

Executive Officer's Order



Re: **Imperial Palace Restaurant**
117 Carry Drive SE
Medicine Hat, AB T1B 3M6

To: Jian Hui Fang-Peng
c/o Imperial Palace Restaurant

And to: Jian Hua Zhen
c/o Imperial Palace Restaurant

Copy to: Sleeping Bay Building Corp.
403 – 11012 Macleod Trail SE
Calgary, AB T2J 6A5

WHEREAS pursuant to the provisions of the *Public Health Act* being Chapter P-37 of the Statutes of Alberta, an Executive Officer appointed under said Act, may issue a written order if she has reasonable and probable grounds to believe that a nuisance exists in or on a public place or private place or the owner of it or any other person is in contravention of said Act or the regulations made pursuant thereto;

AND WHEREAS I, an Executive Officer of Alberta Health Services, have inspected the food establishment known as Imperial Palace, located at 117 Carry Drive SE in the City of Medicine Hat, Alberta on lands bearing the legal description of Plan 8010679, Block 27, Lot 31, and having found to exist a condition that is or might become injurious or dangerous to the public health, or that might hinder the prevention or suppression of disease and that is in contravention of the *Food Regulation* being Alberta Regulation 31/2006 made pursuant to the *Public Health Act*, to wit:

- Pest Control
 - Rodent droppings are present through-out the facility, including both the kitchen and service area, on shelving, food containers, near dishware, and on the floor.
 - Bags of rice have been chewed open.
 - The metal kick-plate on the back door is in disrepair.
- Food Protection and Handling
 - Fried foods are stored directly in a previously used cardboard box.
 - Various food items in the walk-in cooler, walk-in freezer, and dry storage room are not properly covered or secured.
 - A pail of sauce and a container of prawns with ice are stored uncovered on the floor by the back door.
 - In the storage room and by the back door, various meats are being thawed at room temperature in containers kept on the floor.

- Various high risk food items are kept at room temperature.
- A cardboard box of cabbage, bags of rice, and other dry goods are stored on the floor in the back storage areas.
- Knives are stored in an unclean state.
- Food Handler Hygiene and Training
 - An employee was observed washing his hands without using hand soap.
 - The hand wash sink in the cooking area is not in working order, and is not supplied with soap or paper towel.
 - Proof can not be provided that a person in care and control of the food establishment holds a certificate, or is registered in, a food sanitation and hygiene training program.
- Mechanical Dishwashing
 - The mechanical dishwasher achieves a final rinse temperature of 66.9°C at the dish level and reads 130°F on the gauge. Chemical sanitizer is also attached to the dishwasher, but it does not appear to be dispensing any to the dishwashing unit.
 - The dishwasher is not provided with detergent.
- Sanitation
 - The inside of the ice machine has a build-up of rust on the upper inside panel.
 - The inner surfaces of knife holders have a build-up of debris.
 - The mop sink is cluttered with plastic bins and buckets, making it inaccessible. Staff state current practice is dumping mop water in the alley.
 - General housekeeping is lacking. There is a build-up of grease and debris on handles, walls, doors, floors, and equipment.
- Structural
 - The wall by the freezer in the back storage room is in disrepair and there are numerous rodent droppings inside the wall.
 - A corner of wall in the back hall by the staff washroom is in poor repair.
 - Not all kitchen ceiling tiles are smooth and impervious to moisture. One ceiling tile is beginning to peel.
 - A light is missing in the venthood.
 - Lighting in the back hallway storage area is inadequate.
 - A light cover in the venthood is held on with duct tape.
 - Various shelving units are not properly finished and have raw wood shelves or edges.
 - A light switch plate and an electrical outlet plate are held on the wall with tape.
 - The bathroom sink in the men's public washroom is rusted and is in poor repair.
 - The handle on the toilet in the staff washroom is heavily duct taped.
- General
 - There are no thermometers in the two Coca-Cola coolers.
 - A pink spray bottle containing sanitizer is not properly labelled.
 - The ice scoop is cracked and in poor repair.

NOW TAKE NOTICE that I hereby declare said food establishment to be


CLOSED.

AND TAKE FURTHER NOTICE that I hereby order that:

- Said food establishment shall remain closed;
- No food intended for public consumption shall be sold, offered for sale, supplied, distributed, manufactured, prepared, processed, packaged, or served in said place;
- No signage shall be displayed indicating or implying that said place is open; and
- The front door of said food establishment shall be locked and remain locked such that no patron can enter.

AND NOW TAKE FURTHER NOTICE that this order shall come into effect immediately and shall remain in effect until the nuisance has been removed or corrected to the satisfaction of an executive officer of Alberta Health Services:

DATED at Medicine Hat, Alberta, this 13th day of May, 2010.



Kristen Dykstra, CPHI(C), BSc, BEH
Executive Officer /
Public Health Inspector,
Environmental Public Health

Right to Appeal

This order constitutes a decision of Alberta Health Services. A person who is directly affected by this decision and considers himself aggrieved by this decision may appeal this decision to the Public Health Appeal Board. Said person must commence the appeal by serving a notice of appeal in the prescribed form on the Public Health Appeal Board and Alberta Health Services within 10 days after receiving notice of this decision and the notice of appeal is sufficiently served if it is left at an office of Alberta Health Services.

The full force of this order shall apply until a hearing is held and this decision is reversed or varied by the Public Health Appeal Board, or a stay pending appeal is issued by the Chairman or Vice-chairman of said Board.

The Public Health Appeal Board is located on the 24th floor, Telus Plaza, 10025 Jasper Avenue, Edmonton, Alberta, T5J 2N3, phone (780) 427-2813.

For more information, contact Environmental Public Health, Alberta Health Services, Suite 200 – 88 Valleyview Drive SW Medicine Hat, Alberta T1A 8N6 (403) 502-8205.