

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: 2491032 Alberta Ltd. Kulbir Virdi Jasvinder "Josh" Virdi
"the Owners"

RE: The food establishment located in St. Albert, Alberta and municipally described as:
Wendy's, 10 – 470 St. Albert Trail

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. A fire occurred in this food establishment resulting in the contamination of food, surfaces, equipment and utensils with soot, ash, fire-retardant and water.
- b. The fire caused a prolonged power outage affecting temperature-controlled equipment.
- c. The interior staff entrance door is broken and cannot be closed tightly.
- d. Ceiling tiles are missing from the back storage areas.

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. A fire occurred in this food establishment resulting in the contamination of food, surfaces, equipment and utensils with soot, ash, fire-retardant and water. This is in contravention of Section 23(1) and (2) and Section 28(3) of the Food Regulation. Section 23(1) and (2) 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. Subject to any procedure involved in disposing of food that is otherwise in accordance with the law, food that has become contaminated or otherwise unfit for human consumption must not be served, offered for sale, processed, packaged, displayed or stored for human consumption. Section 28(3) 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.
- b. The fire caused a prolonged power outage affecting temperature-controlled equipment which is in contravention of Section 25(1) and (2) 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 may authorize.
- c. The interior staff entrance door is broken and cannot be closed tightly which is in contravention of Section 17(1)(a) of the Food Regulation 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. Ceiling tiles are missing from the back storage areas which is in contravention of Section 17(1)(a)(b) and (c) of the Food Regulation 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, (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 in it, (c) is designed so as to ensure the safe and sanitary handling of food in it.

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. Dispose of all food, single-service utensils and paper products in the establishment. Do not transport these items to other locations.
 - b. Clean and sanitize all surfaces and equipment in the facility, including the dining room.
 - c. Repair or replace the interior staff entrance door so it is tight-fitting and can be adequately secured.
 - d. Install smooth, non-absorbent to moisture and easy to clean ceiling tiles in areas of food preparation, storage and serving.
 - e. Provide hoarding to separate the Wendy's dining room and service area to prevent contaminants like soot and ash from migrating to public areas of the building.
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 15, 2025.

Confirmation of a verbal order issued to Jasvinder "Josh" Viridi on May 13, 2025.

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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