

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: **Marble Restaurants Ltd.**
Shamez Jivraj
Aly Jivraj
Mohamed Jivraj
Mahmut Yildiz
Dilawar Singh
Udesh Singh
"the Owner"

RE: The food establishment located in St. Albert, Alberta and municipally described as:
Pizza Hut, #125 – 410 St. Albert Trail, T8N 3X6

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 facility did not have hot running water. Temperature checks revealed a maximum temperature of 10°C at both handwashing stations and the 3-compartment sink.
- b. Quat sanitizer solution was tested in all spray bottles and buckets and found to be at a concentration of 50 ppm or less. The dispenser was tested and was found to be dispensing sanitizer at 50 ppm.
- c. The dishwasher was incapable of achieving 71°C at the plate for the rinse cycle, as the facility did not have hot running water. Thus, dishes were not being effectively sanitized.
- d. A large amount of pizza dough (230 portions) had been prepared that morning. The dough had spent one hour at approximately 32°C in the proofing cabinet before being moved to the walk-in cooler. As the containers, equipment, and surfaces had not been properly sanitized, the safety of the dough could not be confirmed. All portions were disposed of at the request of the Executive Officer.
- e. All high-touch surfaces, including but not limited to door handles, light switches, and taps, are greasy and have a visible buildup of food debris.
- f. Floors throughout the facility were visibly dirty with a buildup of food debris in corners and underneath equipment.
- g. A large piece of food equipment was being stored leaned against the 3-compartment sink and was visibly soiled with food debris and grease.
- h. The staff washroom was visibly dirty. Floors, walls, sink, mirror and toilet require cleaning.
- i. The customer sneeze guard was visibly dirty and greasy.
- j. The dining room is visibly dirty. Floors, tables, chairs and benches, and the glass entry doors require cleaning.

- k. A plastic package of Mild Buffalo Sauce was observed cut open and left without protection from contamination.
- l. A container of bleach was being stored next to food equipment and utensils.
- m. Opened boxes of gloves were being stored directly beside the hand sink and were visibly contaminated with splashed water.
- n. A plastic storage bin was being used to store used pizza pans and was lined with a plastic bag. This bag appeared to have been significantly reused and was visibly soiled.

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 facility did not have hot running water. This is in contravention of **Section 17(1)(f) of the Food Regulation, AR 31/2006**, which states that, *“An operator must ensure that, before operation of the commercial food establishment commences, the commercial food establishment is 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.”*
- b. Quat sanitizer solution was tested in all spray bottles and buckets and found to be at a concentration of 50 ppm or less. This is in contravention of **Section 28(2) of the Food Regulation, AR 31/2006**, 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. The dishwasher was incapable of achieving 71°C at the plate for the rinse cycle, as the facility did not have hot running water. This is in contravention of **Section 28(2) of the Food Regulation, AR 31/2006**, 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.”*
- d. A large amount of pizza dough (230 portions) had been prepared that morning and the safety of the dough could not be confirmed. This is in contravention of **Section 24 of the Food Regulation, AR 31/2006**, which states that, *“All food handling in a commercial food establishment must be done in a manner that makes the food safe to eat.”*
- e. All high-touch surfaces, including but not limited to door handles, light switches, and taps, are greasy and have a visible buildup of food debris. This is in contravention of **Section 4.2.2 of the Food Retail and Foodservice Code 2003**, which states that, *“Non-food contact surfaces of equipment should be cleaned at a frequency that will prevent the accumulation of dust, dirt, food residue and other debris.”*
- f. Floors throughout the facility were visibly dirty with a buildup of food debris in corners and underneath equipment. This is in contravention of **Section 2.4.2 of the Food Retail and Foodservice Code 2003**, which states that, *“All floors should be kept clean and in good repair.”*
- g. A large piece of food equipment was being stored leaned against the 3-compartment sink and was visibly soiled with food debris and grease. This is in contravention of **Section 28(2) of the Food Regulation, AR 31/2006**, 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.”*

- h. The staff washroom was visibly dirty. This is in contravention of **Section 4.6 of the Food Retail and Foodservice Code 2003**, which states that, “*Surfaces, such as floors, walls and ceilings, should be cleaned at a frequency that will prevent the accumulation of dust, dirt, food residue and other debris.*”
- i. The customer sneeze guard was visibly dirty and greasy. This is in contravention of **Section 4.2.2 of the Food Retail and Foodservice Code 2003**, which states that, “*Non-food contact surfaces of equipment should be cleaned at a frequency that will prevent the accumulation of dust, dirt, food residue and other debris.*”
- j. The dining room is visibly dirty. This is in contravention of **Section 4.6 of the Food Retail and Foodservice Code 2003**, which states that, “*Surfaces, such as floors, walls and ceilings, should be cleaned at a frequency that will prevent the accumulation of dust, dirt, food residue and other debris.*”
- k. A plastic package of Mild Buffalo Sauce was observed cut open and left without protection from contamination. This is in contravention of **Section 23(1)(a) of the Food Regulation, AR 31/2006**, which states that, “*All food used or to be used in a commercial food establishment must be protected from contamination.*”
- l. A container of bleach was being stored next to food equipment and utensils. This is in contravention of **Section 20(2) of the Food Regulation, AR 31/2006**, 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.*”
- m. Opened boxes of gloves were being stored directly beside the hand sink and were visibly contaminated with splashed water. This is in contravention of **Section 28(3) of the Food Regulation, AR 31/2006**, which states that, “*All equipment and utensils in a commercial food establishment must be ... maintained in a manner that ensures the safe and sanitary handling of food.*”
- n. A plastic storage bin was being used to store used pizza pans and was lined with re-used plastic bag. This is in contravention of **Section 4.2.2 of the Food Retail and Foodservice Code 2003**, which states that, “*Non-food contact surfaces of equipment should be cleaned at a frequency that will prevent the accumulation of dust, dirt, food residue and other debris.*”

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 close any third-party apps or websites allowing the sale of food from the above noted premises while closed by Order.
- 3. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Obtain a reliable source of hot running water.
 - b. Ensure quat sanitizer is at the required 200 ppm concentration at the dispenser.
 - c. Ensure dishwasher can achieve 71°C at the plate for the rinse cycle.
 - d. Wash and sanitize all equipment, utensils and dishes with hot running water and sanitizer.
 - e. Wash and sanitize all high-touch surfaces.

- f. Sweep and mop all floors throughout the facility.
 - g. Wash and sanitize the food equipment leaning against the 3-compartment sink, and if not in use, store it in a way that prevents contamination.
 - h. Clean the staff washroom, including floors, walls, sink, mirror and toilet.
 - i. Wash and sanitize the customer sneeze guard.
 - j. Clean the dining room, including floors, tables, chairs and benches, and the glass entry doors.
 - k. Store any opened food products in a way that prevents possible contamination.
 - l. Keep all chemicals stored separately from food, equipment, utensils and food contact surfaces.
 - m. Move gloves to a location where they are protected from contamination. Dispose of any visibly contaminated ones.
 - n. Change the plastic bag lining the plastic storage bin daily to prevent the accumulation of food debris.
4. 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, February 16, 2024.

Confirmation of a verbal order issued to Udesh Singh on February 15, 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>

St. Albert • St. Albert Community Health Centre • Environmental Public Health

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