

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: 2062632 Alberta Ltd.
Gui Fang Mai
Yuan Sen Lan

“the Owners”

RE: The food establishment located in St. Albert, Alberta and municipally described as: The Pan Pan Express, 206 - 2 Hebert Road.

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 no paper towel available for handwash sink located at the back of the kitchen.
- b. The handwash sink located at the back of the kitchen is not accessible to food handlers. The handwash sink area is being used as for food preparation and storage.
- c. The faucet in the front handwash sink is leaking.
- d. Hand hygiene is not occurring between tasks. Food handlers observed using aprons and wiping cloths to wipe hands and single use gloves are being reused. Food handlers are not practicing proper hand hygiene and observed wiping hands using a wiping cloth, rinsing hands without using hand washing soap, not rubbing hands adequately using soap, and drying hands using a soiled wiping cloth.
- e. Cleaning cloths are being left on the counter instead of being stored in an effective sanitizer solution. Cleaning cloths are in physical contact with perishable food items and are also being used to dry and wipe hands.
- f. Food contact surfaces are not being sanitized between tasks involving raw meats and at regular intervals to remove food debris.
- g. Proper thawing procedures are not being followed. The surface temperature of raw meat that is being thawed in two dishwashing sinks is noted to be at 11 degrees Celsius.
- h. Food items including raw chicken feet are stored uncovered in the walk-in-cooler. Food items including raw meat, produce are stored on the floor of the walk-in-cooler and in the dry storage area. Raw meats stored above and besides ready to eat foods in the walk-in cooler.
- i. Raw meat and cooked chicken feet are stored at room temperature and on the floor for extended periods.
- j. The meat grinder is not being cleaned and sanitized following each use or at a minimum of four-hour intervals.

- k. Manual dishwashing procedures are not being followed. Dishes used to hold raw meat observed to be rinsed and immediately stored.
- l. Clean dishes are noted to be in physical contact with raw meat.
- m. General sanitation of the facility is not maintained, dirt/debris build up observed throughout the facility including, but not limited to, shelving units, dishwashing sinks, corners, and the walk-in-cooler.
- n. Written cleaning procedures are not available.
- o. Pest control records are not available.
- p. Cracked food storage containers observed to be in use. Garbage bins are being used as shelves to hold food storage containers during food preparation.
- q. Cardboard containers are observed to store food items.
- r. Scoops are being stored inside the bulk food containers and are in direct contact with food. These scoops are not being cleaned and sanitized on regular basis. Bulk food containers are visible soiled.
- s. Duct tape is being used to cover holes in dishwashing area wall.
- t. Nonfood related items as well as staff personal items were noted to be stored with food items.
- u. Food handlers exhibited a general lack of basic food safety knowledge.

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 no paper towel available for handwash sink located at the back of the kitchen. This is in contravention of **Section 30 (4)** of the **Food Regulation, AR 31/2006**, which states that “The handwashing stations referred to in section 17(1)(e) must be maintained and kept supplied”.
- b. The handwash sink located at the back of the kitchen is not accessible to food handlers. The handwash sink area is being used as a food preparation and storage. This 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”.
- c. The faucet in the front handwash sink is leaking. This is in contravention of **Section 17 (1) (a)** 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 (a) is of sound construction and in a good state of repair”.
- d. Hand hygiene is not occurring between tasks. Food handlers observed using aprons and wiping cloths to wipe hands and single use gloves are being reused. Food handlers are not practicing proper hand hygiene and observed wiping hands using a wiping cloth, rinsing hands without using hand washing soap, not rubbing hands adequately using soap, and drying hands using a soiled wiping cloth. This is in contravention of **Section 30 (1) (b) and (d)** of the **Food Regulation, AR 31/2006**, which states, “A food handler must (b) exhibit cleanliness and good personal hygiene” and (d) “wash hands as often as necessary to prevent the contamination of food or food areas”.
- e. Cleaning cloths are being left on the counter instead of being stored in an effective sanitizer solution. Cleaning cloths are in physical contact with perishable food items and are also being used to dry and wipe hands. This is in contravention of **Section 4.2.5 (d)** of the **Food Retail and Foodservices Codes, 2003**, which states, “Wiping cloths used for wiping food spills on food contact surfaces: i) should not be used for other purposes such as

- wiping raw animal foods; ii) should be routinely cleaned and when not in use kept in separate sanitizing solution which is maintained at a concentration as specified in Section 4.2.6". This is also in contravention of **Section 28 (3) (b)** 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".
- f. Food contact surfaces are not being sanitized between tasks involving raw meats and at regular intervals to remove food debris. 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".
 - g. Proper thawing procedures are not being followed. The surface temperature of raw meat that is being thawed in two dishwashing sinks is noted to be at 11 degrees Celsius. This is contravention of **Section 24** of the **Food Regulation AR31/2006**, which states, "All food handling in a commercial food establishment must be done in a manner that makes the food safe to eat" and **Section 25 (1)** of the **Food Regulation AR 31/2006**, 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".
 - h. Food items including raw chicken feet are stored uncovered in the walk-in-cooler. Food items including raw meat, produce are stored on the floor of the walk-in-cooler and in the dry storage area. Raw meats stored above and besides ready to eat foods in the walk-in cooler. This is in contravention of **Section 23 (1)** of the **Food Regulation AR31/2006**, which states, "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".
 - i. Raw meat and cooked chicken feet are stored at room temperature and on the floor for extended periods. This is in contravention of **Section 25 (1)** of the **Food Regulation AR 31/2006**, 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".
 - j. The meat grinder is not being cleaned and sanitized following each use or at a minimum of four-hour intervals. This 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 **Section 28 (3)** of the **Food Regulation AR 31/2006**, which states, "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".
 - k. Manual dishwashing procedures are not being followed. Dishes used to hold raw meat observed to be rinsed and immediately stored. This is in contravention of **Section 28 (1)** 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". This is in contravention of **Section 4.2.8 (b)** of the **Food Retail and Foodservices Code, 2003**, which states, "when relying on the manual method for washing and sanitizing dishware and serving/dining utensils, the operator should use a three compartment sink and the following procedure. Dishes should be (i) thoroughly scraped clean of visible foreign materials and food scraps; (ii) washed in the first compartment sink in detergent solution capable of removing grease and food

particles and that is maintained at a temperature of not less than 45 degrees C (113 degrees F); (iii) rinsed in the second compartment sink in clean potable water maintained at a temperature of not less than 45 degrees C (113 degrees F) and (iv) sanitized in the third compartment sink by immersion, in one of the following methods: for at least 2 minutes in water at a temperature of at least 77 degrees C (171 degrees F); for at least 2 minutes in a chlorine solution of 100 -200 mg/L available chlorine at a temperature of not less than 45 degrees C (113 degrees F); for at least 2 minutes in a solution containing a quaternary ammonium compound having a strength of not higher than 200 mg/L consistent with efficacy at a temperature of not less than 45 degrees C (113 Degrees F); or in accordance with any other method that has been scientifically proven to produce results equivalent to those achieved by used of any of the methods in this subclause. (V) air dried, if possible.

- i. Clean dishes are noted to be in physical contact with raw meat. This 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 **Section 28 (3)** of the **Food Regulation AR 31/2006**, which states, “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”.
- m. General sanitation of the facility is not maintained, dirt/debris build up observed throughout the facility including, but not limited to, shelving units, dishwashing sinks, corners, and the walk-in-cooler. This is in contravention of **Section 28 (2)** of the **Food Regulation AR31/2006**, 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 **Section 28 (3)** which states, “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”.
- n. Written cleaning procedures are not available. This is in contravention of **Section 29** of the **Food Regulation AR 31/2006**, which states, “A commercial food establishment must have written procedures designed to ensure its safe and sanitary operation and maintenance. (2) The procedures must include (a) the cleaning and sanitizing requirements for the commercial 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 commercial food establishment, including their concentrations and uses”.
- o. Pest control records are not available. This is in contravention if **Section 21 (2)** of the **Food Regulation AR 31/2006**, which states, “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”.
- p. Cracked food storage containers observed to be in use. Garbage bins are being used as shelves to hold food storage containers during food preparation. This 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 (a) kept in good working order and condition, and (b) maintained in a manner that ensures the safe and sanitary handling of food” and **Section 28 (3)** which states, “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”.
- q. Cardboard containers are observed to store food items. This is in contravention of **Section 18 (a)** of the **Food Regulation AR 31/2006**, which states, “An operator must ensure that all equipment and utensils used in the commercial food establishment and all surfaces in it

with which food comes into contact are entirely constructed or manufactured from materials that are suitable for their intended purpose, durable, easily cleanable and free from any undesirable substance”.

- r. Scoops are being stored inside the bulk food containers. These scoops are not being cleaned/sanitized on regular basis. Bulk food containers are visible soiled. This 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”.
- s. Duct tape is being used to cover holes in dishwashing area wall. This is in contravention of **Section 17 (1) (a)** 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 (a) is of sound construction and in a good state of repair”.
- t. Nonfood related items as well as staff personal items were noted to be stored with food items. This is in contravention of **Section 20 (1)** of the **Food Regulation AR 31/2006**, which states, “All 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”.
- u. Food handlers exhibited a general lack of basic food safety knowledge. This 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”.

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 Owners immediately close the above noted premises.
2. That the Owners immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Adequately supply hand washing soap and paper towel at all handwash sinks.
 - b. Ensure each handwash sink remains unobstructed for food handlers to wash hands.
 - c. Repair or replace the leaking faucet as required.
 - d. Train and ensure all staff properly understand and follow handwashing procedures. Ensure all staff understand that gloves are disposable after one use, and hands must be washed before wearing and after taking gloves off.
 - e. Store all cleaning clothes in one of the approved sanitizing solutions. Ensure that food handlers do not use cleaning cloths for any other purpose besides cleaning and sanitizing food contact surfaces.
 - f. Sanitize all food contact surfaces (countertops, dishwashing sinks, etc.) using one of the approved sanitizing solutions between tasks.
 - g. Follow proper thawing procedures to thaw food items. These includes, under cold running water, in a cooler maintained at or below 4 degrees Celsius, cooking

- directly from frozen state, or thawing in a microwave for immediate use.
- h. Ensure all food items are covered while in storage. Designate an area to store raw meat, located away from ready-to-eat food items. Store all food items at least six inches above the floor.
 - i. Store all perishable food items either below 4 degrees Celsius or above 60 degrees Celsius.
 - j. Dismantle, clean, and sanitize the meat grinder either after each use or every four hours when in continuous use.
 - k. Ensure all used dishware are properly washed, rinsed, and sanitized in the three-compartment sink using three compartment manual dishwashing procedure.
 - l. Designate an area to store clean dishes to prevent them from becoming contaminated.
 - m. Complete a thorough cleaning and sanitation of all surfaces within the facility, including but not limited to, floor, walls, equipment, handles, switches, and surfaces within coolers.
 - n. Create and implement written cleaning procedures.
 - o. Create and maintain pest control records on monthly basis.
 - p. Discard all damaged food equipment. Acquire storage shelves to hold food storage containers during food preparation.
 - q. Acquire and use food grade containers to store food items.
 - r. Store scoops outside bulk foods to prevent the handle contacting food. Scoops are to be protected from contamination and regularly cleaned and sanitized. Clean and sanitize all bulk food containers.
 - s. Repair the hole in the wall and ensure it is maintained in a smooth, easy to clean and moisture resistant state.
 - t. Store food items separately from non-food and personal items. Designate an area to store nonfood related items.
 - u. Educate food handlers properly to exhibit safe food handling practices.
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 30, 2024.

Confirmation of a verbal order issued to Mai Gui Fang on May 29, 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>