

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: 1987013 Alberta Ltd. And Paula DELUCA
“the Owner”

RE: The food establishment located in St. Albert, Alberta and municipally described as:
Marauders Market at 20 Mont Clare Place

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 no acceptable sanitizer present.
- b. Prepared food-safe sanitizer was tested and was found to be at a concentration exceeding the recommended 100-200 ppm.
- c. Staff were observed entering the facility and immediately handling food without washing their hands first.
- d. There were no temperature logs being kept for the cold perishable food storage (refrigerators).
- e. The drain plugs for the dishwashing sinks were visibly dirty with a build up of debris and not in good repair.
- f. Operator indicated that the three compartment manual dishwashing sinks onsite were not being used; instead utensils were taken offsite to a commercial dishwasher. There was no written procedure for ensuring that the utensils are protected in transit back to the facility, nor was this an approved method of dishwashing as per the Inspector.
- g. The chlorine test papers present were expired (2022 and 2018) and may not give accurate readings of the sanitizer concentration.
- h. There were no pest control records available for review.
- i. The commercial ventilation canopy had a build-up of grease and debris present on the ventilation grates and the unit was overdue for servicing since April 2024.
- j. There was a build up of grease and debris present on non food contact surfaces (containers in the cupboard, trays for the drain plugs and hard to reach areas of the facility).
- k. Single use utensils were not well stored to prevent contamination or unmonitored access from the public.
- l. There was a missing outlet cover between the dishwashing sinks and the stove.
- m. Staff were unable to show proof of food safety certification. There were critical concerns noted and the person in care and control of the facility did not have adequate food safety knowledge with regards to sanitation, acceptable food grade sanitizer requirements, food safety records.

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 was no source of acceptable sanitizer present. This is in contravention of the Food Regulation AR 31/2006, section 20(2)(b), which 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 in such a manner as to prevent the contamination of any food or food area"
- b. Prepared food-safe sanitizer was tested and was found to be at a concentration exceeding the recommended 100-200 ppm. This is in contravention of the Food Regulation AR 31/2006, section 28 (2), 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".
- c. Staff were observed entering the facility and immediately handling food without washing their hands first. This is in contravention of the Food Regulation AR 31/2006, section 30 (1)(d), which states that: "A food handler must wash hands often enough as necessary to prevent the contamination of food or food areas".
- d. There were no temperature logs being kept for the cold perishable food storage (refrigerators). These are in contravention of the Food Regulation AR 31/2006, section 29 (1), which states that: "A commercial food establishment must have written procedures designed to ensure its safe and sanitary operation and maintenance."
- e. The drain plugs for the dishwashing sinks were visibly dirty with a build-up of debris and not in good repair. This is in contravention of the Food Regulation AR 31/2006, section 28 (2) (3) 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 "All equipment and utensils in a commercial food establishment must be (a) kept in good working order and condition".
- f. Operator indicated that the three compartment manual dishwashing sinks onsite were not being used; instead utensils were taken offsite to a commercial dishwasher. There was no written procedure for ensuring that the utensils are protected in transit back to the facility, nor was this an approved method of dishwashing as per the Inspector. These are in contravention of the Food Regulation AR 31/2006, section 29 (1), which states that: "A commercial food establishment must have written procedures designed to ensure its safe and sanitary operation and maintenance."
- g. The chlorine test papers present were expired (2022 and 2018) and may not give accurate readings of the sanitizer concentration. This is in contravention the Food Regulation AR 31/2006, section 28 (1) and (2) 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." And "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.”

- h. There were no pest control records available for review. This is in contravention the Food Regulation AR 31/2006, section 21 (2) which states that: “A written record of all pest control measures used in the commercial food establishment and surrounding area, premises and facilities referred to in subsection (1) must be maintained.”
- i. The commercial ventilation canopy had a build up of grease and debris present on the ventilation grates and the unit was overdue for servicing since April 2024. This is in contravention of the Food Regulation AR 31/2006, section 28 (3) (b) which states that: “All equipment and utensils in a commercial food establishment must be (b) Maintained in a manner that ensures the safe and sanitary handling of food”.
- j. There was a build up of grease and debris present on non food contact surfaces (containers in the cupboard, trays for the drain plugs and hard to reach areas of the facility. This is in contravention of the Food Regulation AR 31/2006, section 28 (3) (b) which states that: “All equipment and utensils in a commercial food establishment must be (b) Maintained in a manner that ensures the safe and sanitary handling of food”.
- k. Single use utensils were not well stored to prevent contamination and or unmonitored access by the public. This is in contravention of the Food Regulation AR 31/2006, section 28 (3) (b) which states that: “A commercial food establishment, all equipment and utensils in it an 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 “All equipment and utensils in a commercial food establishment must be (b) Maintained in a manner that ensures the safe and sanitary handling of food”.
- l. There was a missing outlet cover between the dishwashing sinks and the stove. This is in contravention of the Food Regulation AR 31/2006, section 28 (3) which states that: “All equipment and utensils in a commercial food establishment must be (a) kept in good working order and condition”.
- m. Food handling permit was not posted, nor in view of the public. This is in contravention of the Food Regulation AR 31/2006, section 14(1), which states that: “An operator must ensure that the permit is displayed in a conspicuous place in the approved food establishment where it may be easily seen by the public.”

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 an acceptable food grade sanitizer is present in the facility. Chlorine sanitizer is not to have non food grade additives (ie splash-less, scents, colour safe, fabric protection etc).
 - b. Ensure that the food grade sanitizer is appropriately diluted to the recommended 100 to 200ppm concentration in an appropriately labeled container.
 - c. Ensure that staff wash their hands upon entering the food establishment.
 - d. Ensure temperature logs are maintained for each of the refrigerators and any hot holding.
 - e. Ensure effective, clean, drain plugs are present and available for use at the facility.
 - f. Ensure that reusable utensils are washed and sanitized onsite. Any variation is to be approved by the inspector before the variation is implemented.
 - g. Effective, non expired chlorine test papers are to available onsite and used frequently for checking the sanitizer concentration.
 - h. Pest control records are to be completed monthly, maintained onsite and be available for review by the inspector during the inspection.
 - i. The commercial ventilation canopy is to be maintained in a clean and sanitary condition.
 - j. General cleaning is required to be done regularly as per the documented cleaning schedule.
 - k. Single use customer utensils are to be stored in a clean condition and unsupervised access is to be prevented.
 - l. Ensure the face plate cover is installed on all electrical outlets.
 - m. The current Food Handling Permit is to be posted in view of the public.
 - n. Staff in care and control of this facility are to show proof of a food safety certification.
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 St. Albert, Alberta, May 22, 2024

Confirmation of a verbal order issued to Paula Deluca, and Mert Dikkaya on May 22, 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
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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