

ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE

To: Syphay Restaurant Ltd.
Katherine Sayaphet
“the Owner”

RE: The food establishment located in Edmonton, Alberta and municipally described as:
Syphay Restaurant 9441 Jasper Avenue NW T5H 3T8

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. Water infiltration was observed throughout the facility. Pails & bus pans were set out to catch water in the following areas: dishwashing area, cookline hand sink area, server area, office area, & around patron washrooms. Several ceiling tiles were broken, water damaged, and/or had been removed.
- b. The low-temperature mechanical dishwasher did not have detectable levels of sanitizer (0ppm chlorine).
- c. The hand sink next to the cookline was not equipped with hand soap.
- d. Several eggs were held at room temperature and measured to have an external temperature of 15°C.
- e. The sliding door cooler & walk-in cooler were not equipped with thermometers. The probe thermometer in the cookline was not functional.
- f. A staff member with long artificial nails was preparing foods (cutting cucumber).
- g. Disposable gloves were not being discarded after use: used gloves left were on a food preparation counter & a used glove was hanging by a cutting board.
- h. Several used cleaning cloths were left on counters throughout the kitchen.
- i. Grease & dust build-up were observed in the following areas: the soap dispenser, the paper towel dispenser, the fire extinguisher, all surfaces of the sliding door cooler, under and around the sliding door cooler, on top of the mini freezer next to the cookline, the light cover of the walk-in cooler, and on the probe thermometer.
- j. Cardboard was being used to line shelving.
- k. Bowls were being used as scoops for bulk dry goods.
- l. Scoops were stored in bulk dry goods bins with the handle in contact with the bulk food supply.
- m. Tape was used to repair scissors stored in the cookline.
- n. The light covers in the kitchen were in disrepair - several were missing the black end caps that keep the plastic sleeve in place should the light fixture break.
- o. The urinal in the men's washroom appeared to be in disrepair (covered with a garbage bag) & leaking (catch basin underneath the urinal).

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. Water infiltration was observed throughout the facility and several ceiling tiles were broken, water damaged, and/or had been removed which is in which 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.
- b. The low-temperature mechanical dishwasher did not have detectable levels of sanitizer (0ppm chlorine) which is in contravention of **Section 28(3) of the Food Regulation, AR 31/2006** which states all equipment and utensils in a commercial 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.
- c. The hand sink next to the cookline was not equipped with hand soap which is in contravention of **Section 30(4) of the Food Regulation, AR 31/2006** which states the handwashing stations referred to in section 17(1)(e) must be maintained and kept supplied.
- d. Several eggs were held at room temperature and measured to have an external temperature of 15°C which is in contravention of **Section 25(3) of the Food Regulation, AR 31/2006** which states subsection (1) does not apply to whole raw shell eggs, which must be stored, displayed, packaged or transported at a temperature not exceeding 7°C or such other temperature as an executive officer stipulates under subsection (4).
- e. Sliding door cooler & walk-in cooler were not equipped with thermometers. The probe thermometer in the cookline was not functional which is in contravention of **Section 18(1)(b)(iii) of the Food Regulation, AR 31/2006** which states all refrigeration and hot holding equipment used in the commercial food establishment is equipped with an accurate thermometer.
- f. A staff member with long artificial nails was preparing foods (cutting cucumber) which is in contravention of **Section 23(1)(a&b) of the Food Regulation, AR 31/2006** which states all food used or to be used in a commercial food establishment must be protected from contamination and handled in a sanitary manner.
- g. Disposable gloves were not being discarded after use: used gloves left were on a food preparation counter & a used glove was hanging by a cutting board which is in contravention of **Section 23(1)(a)(b) of the Food Regulation, AR 31/2006** which states all food used or to be used in a commercial food establishment must be protected from contamination and handled in a sanitary manner.
- h. Several used cleaning cloths were left on counters throughout the kitchen which is in contravention of **Section 28(2) of the Food Regulation, AR 31/2006** which states 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.
- i. Grease & dust build-up were observed in the following areas: the soap dispenser, the paper towel dispenser, the fire extinguisher, all surfaces of the sliding door cooler, under and around the sliding door cooler, on top of the mini freezer next to the cookline,

- the light cover of the walk-in cooler, and on the probe thermometer which is in contravention of **Section 28(2) of the Food Regulation, AR 31/2006** which states 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.
- j. Cardboard was being used to line shelving which is in contravention of **Section 28(2) of the Food Regulation, AR 31/2006** which states 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. Bowls were being used as scoops for bulk dry goods which is in contravention of **Section 28(3) of the Food Regulation, AR 31/2006** which states all equipment and utensils in a commercial 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.
 - l. Scoops were stored in bulk dry goods bins with the handle in contact with the bulk food supply which is in contravention of **Section 28(3) of the Food Regulation, AR 31/2006** which states all equipment and utensils in a commercial 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.
 - m. Tape was used to repair scissors stored in the cookline which is in contravention of **Section 28(3) of the Food Regulation, AR 31/2006** which states all equipment and utensils in a commercial 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 light covers in the kitchen were in disrepair - several were missing the black end caps that keep the plastic sleeve in place should the light fixture break which 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 urinal in the men's washroom appeared to be in disrepair (covered with a garbage bag) & leaking (catch basin underneath the urinal) which 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.

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. Repair the facility roof and replace all water damaged materials in accordance with Alberta Building Code requirements.

- b. Service the low-temperature mechanical dishwasher to ensure it is reaching 100ppm chlorine. Upon repair, wash and sanitize all dishware in the facility. Retrain staff on monitoring the functionality of the dishwasher and required action if the dishwasher is not sanitizing.
 - c. Ensure all handwash stations are equipped with the necessary hand washing supplies.
 - d. Keep high-risk foods such as raw eggs in a manner that complies with Section 25(3) of the Food Regulation, AR 31/2006.
 - e. Ensure all coolers and the cookline are equipped with functional thermometers.
 - f. Retrain staff on employee hygiene protocols; prohibit food handlers from having long, artificial nails.
 - g. Retrain staff on glove use guidelines. Discontinue re-using disposable gloves.
 - h. Keep cleaning cloths in a sanitizing solution when not in use.
 - i. Conduct a deep, thorough clean of the following areas: the soap dispenser, the paper towel dispenser, the fire extinguisher, all surfaces of the sliding door cooler, under and around the sliding door cooler, on top of the mini freezer next to the cookline, the light cover of the walk-in cooler, and the probe thermometer.
 - j. Discontinue using cardboard to line shelving.
 - k. Discontinue using bowls as scoops.
 - l. Store scoops in such a way that the handle is not in direct contact with the bulk food supply.
 - m. Discontinue using tape to repair food equipment. Discard any broken food equipment.
 - n. Install effective light covers in the kitchen or replace with shatterproof lighting.
 - o. Repair the men's washroom urinal.
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 Edmonton, Alberta, May 1, 2024

Confirmation of a verbal order issued to Phay Sayaphet, Kongmany Muenlath, and Suwit Palee on April 30, 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
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>

Template revised October 13, 2022