

ORDER OF AN EXECUTIVE OFFICER

To: 607311 Alberta Ltd
"the Owner"

John Chan
"the Owner"

RE: The food establishment located in Calgary, Alberta and municipally described as:
New Dynasty Restaurant
201-150 Crowfoot Crescent NW

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. Three raw whole chickens and seven raw whole ducks were hanging on metal poles above the food preparation sink at room temperature. The chicken measured 15.6 degrees Celsius. and duck measured between 11.9 to 12.7 degrees Celsius.
- b. Two containers of sliced chicken were stored at room temperature next to the dishwashing sinks. Chicken measured between 9.7 to 10.9 degrees Celsius.
- c. A container of sliced fish was thawing in stagnant water in the food preparation sink. The fish measured 21.7 degrees Celsius.
- d. A container of fried rice was left out on the counter at room temperature. The fried rice measured 34 degrees Celsius.
- e. There were used cleaning cloths on food contact surfaces and on the wok cook line.
- f. Several buckets of uncovered sauces were stored underneath the dusty and greasy wok cook line.
- g. Chickens and ducks were stored next to incense ashes on the prayer offering shelf.
- h. Small containers and bags of frozen meats were stored directly on the walk-in freezer floor.
- i. A food container was placed on top of the garbage can.
- j. There was dust and mold on the standing cooler's fan unit and dust on top of cooler.
- k. Uncovered deep fried meats were stored underneath the stand-up cooler's dusty and moldy fan unit.
- l. Foods were stored in tin cans.
- m. Small containers were directly stacked on top of food in the walk-in cooler and standing cooler.
- n. There was dust and mold on the walk-in cooler fan unit, walls, and food storage shelves.
- o. There was dust and debris build-up on the dishwasher and surrounding walls.
- p. There was dust and grease build-up on the kitchen shelves, fire extinguisher switch, electrical wires, walls, garbage bags on top shelves, light switches, and air vents.

- q. There was a build-up of grease and debris underneath the wok cook line and on the sides of the equipment. The sides of equipment were also covered with dirty aluminum foil.
- r. Black stains and dried liquid spills were found on the dry storage walls.
- s. There was food debris and grime build-up on the kitchen floor hard to reach areas.
- t. The ventilation canopy lights were not functional.
- u. Paint was peeling off the walk-in freezer's exterior door, ceiling, and walls.
- v. The front service cooler handle was repaired with duct tape.
- w. The kitchen and service area walls were pitted, and paint was peeling off in several areas. There were holes along the dishwasher wall.
- x. Floor tiles were broken beside the two compartment sink and dish pit.
- y. Staff exhibited a lack of basic food safety knowledge.
- z. A cleaning schedule was not available. Temperature records were not being kept for the coolers and freezers. Sanitizer concentration records were not being kept for the dishwasher and food contact surface sanitizer concentrations were not being monitored.

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. Three raw whole chickens and seven raw whole ducks were hanging on metal poles above the food preparation sink at room temperature. The chicken measured 15.6 degrees Celsius and duck measured between 11.9 to 12.7 degrees Celsius. This is in contravention of the Food Regulation AR 31/2006 of section 25(1)(a)(b) which states that: All high-risk foods 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. Two containers of sliced chicken were stored at room temperature next to the dishwashing sinks. Chicken measured between 9.7 to 10.9 degrees Celsius. This is in contravention of the Food Regulation AR 31/2006 of section 25(1)(a)(b) which states that: All high-risk foods 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. A container of sliced fish was thawing in stagnant water in the food preparation sink. The fish measured 21.7 degrees Celsius. This is in contravention of the Food Regulation AR 31/2006, section 25 (1) (a)(b), which states that: All high risks 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.
- d. A container of fried rice was left out on the counter at room temperature. The fried rice measured 34 degrees Celsius. This is in contravention of the Food Regulation AR 31/2006 of section 25(1)(a)(b) which states that: All high-risk foods 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. There were used cleaning cloths on food contact surfaces and on the wok cook line. This is in contravention of the Food Regulation AR 31/2006, section 28 (2), 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.
- f. Several buckets of uncovered sauces were stored underneath the dusty and greasy wok cook line. This is in contravention of the Food Regulation AR 31/2006, section 23 (1) (a), which states that: All food used or to be used in a commercial food establishment must be protected from contamination.
- g. Chickens and ducks were stored next to incense ashes on the prayer offering shelf. This is in contravention of the Food Regulation AR 31/2006, section 23 (1) (a), which states that: All food used or to be used in a commercial food establishment must be protected from contamination.
- h. Small containers and bags of frozen meats were stored directly on the walk-in freezer floor. This is in contravention of the Food Regulation AR 31/2006, section 23 (1) (a), which states that: All food used or to be used in a commercial food establishment must be protected from contamination.
- i. A food container was placed on top of the garbage can. This is in contravention of the Food Regulation AR 31/2006, section 23 (1) (a), which states that: All food used or to be used in a commercial food establishment must be protected from contamination.
- j. There was dust and mold on standing cooler's fan unit and dust on top of cooler and condenser unit. This is in contravention of the Food Regulation AR 31/2006, section 28 (2), 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.
- k. Uncovered deep fried meats were stored underneath the standing cooler's dusty and moldy fan unit. This is in contravention of the Food Regulation AR 31/2006, section 23 (1) (a), which states that: All food used or to be used in a commercial food establishment must be protected from contamination.
- l. Foods were stored in tin cans. This is in contravention of the Food Regulation AR 31/2006, section 23 (1) (a), which states that: All food used or to be used in a commercial food establishment must be protected from contamination.
- m. Small containers were directly stacked on top of food in the walk-in cooler and stand-up cooler. This is in contravention of the Food Regulation AR 31/2006, section 23 (1) (a), which states that: All food used or to be used in a commercial food establishment must be protected from contamination.

- n. There was dust and mold on the walk-in cooler fan unit, walls, and food storage shelves. This is in contravention of the Food Regulation AR 31/2006, section 28 (2), 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.
- o. There was dust and debris build-up on the dishwasher and surrounding walls. This is in contravention of the Food Regulation AR 31/2006, section 28 (2), 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.
- p. There was dust and grease build-up on the kitchen shelves, fire extinguisher switch, electrical wires, walls, garbage bags on top shelves, light switches, and air vents. This is in contravention of the Food Regulation AR 31/2006, section 28 (2), 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.
- q. There was a build-up of grease and debris underneath the wok cook line and on the sides of the equipment. The sides of equipment were also covered with dirty aluminum foil. This is in contravention of the Food Regulation AR 31/2006, section 28 (2), 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.
- r. Black stains and dried liquid spills were found on the dry storage walls. This is in contravention of the Food Regulation AR 31/2006, section 28 (2), 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.
- s. There was food debris and grime build-up on the kitchen floor hard to reach areas. This is in contravention of the Food Regulation AR 31/2006, section 28 (2), 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.
- t. The ventilation canopy lights were not functional. This is in contravention of the Food Regulation AR 31/2006, section 17(1) (f) (iii), which states that: An operator must ensure that, before operation of the commercial food establishment commences, the

commercial food establishment is equipped with lighting that is adequate in intensity to enable the sanitary operation and maintenance of the food handling areas.

- u. Paint was peeling off the walk-in freezer's exterior door, ceiling, and walls. The stairs leading to the upstairs storage area was cluttered. This is in contravention of the Food Regulation AR 31/2006, section 28 (3) (b): All equipment and utensils in a commercial food establishment must be maintained in a manner that ensures the safe and sanitary handling of food.
- v. The front service cooler handle was repaired with duct tape. The stairs leading to the upstairs storage area was cluttered. This is in contravention of the Food Regulation AR 31/2006, section 28 (3) (b): All equipment and utensils in a commercial food establishment must be maintained in a manner that ensures the safe and sanitary handling of food.
- w. The kitchen and service area walls were pitted, and paint was peeling off in several areas. There were holes along the dishwasher wall. This is in contravention of the Food Regulation AR 31/2006, section 17(1)(a): An operator must ensure that, before operation of the commercial food establishment commences, the commercial food establishments of sound construction and in a good state of repair.
- x. Floor tiles were broken beside the two compartment sink and dish pit. This is in contravention of the Food Regulation AR 31/2006, section 17(1)(a): An operator must ensure that, before operation of the commercial food establishment commences, the commercial food establishments of sound construction and in a good state of repair.
- y. Staff exhibited a lack of basic food safety knowledge. This is in contravention of the Food Regulation, AR 31/2006, section 31(1) which states that: A person operating a commercial food establishment must, at any time when there are 5 or fewer food handlers working on the premises, ensure that at least one individual who has care and control of the commercial food establishment holds a food sanitation and hygiene training program or a document that the Minister considers equivalent to such a certificate.
- z. A cleaning schedule was not available. Temperature records were not being kept for the coolers and freezers. Sanitizer concentration records were not being kept for the dishwasher and food contact surface sanitizer concentrations were not being monitored. This is in contravention of the Food Regulation, AR 31/2006 section 29 (1)(2) 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 (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.

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. Discard all foods that were kept at room temperature. Do not store perishable foods at room temperature. Store perishable foods at 4 degrees Celsius or below or at 60 degrees Celsius or higher.
- b. Do not thaw foods at room temperature. Use one of the following approved methods to thaw foods: thaw in the cooler, or completely submerged under running cold water, or during the cooking process, or in the microwave only if cooked or consumed right away.
- c. Provide clean cloths for cleaning and store them submerged in 100ppm chlorine sanitizer in between uses.
- d. Do not use tin cans to store food and or stack containers directly on top of food.
- e. Do not use the garbage can as a food storage or preparation area.
- f. Store foods at least 6 inches off the floor.
- g. Do not store food in dirty areas.
- h. Clean and sanitize all surfaces and equipment and maintain the food establishment in a clean and sanitary state hereafter.
- i. Ensure all kitchen staff take the free online basic food safety course.
- j. Check and record the temperatures of the coolers and freezer, the dishwasher, and food surface sanitizer solutions daily.
- k. 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. Ensure to include daily weekly and monthly cleaning duties.
- l. Replace the ventilation canopy lights so the area is well lit.
- m. Re-surface the walk-in freezer walls and ceiling so they are smooth, impervious to moisture and easy to clean and properly repair or replace the front service cooler handle.
- n. Repair the walls and floor.

2. The work referred to in paragraph 1 (a to k) shall be completed by **immediately**.
3. The work referred to in paragraph 1 (l and m) shall be completed by **December 22, 2023**.

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.

Order of an Executive Officer

RE: The Food Establishment located in Calgary, Alberta and municipally described as: New Dynasty Restaurant, 201-150 Crowfoot Crescent NW

DATED at Calgary, Alberta, December 11, 2023

Confirmation of a verbal order issued to John Chan on December 8, 2023

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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RE: The Food Establishment located in Calgary, Alberta and municipally described as: New Dynasty Restaurant, 201-150 Crowfoot Crescent NW

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