

RECENT COUNCIL PROSECUTIONS

The proprietors of two local food businesses have received hefty fines from the Melbourne Magistrates Court for failing to keep their food preparation areas clean.

Case One

In July 2012, Pastry Art Design Pty Ltd received a \$10,000 fine and incurred \$1750 in court costs for 15 charges brought against its bakery located at 280-282 Smith Street, Collingwood. The charges related to poor cleaning, inadequate pest control and failure to comply with structural standards. The company pleaded guilty to all of the charges.

The director of the company Emmanuel Ploumidis was ordered to pay a \$7000 fine and \$1750 in court costs.

The case was heard before Magistrate Jelena Popovic who in delivering her finding said "the photos and summary presented speak for themselves. Notwithstanding business pressures, I expect a higher standard."

Case Two

Yi Yu, the proprietor of Yume Japanese Restaurant and café located at 376 Brunswick Street, Fitzroy was fined \$4000 and ordered to pay court costs of \$4223.90 for failing to comply with food safety regulations.

The proprietor was prosecuted after Council's CEO ordered the premises to temporarily close under section 19(3) of the Food Act. It is Yarra Council's policy to prosecute all premises that are ordered to close under this section of the Act. The proprietor was originally charged with 37 offences. Eight charges were withdrawn and the remaining 29 were consolidated into 15 charges to which the proprietor pleaded guilty.

The premises attempted to open twice after the closure order was issued but due to outstanding issues the order was upheld. The proprietor ended up walking away from the business and another restaurant opened up in its place.

The charges were heard before Deputy Chief Magistrate Felicity Broughton. In handing down her decision, Magistrate Broughton expressed concern about the state of the premises over a number of inspections and was particularly concerned about the rodent faeces found on the preparation benches and surfaces. She indicated it would have been better if the proprietor had learnt from the earliest order that was served. She said that even though the defendant had difficult personal circumstances, which included substantial financial issues, there was no excuse to not keep the premises clean.

The results from both cases will be displayed on the Department of Health Register of Convictions.

PEST BOMBS

The Melbourne Fire Brigade is warning people who are planning to use pest control bombs to follow the prescribed safety precautions because the vapours of the bomb can be highly flammable. In particular, all electrical appliances including lights and refrigerators should be shut off and pilot lights and other naked flames should be extinguished to eliminate any source of ignition.

Welcome

Welcome to *Food News* – a quarterly bulletin produced by Yarra City Council to keep businesses informed about current food safety news and health requirements.

Information on food safety is also provided on our website at www.yarracity.vic.gov.au.

Would you like to receive a copy of Food News and other business information electronically? If so, please email your details to: info@yarracity.vic.gov.au

Contact Details

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Tel: 9205 5166 **Fax:** 8417 6666
Website: www.yarracity.vic.gov.au



COUNCIL INVESTIGATES FOOD POISONING INCIDENT

Council's Public Health Unit recently received a complaint about a bacon and egg roll purchased from a food business in Yarra. A father and son who both ate the roll later suffered diarrhoea and vomiting. It was suspected that the roll had caused food poisoning.

Council's Environmental Health Officers inspected the premises and observed good operating procedures and compliance.

Council investigates food poisoning complaints by completing a questionnaire that enquires about the complainant's food history on the day they became ill and three days before they became ill.

In this case, the questionnaire revealed that the father and son had both eaten at a Turkish restaurant in Coburg several days before becoming ill. Yarra's Environmental Health Officers contacted Moreland Council and discovered that several

customers who ate at that restaurant also complained of becoming ill. Moreland Council advised it was investigating this incident as an outbreak of food poisoning.

This incident shows that all complaints of alleged food poisoning are taken seriously and investigated by Council's Environmental Health Officers.



IF YOU WOULD LIKE TO KNOW MORE ABOUT THE INFORMATION IN THIS DOCUMENT AND YOUR LANGUAGE IS NOT LISTED BELOW, YOU CAN CONTACT AN INTERPRETER ON **9280 1940**

VIETNAMESE

NẾU MUỐN BIẾT THÊM CHI TIẾT VỀ NỘI DUNG VĂN KIỆN NÀY, QUÍ VỊ CÓ THỂ LIÊN LẠC VỚI MỘT THÔNG DỊCH VIÊN QUA ĐIỆN THOẠI SỐ **9280 1939**

GREEK

ΑΝ ΘΕΛΕΤΕ ΠΕΡΙΣΣΟΤΕΡΕΣ ΠΛΗΡΟΦΟΡΙΕΣ ΣΕ ΣΧΕΣΗ ΜΕ ΤΑ ΣΤΟΙΧΕΙΑ ΠΟΥ ΠΕΡΙΕΧΟΝΤΑΙ ΣΤΟ ΕΝΤΥΠΟ ΑΥΤΟ, ΜΠΟΡΕΙΤΕ ΝΑ ΕΠΙΚΟΙΝΩΝΗΣΕΤΕ ΜΕ ΕΝΑ ΔΙΕΡΜΗΝΕΑ ΣΤΟΝ ΑΡΙΘΜΟ **9280 1934**

MANDARIN

如果想要进一步了解这份文件中的内容，您可以致电 **9280 1937**，和翻译员取得联系

CANTONESE

如果您要更多地瞭解關於這篇文件的內容，您可以與傳譯員聯絡，電話號碼**9280 1932**

ITALIAN

SE DESIDERATE SAPERNE DI PIÙ CIRCA LE INFORMAZIONI CONTENUTE IN QUESTO DOCUMENTO, POTETE CONTATTARE UN INTERPRETE AL **9280 1931**

TURKISH

BU BELGEDE YERALAN BİLGİLERE İLİŞKİN DAHA FAZLA BİLGİ EDİNMEK İSTİYORSANIZ, **9280 1938** NUMARADAN BİR TERCÜMANLA GÖRÜŞEBİLİRSİNİZ

ARABIC

لمعرفة المزيد عن المعلومات الواردة في هذه الوثيقة بإمكانكم الاتصال بمترجم على الرقم **9280 1930**

SPANISH

SI QUIERE MÁS DETALLES SOBRE LA INFORMACIÓN CONTENIDA EN ESTE DOCUMENTO, PÓNGASE EN CONTACTO CON UN INTÉRPRETE LLAMANDO AL TELÉFONO Nº **9280 1935**

MACEDONIAN

АКО САКАТЕ ДА ДОЗНАЕТЕ ПОВЕЌЕ ЗА ИНФОРМАЦИЈИТЕ ВО ОВОЈ ДОКУМЕНТ ЈАБЕТЕ СЕ ЗА ПРЕВДУВАЧ НА **9280 1936**

TOBACCO TEST PURCHASING

Three local retailers have received fines from Council after selling cigarettes to a customer aged under 18 years.

In early July, Council conducted test purchasing by employing a minor (aged 15 years) to attempt to buy tobacco from retailers.

Council tested 26 premises during its recent visits. 23 premises passed the test by refusing to sell cigarettes to the minor after asking for proof of age. However salespeople at three premises illegally sold tobacco to the underage customer.

This meant that 11.5% of those tested sold cigarettes to a minor, which is a slightly higher rate than the last time Council conducted test purchasing.

Fines are issued to any business and/or individual who sells tobacco to a minor.

Businesses and individuals who reoffend are taken to court.

On the spot fines for individuals are four penalty units (or \$563.36). Fines for companies are 60 penalty units (or \$8,450.40). Court-imposed fines for individuals are a maximum of 120 penalty units (\$16,900.80) and for companies

a maximum of 600 penalty units (\$84,504.00).

All tobacco retailers and staff are advised to request photo ID from any person they think may be under 25 years of age before selling them cigarettes. Acceptable forms of ID include a passport, driver's licence, keypass, learner's permit or proof of age card.

