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Mice in kitchen? No worries, stay open for 5 months

By **RICHARD BAKER**
AGE INVESTIGATIVE UNIT

A DEAD mouse in a home-made trap, rodent droppings, cigarette butts and uncovered food in a filthy refrigerator were just some of the things City of Glen Eira cadet environmental health officer Lachlan Northey found when he inspected Glen Huntly's Gourmet Inn last year.

Following up on two complaints from the public about the state of the Chinese restaurant in March last year, Mr Northey wrote a report that also noted broken wall tiles, an abundance of grease and dirt in the kitchen, a microwave covered in food scraps and a hand basin without liquid soap or paper towels.

He issued Gourmet Inn's proprietor, Chang Rong Wang, with an order to clean up. Two days later, Mr Northey returned with senior council health officer Tammy Goodwin to check Mr Wang's progress. They were not impressed, finding the kitchen and store room full of dirt, grease, mould, food scraps and home-made rodent bait.

The health officers also discovered an old dog chained up at the rear of a shed at the back of the Gourmet Inn. It did not have food or water and was surrounded by its own faeces. A formal complaint was lodged with the RSPCA.

Ms Goodwin and Mr Northey then told Mr Wang it would be a good idea for him to close for the weekend and thoroughly clean

his restaurant. He agreed. But follow-up inspections on March 31 and April 7 found rodent droppings, another dead mouse and fresh meats stored above ready-to-eat vegetables and fruit.

It was clear the Gourmet Inn should not be selling food to the public, but for various reasons the restaurant remained open until September last year — more than five months after the first council inspection uncovered a litany of filth.

Victoria's food laws also meant the council was unable to warn the public about the condition of the restaurant due to privacy restrictions preventing local government publishing the results of food-safety inspections.

Glen Eira council decided against asking the Department of Human Services to use its power under the Food Act to close the Gourmet Inn on the basis that the department had recently rejected its request to shut down another restaurant its health officers had deemed unsafe.

"The only absolute way to stop unsafe food handling is to close the business," Glen Eira spokesman Paul Burke told *The Age*. "Only DHS has the power to do that. DHS' practice has been not to consider closure before council undertakes a prosecution."

So with that in mind, Glen Eira set about trying to achieve a successful prosecution of Mr Wang. It is a process, according

to Mr Burke, that can take more than three months.

Human Service's spokesman Bram Alexander disputed the claim that the department required councils to prosecute before it would shut food businesses. Just this week, he said, the department had forced a Chinese restaurant in Moe to close without a prosecution.

But Mr Alexander said not every breach of the Food Act justified closure and the department encouraged councils to seek prosecution for multiple food safety offences.

"But if we know of illness associated with a premises, we will move to make sure no one else gets ill," he said. "We are unaware of any cases where problems serious enough to justify closure of a food premises have been allowed to persist for such a long time."

In the case of Glen Huntly's Gourmet Inn, it was not until August 31 last year that Mr Wang appeared before Dandenong Magistrates Court, where he was fined \$56,000.

Just three days earlier, the Gourmet Inn faced its seventh and final inspection. Court documents show the council officers judged the state of the premises to be "marginally worse" than when they first inspected it back in March.

On September 1, the Department of Human Services issued an order to close the Gourmet Inn. It has yet to reopen.