

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: Mareeg Café and restaurant Ltd.
Abdi Duale
9420-118 avenue
Edmonton, Alberta
T5G 0M6

RE: The food establishment located in Edmonton, Alberta and municipally described as:
Mareeg Café, 9420-118 Avenue

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. Staff were storing high risk food (cooked chicken) in an oven that was not on. Temperature of the food was 50C.
- b. Cooked vegetables were in the steam table, but the hot holding unit was not turned on. Food was at 24C.
- c. Staff were storing high risk foods in a cooler that was malfunctioning. Food was at 11C.
- d. Milk was left out on the counter in the front service area.
- e. Meat was left to thaw on the counter near the dishwasher.
- f. Wet wiping cloths were present on multiple surfaces in the kitchen and service area, not stored in an approved sanitizer.
- g. Piles of garbage and debris were present against the wall behind the facility, acting as an attractant and harborage for rodents and other pests.
- h. The screen door in the kitchen, and rear door in the customer area were left open. When closed they both had large gaps at the bottom; the doors would not prevent the entry of pests.
- i. No records or receipts were present regarding pest control activity.
- j. Mouse droppings noted throughout the food facility, including:
 - a. storage areas
 - b. shelves used for drink pitchers and food service utensils and above the service area
 - c. shelf under hot holding unit
 - d. corners of customer area
 - e. behind coolers
- k. Cleaning was required in many areas of the kitchen and dining room. Heavy grease and/or filth build up on:
 - a. the top, front, and sides of cooking appliances
 - b. on the screen door
 - c. ceiling of kitchen

- d. light fixtures
- e. corners and out of way areas
- l. The only available probe thermometer in the kitchen was difficult to locate, and was encrusted with an undesirable substance.
- m. Protective light covers were missing from the fixture above the cooking area.
- n. None of the food handlers present in the kitchen were wearing aprons or uniforms.
- o. The urinal had been removed from the men's washroom.
- p. Hand drying equipment in the men's and women's washrooms was not functional.
- q. Food items were stored in buckets that had previously been used to store dishwasher chemicals.
- r. The scoop for the sugar was stored inside the food, with the scoop handle in contact with the food.
- s. Food handling permit was not displayed in a conspicuous location.
- t. No written sanitation plan.

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:

Violations [a,b,c,d,e.] are in contravention of section 25(1) of the Food Regulation which states, "All high-risk food must be stored, displayed and transported at a temperature of
(a) not more than 4 C or such higher temperature, or
(b) not less than 60 C or such lower temperature as an executive officer stipulates under subsection (4)."

Violations [e,f,r] are in contravention of section 24 of the Food Regulation which states, "All food processing in a food establishment must be done in a manner that makes the food safe to eat."

Violations [g,h,j] are in contravention of Section 21(1) and (2) of the Food Regulation which states:

- i. The commercial food establishment and any surrounding area, premises or facilities supporting the commercial food establishment must be kept free of pests and of conditions that lead to the harbouring or breeding of pests"
- ii. 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.

Violations [k,l] are in contravention of Section 28 of the Food Regulation which states:

A commercial food establishment must have all the facilities, equipment and utensils that are necessary to ensure its safe operation and maintenance.

(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.

(3) 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.

Violation [m] is in contravention of Section 2.7(c) of the Food Retail and Food Services Code which states "Except as otherwise specified, lighting fixtures should be shielded with shatterproof coverings in areas where there is exposed food, equipment, utensils, linens or unwrapped single service and single-use articles"

Violation [n] is in contravention of Sections 30(1) and 30(3) of the Food Regulation which state, "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" and "The operator must ensure that subsections (1) and (2) are complied with.

Violation [o] is in contravention of section 19 of the Food Regulation states, "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."

Violation [p] is in contravention of section 30(4) of the Food Regulation states, "The handwashing stations referred to in section 17(1)(e) must be maintained and kept supplied."

Violation [q] is in contravention of Section 28(1) which states: A commercial food establishment must have all the facilities, equipment and utensils that are necessary to ensure its safe operation and maintenance.

- (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.
- (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.

Violation [s] is in contravention of Section 15(1) of the Food Regulation which states, "An operator must ensure that the permit is displayed in a conspicuous place in the approved food establishment where it may easily be seen by persons served."

Violation [t] is in contravention of section Section 29 of the Food Regulation states, "A commercial food establishment must have written procedures designed to ensure its safe and sanitary operation and maintenance" and "The procedures must include (a) the cleaning and sanitizing requirements for the food establishment and for all equipment and utensils in it, if any, that are not normally washed in a dishwasher, and

- (b) a list of all cleaning and sanitizing agents used in the food establishment, including their concentrations and uses."

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. Cease and desist the practice of storing high risk foods at unsafe temperatures.
 - Keep cold high risk foods in the cooler or freezer until needed for processing.
 - Ensure that hot foods meant to be served hot are maintained at hot holding temperatures (above 60C) with a continual heat source.
 - Only take out as much food as needed for immediate food preparation.
 - Put away delivered product promptly.
 - Promptly refrigerate or freeze high risk foods after processing and cooling.
 - Ensure *all* high risk foods are maintained either below 4°C or above 60°C at all times as to prevent microbial growth when not in use.
 - Use acceptable thawing and cooling practices. Thaw high risk foods in a safe manner such as in the cooler, or under cold running water. Cool foods in a safe manner such as with the use of an ice bath, ice wand, or shallow conductive pans. Ensure that all food handling in the food establishment is done in a manner that makes the food safe to eat at all times.
- B. Ensure that all coolers and hot holding units used for storing high risk foods are in good operating condition and that a clean and accurate thermometer is present to monitor the temperatures.
- C. Clean and sanitize the food equipment, food storage areas, shelving, cooking appliances, screen door, and all other area and items listed above or that have become soiled, or otherwise insanitary.
 - a. Ensure that all areas and equipment that have been soiled by rodent droppings are properly cleaned and sanitized
 - b. Remove the garbage and debris from behind the facility. Do not allow areas in or around the food facility to become harborage and breeding areas for pests.
- D. Repair the screen door and rear door. Ensure that the doors are kept closed and in a condition that prevents the entry of pests.
- E. Ensure an approved sanitizing solution at the proper concentration is available when food handling is being conducted at all times. Ensure that all wet and used wiping cloths are stored in an approved sanitizer when they are not in use. Ensure that all equipment and utensils in the food establishment that come into contact with food or food contact surfaces are maintained in a sanitary condition. Use the chemical test strips to ensure that the concentration of a sanitizing solution is sufficient at all times.

- F. Keep written records of pest control activities on site. If you have not already done so, hire a licensed pest control company, and work with them to eliminate the infestation of mice and any other pests.
 - G. Repair or replace the light covers in the kitchen. Ensure that all lights in the food area or equipment with a shatterproof cover, or otherwise protected from breakage.
 - H. Supply clean uniforms or aprons for the staff to wear. All persons conducting food handling activities must wear a uniform or apron.
 - I. Repair the hand dryers in the washrooms. Alternatively, ensure that single use towels are available, and dispensed in a hygienic manner to facilitate proper hand washing.
 - J. Replace the missing urinal. Ensure that the facility is maintained with the equipment, and in the condition, that it was when the food handling permit was approved.
 - K. Discard all buckets and other food storage containers that are not constructed from food grade materials. Do not use chemical buckets to store food.
 - L. Store scoops and other food handling utensils in a clean and sanitary manner.
 - M. Develop and utilize a sanitation program to facilitate the proper cleaning of all areas of the food establishment. Maintain the sanitation program to reflect the cleaning practices in the facility. Ensure that the written sanitation program is maintained and kept on site for staff to follow at all times. Ensure sanitation program includes a list of all cleaning and sanitizing agents used in the food establishment, including their concentrations and uses.
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, September 29, 2017

Confirmation of a verbal order issued to Abdi Duale on September 28, 2017

_____ (Original Signed) _____

Glenn Jenkins, MPH, B.Sc. CPHI(C)
Executive Officer
Environmental Health Officer

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, Telus Plaza North Tower
10025 Jasper Avenue NW
Edmonton, Alberta, T5J 1S6
Phone: 780-222-5186
Fax: 780-422-0914
Email: HealthAppealBoard@gov.ab.ca
Website: <http://www.health.alberta.ca/about/PHAB.html>

A Notice of Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: www.health.alberta.ca/about/health-legislation.html

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