

## **ORDER OF AN EXECUTIVE OFFICER**

**To:** 1150147 Alberta Ltd.  
"the Owner"

Saleema Kassam  
"the Director"

**RE:** The food establishment located in Calgary, Alberta and municipally described as:  
Marcello's  
200- 801 6 Avenue SW

**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. Rice noodles soaking in water at room temperature had an internal temperature of 25.3 degrees Celsius.
- b. Perishable food was stored without temperature control in shallow metal pan inserts. The internal temperatures ranged from 9.9 to 19.3 degrees Celsius.
- c. Cooked, sliced chicken breast stored in a metal insert beside the flat top grill without temperature control had an internal temperature of 24.6 degrees Celsius.
- d. The temperature of perishable foods stored in the preparation cooler located at the front of the food establishment, across from the flat top grill measured between 17.7 to 19.3 degrees Celsius.
- e. Perishable food items stored in the buffet table cooler in the customer area had internal temperatures ranging from 6.4 to 14.1 degrees Celsius.
- f. Both handwashing stations for the back food handling area were not operational.
- g. The hot water tap for the two-compartment food preparation sink in the back food handling area was leaking.
- h. There was a hole in the wall opposite the walk-in cooler.
- i. There were no test strips available to verify sanitizer solution concentration for food contact surfaces and dishwashing.
- j. There was an accumulation of grease and food debris on the floor underneath the ovens, stove, deep fryer, and grill in the back food handling area. There was an accumulation of grease on ventilation canopy filters. The ventilation canopies were due for professional service in May 2020.

**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. Rice noodles soaking in water at room temperature had an internal temperature of 25.3 degrees Celsius. This contravenes section 25(1) of the Food Regulation, AR 31/2006 which states that: All high-risk food must be stored, displayed and transported at a temperature of not more than 4°C or such higher temperature or not less than 60°C or such lower temperature as an executive officer stipulates under subsection (4).
- b. Perishable food was stored without temperature control in shallow metal pan inserts. The internal temperatures ranged from 9.9 to 19.3 degrees Celsius. This contravenes section 25(1) of the Food Regulation, AR 31/2006 which states that: All high-risk food must be stored, displayed and transported at a temperature of not more than 4°C or such higher temperature or not less than 60°C or such lower temperature as an executive officer stipulates under subsection (4).
- c. Cooked, sliced chicken breast stored in a metal insert beside the flat top grill without temperature control had an internal temperature of 24.6 degrees Celsius. This contravenes section 25(1) of the Food Regulation, AR 31/2006 which states that: All high-risk food must be stored, displayed and transported at a temperature of not more than 4°C or such higher temperature or not less than 60°C or such lower temperature as an executive officer stipulates under subsection (4).
- d. The temperature of perishable foods stored in the preparation cooler located at the front of the food establishment, across from the flat top grill measured between 17.7 to 19.3 degrees Celsius. This contravenes section 25(1) of the Food Regulation, AR 31/2006 which states that: All high-risk food must be stored, displayed and transported at a temperature of not more than 4°C or such higher temperature or not less than 60°C or such lower temperature as an executive officer stipulates under subsection (4).
- e. Perishable food items stored in the buffet table cooler in the customer area had internal temperatures ranging from 6.4 to 14.1 degrees Celsius. This contravenes section 25(1) of the Food Regulation, AR 31/2006 which states that: All high-risk food must be stored, displayed and transported at a temperature of not more than 4°C or such higher temperature or not less than 60°C or such lower temperature as an executive officer stipulates under subsection (4).
- f. Both handwashing stations for the back food handling area were not operational. This contravenes 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.
- g. The hot water tap for the two-compartment food preparation sink tap in the back food handling area was leaking. This contravenes section 28(3)(a)(b) of the Food Regulation, AR 31/2006 which states that: All equipment and utensils in a commercial food establishment must be kept in good working order and condition.
- h. There was a hole in the wall opposite the walk-in cooler. This contravenes section 17(1)(a) 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 of sound construction and in a good state of repair.
- i. There were no test strips available to verify sanitizer solution concentration for food contact surfaces and dishwashing. This contravenes 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 sanitary condition and, without limiting the foregoing, must be washed and sanitized in a manner that removes contamination.
- j. There was an accumulation of grease and food debris on the floor underneath the ovens, stove, deep fryer, and grill in the back food handling area. There was an accumulation of grease on ventilation canopy filters. The ventilation canopies were due for professional

service in May 2020. This contravenes 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.

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. Ensure all perishable food is stored at either 4 degrees Celsius or less, or 60 degrees Celsius or greater at all times.
  - b. Repair the preparation cooler located at the front of the food establishment, across from the flat top grill to ensure it maintains perishable foods at 4°C or colder.
  - c. Repair or replace the buffet table cooler in the customer area to ensure it maintains perishable foods at 4°C or colder. Alternatively, this cooler can be removed from the food establishment.
  - d. Repair the handwashing stations for the back food handling area. Ensure that all handwashing stations are equipped with hot and cold running water, single use paper towels and liquid hand soap in suitable dispensers at all times.
  - e. Repair the hot water tap for the two-compartment food preparation sink in the back food handling area to stop the leak.
  - k. Repair the wall opposite the walk-in cooler. Ensure that the wall is smooth, non-absorbent to moisture, and easily cleanable.
  - f. Ensure that sanitizer test strips are available. The test strips must be used to verify sanitizer concentrations for food contact surfaces and dishwashing.
  - g. Clean the floor underneath the ovens, stove, deep fryer, and grill in the back food handling area. Clean and sanitize the ventilation canopy filters.
  - h. Ensure the ventilation canopy is professionally serviced.
2. The work referred to in paragraph 1 (a) shall be effective **immediately**.  
The work referred to in paragraph 1 (b-g) shall be completed by **November 22, 2021**.  
The work referred to in paragraph 1 (h) shall be completed by **November 29, 2021**.

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, November 17, 2021.

Confirmation of a verbal order issued to Aly Tejani on November 17, 2021.

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 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](http://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](http://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: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)