

## **ORDER OF AN EXECUTIVE OFFICER**

**To:** Julie Vuong  
"the Owner"

Vay Tran  
"the Owner"

Chan Tran  
"the Owner"

**RE:** The food establishment located in Calgary, Alberta and municipally described as:  
Dragon Gate Restaurant / Spot Pub and Grill  
4408 17 Avenue SE

**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 an accumulation of dirt and debris throughout the food establishment including, on floors and walls under and/or behind food equipment and in hard-to-reach areas.
- b. A written cleaning schedule was not available.
- c. The equipment storage room, the area in front of the walk-in freezer, the boiler room and the dishwashing area were dirty and cluttered with a variety of items.
- d. All the metal shelves throughout the facility were dirty with food grime.
- e. A mop bucket filled with dirty water was stored in front of the dishwasher on the floor.
- f. The ventilation canopy filters were dirty.
- g. Containers of meat and cooked food were uncovered in the walk-in cooler and walk-in freezer.
- h. Containers of food were stored on the floor in the walk-in coolers and walk-in freezer.
- i. The operator used utensils without handles (i.e. bowls) to scoop bulk food ingredients from the bins.
- j. Hand washing soap was not available at the handwashing sink.
- k. Mouse droppings were observed under the bulk food containers and in the flour bin.
- l. Pest control records were not available onsite.
- m. Single use utensils were stored on dirty shelves.
- n. The baseboards throughout the food establishment were worn/lifting and trapping dirt and moisture.
- o. The walk-in cooler and freezer floors were pitted/cracked and missing a sealed finish.
- p. Many food safety processes were not implemented. Food handlers lacked 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 was an accumulation of dirt and debris throughout the food establishment including, on floors and walls under and/or behind food equipment and in hard-to-reach areas. 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.
- b. A written cleaning schedule was not available upon request. This is in contravention of Food Regulation AR 31/2006, section 29, which states that: A commercial food establishment must have written procedures designed to ensure its safe and sanitary operation and maintenance. The procedures must include the cleaning and sanitizing requirements the food establishment and all equipment and utensils in it and a list of all cleaning and sanitizing agents used including their concentrations and uses.
- c. The equipment storage room, the area in front of the walk-in freezer, the boiler room and the dishwashing area were dirty and cluttered with a variety of items. 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. All the metal shelves throughout the facility were dirty with food grime. 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.
- e. A mop bucket filled with dirty water was stored in front of the dishwasher on the floor. This is in contravention of section 28(1) of the Food Regulation AR 31/2006, 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.
- f. The ventilation canopy filters were dirty. This is in contravention of section 17(1)(f)(iv) of the Food Regulation AR 31/2006, which states that: An operator shall ensure that a commercial food establishment is equipped with a properly operating means of providing ventilation to food areas that are subject to the generation or accumulation of odours, fumes, steam, vapours, smoke, or excessive heat.
- g. Containers of meat and cooked food were uncovered in the walk-in cooler and walk-in freezer. This is in contravention of the Food Regulation AR 31/2006, section 23 & 28, which states that: All food, equipment, and utensils must be stored in a manner that protects them from contamination.
- h. Containers of food were stored on the floor in the walk-in coolers and walk-in freezer. This is in contravention of the Food Regulation AR 31/2006, section 23 & 28, which states that: All food, equipment, and utensils must be stored in a manner that protects them from contamination.

- i. The operator used utensils without handles (i.e. bowls) to scoop bulk food ingredients from the bins. This is in contravention of the Food Regulation AR 31/2006, section 23(1), which states that: All food used or to be used in a commercial food establishment must be protected from contamination and handled in a sanitary manner.
- j. Hand washing soap was not available at the handwashing sink. This is in contravention of the Food Regulation AR 31/2006, section 30(4), which states that. Hand sinks must be maintained and kept supplied.
- k. Mouse droppings were observed under the bulk food containers and in the flour bin. This is in contravention of section 21(1) of the Food Regulation AR 31/2006, which states that: The commercial food establishment and any surrounding area, premises or facilities supporting the food establishment must be kept free of pests and of conditions that lead to the harbouring or breeding of pests.
- l. Pest control records were not available onsite. This is in contravention of section 21(2) of the Food Regulation AR 31/2006, which states that: A written record of all pest control measures used in the food establishment and surrounding areas, premises and facilities must be maintained.
- m. Single use utensils were stored on dirty shelves. This is in contravention of the Food Regulation AR 31/2006, section 28(3), which states that: All equipment and utensils in a 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.
- n. The baseboards throughout the food establishment were worn/lifting and trapping dirt and moisture. 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 is of sound construction and in a good state of repair.
- o. The walk-in cooler and freezer floors were pitted/cracked and missing a sealed finish. This is in contravention of section 17(1) & 19 of the Food Regulation AR 31/2006, which states that: An operator shall ensure that a food establishment is of sound construction and in a good state of repair and is so designed as to facilitate the effective cleaning and sanitizing of it and all equipment, utensils and surfaces with which food comes into contact in it.
- p. Many food safety processes were not implemented. Food handlers lacked food safety knowledge. This contravenes the Food Retail and Food services Code section 6.3.2 which stated that: Every operator of a food establishment must ensure that food handlers have the necessary knowledge and skills to enable them to handle food hygienically.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Thoroughly clean and sanitize the food establishment surfaces, including all hard-to-reach areas.
  - b. Prepare, implement, and maintain a detailed written sanitation program to facilitate the proper cleaning of all areas of the food establishment, including equipment, and structural surfaces. The sanitation program must include a list of all cleaning and sanitizing agents used within the food establishment. The sanitation program must be submitted to an Alberta Health Services Executive Officer for review.

- c. Organize the equipment storage room, the area in front of the walk-in freezer, the boiler room and dishwashing area.
- d. Clean and sanitize all the metal shelves.
- e. Store the mop bucket in the mop sink/room.
- f. Clean the ventilation canopy filters.
- g. Cover all the food items in storage to prevent food contamination.
- h. Store all food products on shelves at least 6 inches above the ground.
- i. Use scoops with handles to dispense food from bulk bins and store the scoops in a clean and sanitary manner. Ensure handles should not touch the food ingredients.
- j. Install a soap dispenser with liquid soap at the handwashing sink.
- k. Retain the services of a professional pest control operator to treat and eliminate rodent activity. Provide the reports from the professional pest control company to an Alberta Health Services, Executive Officer.
- l. Maintain the pest control records onsite.
- m. Store all the single use utensils on clean shelves in a clean container or keep single use items in original wrapping on clean shelves.
- n. Repair or replace baseboards throughout the food establishment so that they are smooth, impervious to moisture and easily cleaned.
- o. Repair the floor in walk-in cooler/freezer so that it is smooth, impervious to moisture and easily cleanable.
- p. The operator in care and control of the food establishment must re-take a certificate course in food safety: [https://www.alberta.ca/system/files/custom\\_downloaded\\_images/health-recognized-food-safety-courses-alberta.pdf#search=approved%20food%20safety](https://www.alberta.ca/system/files/custom_downloaded_images/health-recognized-food-safety-courses-alberta.pdf#search=approved%20food%20safety). Staff who handle food must complete at minimum the online Alberta Food Safety Basics Interactive Course: <https://ahs.myabsorb.ca/#/public-dashboard>  
Provide completion certificates to an Alberta Health Services, Executive Officer.

2. The work referred to in paragraph a-m shall be completed **immediately**.  
The work referred to in paragraph n-p shall be completed by **April 6, 2024**.

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 Calgary, Alberta, Mar 5, 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](mailto: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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Order of an Executive Officer

RE: The food establishment located in Calgary, Alberta and municipally described as: Dragon Gate Restaurant / Spot Pub and Grill,  
4408 17 Avenue SE

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<https://www.ahs.ca/eph>