

5761-030-041-013

ALGOMA HEALTH UNIT



for healthier communities

Service de santé publique

AA Northan
MD MHSc FRCP(C)
Medical Officer of Health

www.ahu.on.ca

Blind River
Community Services
Centre
15 Hanes Avenue
P0R 1B0
Tel: 1 (705) 356-2551
TF: 1 (888) 211-4739
Fax: 1 (705) 356-2494

Elliot Lake
Algo Centre
151 Ontario Avenue
P5A 2T2
Tel: 1 (705) 848-2314
TF: 1 (888) 211-6749
Fax: 1 (705) 848-1911

Sault Ste. Marie
Civic Centre
99 Foster Drive
P6A 5X6
 1st Floor
 6th Floor
Tel: 1 (705) 759-5287
Fax: 1 (705) 759-1534

126/128 Queen
Street East
P6A 1Y5
Tel: 1 (705) 942-3103
Fax: 1 (705) 942-9915

186 East Street
P6A 3C6
Tel: 1 (705) 759-3935
Fax: 1 (705) 759-2105

63 East Street
Unit 1
P6A 3C4
Tel: 1 (705) 759-1844
Fax: 1 (705) 759-5953

Wawa
18 Ganley Street
P0S 1K0
Tel: 1 (705) 856-7208
TF: 1 (888) 211-8074
Fax: 1 (705) 856-1752

ORDER

Made pursuant to Section 13 of the
Health Protection and Promotion Act, R.S.O 1990, c.H.7

DATE: December 21, 2006

TO: [Redacted]

Re: **Property** [Redacted]
[Redacted] **St. Marie, ON**

I, Jenny Mackey, Public Health Inspector of the Algoma Health Unit, hereby **order** you to:

Close the [Redacted] bishment. No food is to be served to the public.

This order will remain in effect until revoked in writing by the Algoma Health Unit.

The reasons for this order are:

A possible food born illness complaint was received on December 19, 2006 and on inspection it was evident that numerous hazardous foods had been temperature abused. This has been a recurring issue. All food handling staff were unable to correctly answer vital food safety questions when asked by a translator provided by [Redacted] in his absence. Education and training are vital to food safety. Inadequate temperature control in a food establishment can lead to food born illnesses.

I am of the opinion upon reasonable and probable grounds that:

1. A health hazard may exist in or about the premises situated within the health unit served by me;
2. The health hazard presents a risk to the health of persons in the health unit served by me, and
3. That the requirements specified in this order are necessary in order to decrease the effect(s) of, or to eliminate the health hazard.

Order to: [REDACTED]
December 21, 2006
Page 2

Notice:

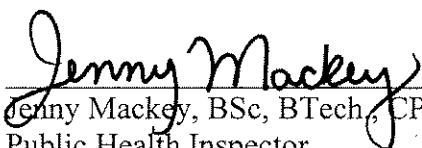
Take notice that you are entitled to a hearing by the health services review and appeal board if you deliver to me a notice in writing requesting a hearing, within 15 days after service of this order, and to the following address:

Health Services Review and Appeal Board
151 Bloor Street West, 9th Floor,
Toronto, ON M5S 2T5
Telephone (416) 327-8512

ALTHOUGH A HEARING MAY BE REQUESTED THIS ORDER TAKES EFFECT WHEN IT WAS VERBALLY ISSUED TO YOU ON DECEMBER 19, 2006.

Failure to comply with this order is an offence to which you are liable on convictions to a fine of not more than \$5,000.00 for an individual or \$25,000.00 for a corporation for every day or part of a day on which the offence occurs or continues.

Dated at Sault Ste. Marie this 21st day of December 2006.


Jenny Mackey, BSc, BTech, CPHI(c)
Public Health Inspector
Algoma Health Unit
Environmental Health Program
99 Foster Drive
Sault Ste. Marie, ON P6A 5X6

/ta



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TO: [REDACTED]

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Re: **Property known as:** [REDACTED]

When a re-inspection was conducted on December 20th, 2006, it was noted that food handling staff were aware of how to use a probe thermometer and they appeared knowledgeable of appropriate temperature control measures. Therefore, the order closing [REDACTED] was lifted December 20, 2006.

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Ensure that temperature control measures for food handling are followed. For example, hazardous foods are to be hot held at 60°C/140°F or hotter OR cold held at 4°C/40°F or colder, cook/reheat foods to the minimum required temperature and cool foods to cold holding temperatures in less than 2 hours.

If you require any further information please contact me at 759-5288.

126/128 Queen Street East
P6A 1Y5
Tel: 1 (705) 942-3103
Fax: 1 (705) 942-9915

For healthier communities,

Jenny Mackey
Jenny Mackey, B.Tech, B.Sc, CPHI(c)
Public Health Inspector

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Tel: 1 (705) 759-3935
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Public Health Inspector

/ta

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December 21, 2006



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Mr. James Oui:

RE: REVIEW OF ISSUES DURING COMPLIANCE INSPECTION.

On December 19, 2006, I visited the Iron Chef Wok to conduct a routine compliance inspection, and several issues were noted during this inspection. These issues require immediate attention to ensure the health of the public. I will review each issue separately, followed by the relevant section of the Ontario Food Premises Regulation 562 in *italics*, and include the required action(s).

1) Hazardous foods, such as fried rice and chicken were stored at room temperature. Also of concern is that hazardous foods on the lunch buffet were found to have an internal temperature below what is required.

"Except [during periods of time that are necessary for the preparation, processing and manufacturing of the food] a hazardous food shall be maintained under conditions in which the internal temperature of the food is 4 degrees Celsius or lower, or 60 degrees Celsius or higher." (HPPA, Reg. 562, Sec.33)

Required action: Ensure that all hazardous foods are stored at the proper temperatures listed above. To do this you will need to provide your staff with accurate indicating probe thermometers that they can use to measure safe food temperatures. To ensure that staff is handling food appropriately, you may find it beneficial to provide a temperature log that will require staff to use a calibrated, sanitized probe thermometer to measure the temperature of all foods in the hot holding unit every two hours and verify that the temperature of these foods does not drop below 60 degrees Celsius. The temperature log should also allow employees to record the temperature of the refrigerator units ensuring the temperature does not exceed 4 degrees Celsius. Preparing smaller batches of food and storing them in small, shallow containers can help maintain hazardous foods at safe temperatures and ensure that they cool quickly when placed into the cooler.

[REDACTED]
December 21, 2006

Page 2

2) Numerous inspections have noted the build up of dirt and debris throughout the food premise.

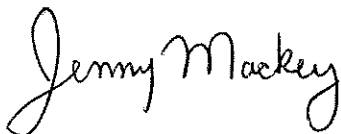
"..Floors, walls and ceilings of every room where food is manufactured, handled, displayed, prepared, processed, served or stored...are kept clean and in good repair." (HPPA, Reg. 562, Sec. 59(h)).

Required Action: Maintain a daily cleaning log to ensure that employees are thoroughly cleaning and sanitizing the premise as required to prevent the build up of dirt and debris.

3) Although minimum internal cooking temperatures were not measured during the inspection, I would like to take this opportunity to remind you of the importance of ensuring that hazardous foods are cooked to the minimum internal cooking temperature listed in section 33 of Ontario Regulation 562, Food Premises. As discussed during the inspection on December 19, 2006, an accurate indicating probe thermometer must be used to verify that safe cooking, cooling, hot holding and re-heating temperatures are achieved. All staff that handle and prepare food must be aware of what temperatures to look for and how to verify that those temperatures are achieved.

Ensuring that hazardous foods are prepared, handled and stored safely is essential in preventing food borne illness. If you have any questions, please do not hesitate to call me at 759-5288.

For healthier communities,



Jenny Mackey, BSc, BTech., CPHI(c)
Public Health Inspector
Algoma Health Unit
Environmental Health Program
99 Foster Drive
Sault Ste. Marie, ON P6A 5X6

/ta

Algoma Health Unit Environmental Health Program

Area:	004
Establishment No:	
Inspector:	Jenny/Jenni
Date:	Dec. 19/06

INSPECTION REPORT

Name: [REDACTED]

Address: [REDACTED]

Telephone: [REDACTED]

Re: Order to close

Report:

Restaurant to remain closed with no food to be served until approved to be open by The Algoma Health Unit.

In order for premise to re-open on approval, the following conditions must be met:

- ① All staff to be trained on proper use of probe thermometer
- ② All staff know proper temperatures to ensure safe food handling
- ③ Staff are following safe food handling requirements (e.g. temperatures) (Temperature handout left)

Inspectors to return at 10:00 AM Dec. 20/06 to review if conditions have been met.

Date: Dec. 19/06 Inspector's Signature: Jenny Mackey/Jennifer McLeod

Date: [REDACTED] Recipient's Signature: [REDACTED]

- Sauls Bay Mills Blind River Embury Lake Wawa
- (705) 759-5286 (705) 356-2551 (705) 848-2314 (705) 856-7208

ICON
LOCATION
CODE
CODE DE
LOCALISATION
RIU

OFFENCE
NUMBER
N°
D'INFRACTION

190062

PROVINCIAL OFFENCES ACT ONTARIO COURT OF JUSTICE
LOI SUR LES INFRACTIONS PROVINCIALES COUR DE JUSTICE DE L'ONTARIO
**ENFORCEMENT AGENCY RECORD /
REGISTRE DES DOCUMENTS DE L'AGENCE D'EXECUTION**

Jenny Mackey

BELIEVES AND CERTIFIES (PRINT NAME / NOM EN LETTRES MOULEES)
THAT ON THE DAY OF Y/A M/M D/J TIME À (HEURE)
CROIS ET ATTESTE QUE LE JOUR DE 20060313 1:45 P M

NAME / NOM
[REDACTED]

INITIALS/INITIALES

ADDRESS / ADRESSE 98 Norden Cres.
NUMBER AND STREET / ET RUE
Sault Ste Marie PLS ON
MUNICIPALITY / MUNICIPALITE P.C./C.P. SNS PROVINCE POSTAL CODE / CODE POSTAL

DRIVER'S LICENCE NO. / NUMÉRO DE PERMIS DE CONDUIRE

10618238306100319 ON

BIRTH DATE / DATE DE NAISSANCE Y/A M/M D/J SEX / SEXE MOTOR VEHICLE INVOLVED / VÉHICULE IMPLIQUÉ

19600319 M YES / OUI NO / NON

ATA
[REDACTED]

DID COMMIT THE OFFENCE OF: Operate Food
A COMMIS L'INFRACTION SUIVANTE: premise maintained in
manner adversely affecting
sanitary condition
CONTRARY TO: Health Protection and
CONTRAIREMENT À: Promotion Act, Regulation 562
11(a)(i)

SECT./ART.

PLATE NUMBER N° DE PLAQUE D'IMMATICULATION	YEAR / ANNÉE	PROV	MAKE / MARQUE	COLLISION INVOLVED COLLISION IMPLIQUÉE	WITNESSES TÉMOINS	CODE
		ON		<input type="checkbox"/> Y / <input type="checkbox"/> N	<input type="checkbox"/> Y / <input type="checkbox"/> N	
COMMERCIAL <input type="checkbox"/> YES / OUI	CVOR / CECVU	CVOR NUMBER / N° DU CECVU				
AND I FURTHER CERTIFY THAT I SERVED AN OFFENCE NOTICE PERSONALLY UPON THE PERSON CHARGED JE CERTIFIE EN OUTRE QUE J'AI SIGNIFIÉ UN AVIS D'INFRACTION EN MAINS PROPRES À L'ACCUSÉ(E)				<input checked="" type="checkbox"/> ON THE OFFENCE DATE / LE JOUR DE L'INFRACTION <input type="checkbox"/> OTHER / AUTRE		
SIGNATURE OF ISSUING PROVINCIAL OFFENCES OFFICER SIGNATURE DE L'AGENT DES INFRACTIONS PROVINCIALES			OFFICER NO. / N° DE L'AGENT	PLATOON / PELOTON	UNIT / UNITÉ	
[Signature]			0601	Health Unit		
SET FINE OF L'AMENDE FIXÉE DE	TOTAL PAYABLE / MONTANT TOTAL EXIGIBLE		TOTAL PAYABLE INCLUDES COSTS AND APPLICABLE VICTIM FINE SURCHARGE / LE MONTANT TOTAL EXIGIBLE COMPREND LES FRAIS ET LA SURAMENDE COMPENSATOIRE QUI S'APPLIQUE			
\$95.00	\$130.00					
SUMMONS ISSUED, YOU ARE REQUIRED TO APPEAR IN COURT ON	Y/A	M/M	D/J	TIME À (HEURE)		
						M

ASSIGNATION DÉLIVRÉE / VOUS DEVEZ COMPARAÎTRE LE CT. ROOM / SALLE D'AUDIENCE ONTARIO COURT OF JUSTICE P.O.A. OFFICE AT / COUR DE JUSTICE DE L'ONTARIO BUREAU - L.L.P. À

030 041 013

~~030 070 006~~

ICDN
LOCATION
CODE
CODE DE
LOCALISATION
RIH

OFFENCE
NUMBER
N°
D'INFRACTION

7719064

COMPUTER INPUT / RECORD DOCUMENT ENTRÉES INFORMATIQUES / REGISTRE DES DOCUMENTS

Jenny Mackey

BELIEVES AND CERTIFIES (PRINT NAME / NOM EN LETTRES MOULÉES) TIME/A (HEURE)
THAT ON THE DAY OF Y/A M/M D/J
CROIS ET ATTESTE 20 06 05 25 4:20 P M
QUE LE JOUR DE

NAME
NOM

ADDRESS (RENOM) INITIALS/INITIALES
98 NORDEN CRES
SOUTH ST. MARIE ON P0B 5N5
MUNICIPALITY/MUNICIPALITÉ P.O./C.P. PROVINCE POSTAL CODE/CODE POSTAL

DRIVER'S LICENCE NO./NUMÉRO DE PERMIS DE CONDUIRE PROV
0 6 1 8 2 3 8 3 0 6 0 0 3 1 9 ON
BIRTHDATE/DATE DE NAISSANCE SEX MOTOR VEHICLE INVOLVED
Y/A M/M D/J SEXE VÉHICULE IMPLIQUÉ
1 9 6 0 0 3 1 9 M YES/OUI NO/NON

[REDACTED ADDRESS]

DID COMMIT THE OFFENCE OF: Failure to protect
AGOMMIS L'INFRACTION SUIVANTE: food from contamination
or adulteration.

CONTRARY TO: Health Protection and
PROMOTION ACT, REGULATION 562
26

PLATE NUMBER N° DE PLAQUE D'IMMATRICULATION	YEAR/ ANNÉE	PROV ON	MAKE/ MARQUE	COLLISION INVOLVED COLLISION IMPLIQUÉE	WITNESSES TÉMOINS	CODE
				<input type="checkbox"/> Y/O <input type="checkbox"/> N	<input type="checkbox"/> Y/O <input type="checkbox"/> N	
COMMERCIAL <input type="checkbox"/> YES/OUI <input type="checkbox"/> NO/NON	C.V.R. NUMBER/N° DU CÉVU					
AND I FURTHER CERTIFY THAT I SERVED AN OFFENCE NOTICE PERSONALLY UPON THE PERSON CHARGED JE CERTIFIE EN OUTRE QUE J'AI SIGNIFIÉ UN AVIS D'INFRACTION EN MAINS PROPRES À L'ACCUSÉ(E)				ON THE OFFENCE DATE LE JOUR DE L'INFRACTION <input checked="" type="checkbox"/> ON THE OFFENCE DATE <input type="checkbox"/> OTHER AUTRE		
SIGNATURE OF ISSUING PROVINCIAL OFFENCES OFFICER SIGNATURE DE L'AGENT DES INFRACTIONS PROVINCIALES Jenny Mackey			OFFICER NO. N° DE L'AGENT 2621	PLATOON PELTON Health Unit	UNIT UNITÉ	
SET FINE OF L'AMENDE FIXÉE DE \$245.00	TOTAL PAYABLE MONTANT TOTAL EXIGIBLE \$ 300.00		TOTAL PAYABLE INCLUDES COSTS AND APPLICABLE VICTIM FINE SURCHARGE LE MONTANT TOTAL EXIGIBLE COMPREND LES FRAIS ET LA SURAMENDE COMPENSATOIRE QUI S'APPLIQUE			

SUMMONS ISSUED. YOU ARE REQUIRED TO APPEAR IN COURT ON
ASSIGNATION DÉLIVRÉE. VOUS DEVEZ COMPARAÎTRE LE
COURT ROOM / SALLE D'AUDIENCE ONTARIO COURT OF JUSTICE P.O.A. OFFICE AT / COUR DE JUSTICE DE L'ONTARIO BUREAU - L.I.P. À

1. HIGHWAY CODE 2. KEY POINT CODE 3. ENFORCEMENT 4. VEH. TYPE
5. 6. 7. 8.

OTHER SURVEY/DATA COLLECTION

