contravention of **Section 28(2) of the Food Regulation, AR 31/2006** which states 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.

**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. Work with a licensed Pest Control to implement and maintain an Integrated Pest Management (IPM) program within the facility to eliminate the pest infestation. Store all foods in a manner that does not allow for pest contamination. Do not allow garbage, packaging, equipment, food, or debris to accumulate in a manner that would facilitate the harborage or proliferation of pest or vermin.
  - b. Discard all food, packaging and other items that cannot be cleaned that have been contaminated by rodents or insanitary conditions.
  - c. Deep clean and sanitize the entire food premise including but not limited to: the floors, walls, ceiling, shelving units, food equipment, in the cavity behind the dining table, the conduit lines, coolers, freezers and coolers and deli tables.
  - d. Thoroughly clean and sanitize all food storage containers and bins including their outside and lids/cover.
  - e. Ensure all foods in the facility are stored in food- grade, vermin-proof containers with tight-fitting lids to prevent pest entry.
  - f. Discard all foods and/ or food packaging that have become contaminated or unfit for human consumption.
  - g. Ensure ground beef is cooked to 71°C.
  - h. Ensure a prepared sanitizer solution is available and in use at all times, in accordance with How to Mix an Approved Sanitizing Solution, Alberta Health Services. Ensure all food contact surfaces are sanitized using a food-grade sanitizer as needed, including prior to starting food preparation each day, between tasks and when soiled.
  - i. Ensure dishes are washed in accordance with the Alberta Health Services Dishwashing Requirements. Ensure staff are properly trained on dish washing procedures. Ensure the sanitizer concentration is monitored regularly.
  - j. Consult with a Licensed Plumber to assess the discharge lines from the walk in cooler and hot water tank and ensure that they do not discharge where food or dishes may be present.
  - k. Ensure a hand sink is installed or is accessible to the front food preparation area.
  - l. Ensure hand sinks are stocked with soap and paper towel at all times.
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, November 23, 2023.

Confirmation of a verbal order issued to Rajendrasinh Jhala November 21, 2023.

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>

Order of an Executive Officer – Notice of Closure

RE: The Food Establishment located in Edmonton, Alberta and municipally described as: Cosmic Pizza and Donair 5021 – 22 Avenue SW, Edmonton Alberta T6X 2N4

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Attachement:

Dishwashing Requirements, Alberta Health Services

<https://www.albertahealthservices.ca/assets/wf/eph/wf-eh-dishwashing-requirements.pdf>

How to Mix an Approved Sanitizing Solution, Alberta Health Services,

<https://www.albertahealthservices.ca/assets/wf/eph/wf-eh-how-mix-an-approved-sanitizing-solution.pdf>

Edmonton • HSBC Building • Safe Food Division

10055 106 Street NW and Edmonton, Alberta, Canada T5J 2Y2

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