

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: Joanne's Food Cart Corp.
"the Owner"
Joseph Campbell

RE: The food establishment located in Edmonton, Alberta and municipally described as:
Joanne's BBQ House– EDM 601, 1212 – 29 Street NW.

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. The mobile unit roof was not sealed to prevent leaking from outdoor elements. A tarp had been placed over top as a temporary measure.
- b. Grey water was observed leaking from under the truck and at the connection to the grease trap.
- c. There were multiple flying insects observed in the facility; landing on food prep surfaces, food containers and flying around the unit. Flies were observed congregating in an area beside the deep fryers which had a buildup of food debris. A live maggot was observed on a food container, indicating that conditions that would promote the breeding cycle of flies were present within the unit.
- d. The deli table cooler measured 18°C. The unit was being used to store food items requiring refrigeration, as per their labels. The upright silver fridge and prep cooler was not operational and could not hold food below 4°C.
- e. There was insufficient refrigeration space within the unit for volume of food requiring refrigeration. Multiple large open pails of foods requiring refrigeration or refrigeration after opening, as per their manufacturer's labels, were stored at room temperature, including jalapenos, relish, pickles and mayonnaise. These containers ranged from 4L- 18.9L in size and were too big to fit in the refrigeration units available in the facility and therefore could not be refrigerated or safely handled.
- f. A squeeze bottle of mayonnaise was found to be stored at room temperature.
- g. The cold water supply at the hand sink was turned off.
- h. Access to the hand sink was obstructed by a large cold holding unit. In addition, the electrical cord for the unit was running across the sink.
- i. There were ceiling tiles missing, damaged and bent out of place. There were multiple gaps in the ceiling.
- j. There was a gap in the wall trim by the service window. The wall paneling was protruding.

- k. Food and food-related items were not being stored in a safe and sanitary fashion. Multiple bags of potatoes were stored underneath the 3-compartment sink where water was accumulating. A bag of potatoes was stored on the floor, underneath the prep cooler where the roof had been leaking. Various pails of food, food containers and food equipment were being stored on the floor. A pail of mayonnaise was being stored on the fabric driver's seat that was visibly soiled. Pails of food, bags of rice and cooking oil were being stored on the floor under the driver's seat in direct contact with chemicals, a gas can, a soiled broom and bags of garbage or recyclables. There was inadequate storage space for the volume of food and food related items within the facility.
- l. Chemicals were being stored with food items in the under-counter shelving and in the driver's area. The oven was being used for chemical storage. Chemicals were not being handled in a safe and orderly manner.
- m. The general sanitation was unsatisfactory.
 - The walls, ceiling and floor had a buildup of greasy debris.
 - The food surfaces and food equipment were not cleaned and sanitized prior to food handling.
 - Food spills and debris were noted behind the drawers of the prep cooler, along the gaskets and around the food inserts.
 - A thick layer of food and debris was noted beside the deep fryer and on the cook line.
 - There was an accumulation of water, debris and grime under the sinks.
 - The exhaust canopy had an accumulation of grease on the filters, dripping from the unit and running down the wall beside.
 - The upright freezer was dirty, with an accumulation of liquid and food debris.
 - Food containers were soiled with greasy build-up and debris. Evidence was noted that food containers were not being properly washed between uses.
 - The under-counter food storage area was not clean. The protective plastic was in poor condition and could not be cleaned.
 - The driver's seat, which was being used for food storage, was heavily soiled and is not a cleanable material.
 - The unit was cluttered and disorganized. Chemicals, personal items, tools, bags of garbage and recyclables, unused materials, and other unrelated items were being stored with and around food.

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. The mobile unit roof was not sealed to prevent leaking from outdoor elements. A tarp had been placed over top as a temporary measure, which is in contravention of Section 17(1) of the Food Regulation, which states that 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.
- b. Grey water was observed leaking from under the truck and at the connection to the grease trap, which is in contravention of Section 17(1) of the Food Regulation, which states that 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. It is also in contravention of Section 28(3) of the Food Regulation, which

states that all equipment and utensils in a commercial food establishment must be (a) kept in good working order and condition.

- c. There were multiple flying insects observed in the facility; landing on food prep surfaces, food containers and flying around the unit. Flies were observed congregating in an area beside the deep fryers which had a buildup of food debris. A live maggot was observed on a food container, indicating that conditions that would promote the breeding cycle of flies were present within the unit, which is in contravention of Section 21(1) of the Food Regulation, 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. (1.1) The following must be kept reasonably free of pests and of conditions that lead to the harbouring or breeding of pests: (b) a mobile food establishment.
- d. The deli table cooler measured 18°C. The unit was being used to store food items requiring refrigeration, as per their labels. The upright silver fridge and prep cooler was not operational and could not hold food below 4°C, which is in contravention of Section 28(3) of the Food Regulation, which states that all equipment and utensils in a commercial food establishment must be (a) kept in good working order and condition.
- e. There was insufficient refrigeration space within the unit for volume of food requiring refrigeration. Multiple large open pails of foods requiring refrigeration or refrigeration after opening, as per their manufacturer's labels, were stored at room temperature, including jalapenos, relish, pickles and mayonnaise. These containers ranged from 4L- 18.9L in size and were too big to fit in the refrigeration units available in the facility and therefore could not be refrigerated or safely handled, which is in contravention of Section 18(b) of the Food Regulation, which states that all refrigeration and hot holding equipment used in the commercial food establishment is (i) of a type and capacity that are adequate to meet the needs of the commercial food establishment. It is also in contravention of Section 25(1) of the Food Regulation, which states that all high-risk food must be stored, displayed, and transported at a temperature of (a) not more than 4 degrees Celsius or such higher temperature, or (b) not less than 60 degrees Celsius or such lower temperature.
- f. A squeeze bottle of mayonnaise was found to be stored at room temperature, which is in contravention of Section 25(1) of the Food Regulation, which states that all high-risk food must be stored, displayed, and transported at a temperature of (a) not more than 4 degrees Celsius or such higher temperature, or (b) not less than 60 degrees Celsius or such lower temperature.
- g. The cold water supply at the hand sink was turned off, which is in contravention of Section 17(1) of the Food Regulation, which states that an operator must ensure that, before operation of the commercial food establishment commences, the commercial food establishment has (e) handwashing stations that are adequate in number and situated so as to ensure convenient access by all food handlers, and (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.
- h. Access to the hand sink was obstructed by a large cold holding unit. In addition, the electrical cord for the unit was running across the sink, which is in contravention of Section 17(1) of the Food Regulation, which states that an operator must ensure that, before operation of the commercial food establishment commences, the commercial food establishment has (e) handwashing stations that are adequate in number and situated so as to ensure convenient access by all food handlers.
- i. There were ceiling tiles missing, damaged and bent out of place. There were multiple gaps in the ceiling, which is in contravention of Section 17(1) of the Food Regulation, which states that 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, (b) is designed so as to facilitate the effective cleaning and sanitizing of it and of all equipment, utensils and surfaces with which food comes into contact.

- j. There was a gap in the wall trim by the service window. The wall paneling was protruding, which is in contravention of Section 17(1) of the Food Regulation, which states that 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, (b) is designed so as to facilitate the effective cleaning and sanitizing of it and of all equipment, utensils and surfaces with which food comes into contact.
- k. Food and food-related items were not being stored in a safe and sanitary fashion. Multiple bags of potatoes were stored underneath the 3-compartment sink where water was accumulating. A bag of potatoes was stored on the floor, underneath the prep cooler where the roof had been leaking. Various pails of food, food containers and food equipment were being stored on the floor. A pail of mayonnaise was being stored on the fabric driver's seat that was visibly soiled. Pails of food, bags of rice and cooking oil were being stored on the floor under the driver's seat in direct contact with chemicals, a gas can, a soiled broom wand bags of garbage or recyclables. There was inadequate storage space for the volume of food and food related items within the facility, which are in violation of Section 20(1) of the Food Regulation, which states that articles and materials in a commercial food establishment that are not associated with or required for the operation or maintenance of the food areas must be stored separately from the food and the food areas and in a manner that contaminates neither. They are also in contravention of Section 23(1) of the Food Regulation, which states that 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. It is also in contravention of Section 28(1) of the Food Regulation, 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.
- l. Chemicals were being stored with food items in the under-counter shelving and in the driver's area. The oven was being used for chemical storage. Chemicals were not being handled in a safe and orderly manner, which is in contravention of Section 20(2), that states that all chemicals, cleansers and other similar agents associated with or required for the operation or maintenance of the food areas must be stored (a) in containers that are not intended to be used to store food and that are clearly labelled to identify their contents, and (b) in such a manner as to prevent the contamination of any food or food area.
- n. The general sanitation was unsatisfactory.
 - The walls, ceiling and floor had a buildup of greasy debris.
 - The food surfaces and food equipment were not cleaned and sanitized prior to food handling.
 - Food spills and debris were noted behind the drawers of the prep cooler, along the gaskets and around the food inserts.
 - A thick layer of food and debris was noted beside the deep fryer and on the cook line.
 - There was an accumulation of water, debris and grime under the sinks.
 - The exhaust canopy had an accumulation of grease on the filters, dripping from the unit and running down the wall beside.
 - The upright freezer was dirty, with an accumulation of liquid and food debris.
 - Food containers were soiled with greasy build-up and debris. Evidence was noted that food containers were not being properly washed between uses.

- The under-counter food storage area was not clean. The protective plastic was in poor condition and could not be cleaned.
- The driver's seat, which was being used for food storage, was heavily soiled and is not a cleanable material.
- The unit was cluttered and disorganized. Chemicals, personal items, tools, bags of garbage and recyclables, unused materials, and other unrelated items were being stored with and around food, which are in contravention of Section 28(2) of the Food Regulation, which states that 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. Ensure the unit is properly repaired and sealed to prevent water infiltration from the outdoor elements.
 - b. Ensure the plumbing is in good condition. Ensure hot and cold running water is available at all sinks. Ensure the unit is free from leaks.
 - c. Ensure the facility is reasonably free from fly infestations and conditions that could lead to the breeding of flies in the unit. Do not store garbage and recycling in the facility.
 - d. Ensure there is adequate cold storage capacity to adequately meet the volume of food in the unit and that the cold storage units are in good repair and maintain food below 4°C.
 - e. Ensure all high risk potentially hazardous foods are always stored either below 4°C or above 60°C.
 - f. Ensure that the manufacturer labels for storage are adhered to, including "Refrigerate after opening". Ensure food requiring refrigeration is transferred into containers that fit in the refrigerator units onsite.
 - g. Ensure the hand sink is in good working order and has an adequate supply of hot and cold running water.
 - h. Ensure the hand sink is accessible for hand washing at all times.
 - i. Repair the ceiling, wall and floors to ensure the finishes are in good repair, free from gaps and can be easily cleaned.
 - j. Store all food and food equipment in a sanitary and organized fashion. Ensure there is adequate storage space for the food and equipment within the facility. Ensure food is stored 6 inches off the floor. Ensure all items unrelated to food or food equipment are stored separately.
 - k. Ensure chemicals are stored in a safe and orderly manner in a designated area away from food and food equipment.
 - l. Organize, deep clean and sanitize the entire food premise, including, but not limited to: the floors, walls, ceilings, cooking equipment, deep fryer, food preparation

counters, coolers, freezers, storage areas, outside areas and all food equipment. Ensure the facility is in a clean and sanitary condition prior to operating.

- m. Ensure an updated written sanitation program is available and is in consistent use to facilitate the proper cleaning of all areas and food equipment in the food establishment. Ensure that the written sanitation program and documentation is available onsite. Ensure all staff are trained to use the written sanitation program. Ensure the sanitation program is consistent with the document "Introduction to a Sanitation Program", available at <https://www.albertahealthservices.ca/assets/wf/eph/wf-eph-intro-sanitation-program.pdf>

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 29, 2023

Confirmation of a verbal order issued to Joseph Campbell on August 25, 2023.

Executive Officer
Alberta Health Services

Attached: Introduction to a Sanitation Program

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>

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Edmonton, Environmental Public Health

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www.ahs.ca/eph