

Dear [REDACTED]

### **DECISION ON YOUR ACCESS APPLICATION**

I refer to your application under section 30 of the *Freedom of Information Act 2016* (FOI Act), received by ACT Health Directorate (ACTHD) on **Wednesday 4 May 2022**.

This application requested access to:

*'Any food safety inspection reports, improvement notices and prohibition orders related to Delight Ice Cream & Popcorn Dickson, Shop 07B, Dickson Chambers, 25 Dickson Pl, Dickson ACT 2602'*

I am an Information Officer appointed by the Director-General of ACT Health Directorate (ACTHD) under section 18 of the FOI Act to deal with access applications made under Part 5 of the Act. ACTHD was required to provide a decision on your access application by **Thursday 2 June 2022**.

I have identified seven documents holding the information within scope of your access application. These are outlined in the schedule of documents included at Attachment A to this decision letter.

#### **Decisions**

I have decided to grant partial access to seven documents.

My access decisions are detailed further in the following statement of reasons and the documents released to you are provided as Attachment B to this letter.

In reaching my access decision, I have taken the following into account:

- The FOI Act;
- The contents of the documents that fall within the scope of your request;
- The views of relevant third parties; and
- The *Human Rights Act 2004*.

#### **Partial Access**

I have decided to grant partial access to seven documents at references 1-7. Partial redactions have been made to the documents as they contain information that I consider, on balance, to be contrary to the public interest to disclose under the test set out in section 17 of the Act as the information contained in these folios is partially comprised of personal information.

#### **Public Interest Factors Favouring Disclosure**

The following factors were considered relevant in favour of the disclosure of the documents:

- Schedule 2.1(a)(i) promote open discussion of public affairs and enhance the government's accountability; and

- Schedule 2.1(a)(xi) reveal environmental or health risks or measures relating to public health and safety.

#### Public Interest Factors Favouring Non-Disclosure

The following factors were considered relevant in favour of the non-disclosure of the documents:

- Schedule 2.2(a)(ii) prejudice the protection of an individual's right to privacy, or any other right under the *Human Rights Act 2004*.

The information that has been redacted is related to signatures of ACT Government employees and email addresses, mobile numbers, signatures and photos of non-ACT government employees. Following the considerations of the above factors I have decided the factor favouring non-disclosure outweighed the factors favouring disclosure. Therefore, I have determined the information identified is contrary to the public interest and I have decided not to disclose this information.

#### Charges

Processing charges are not applicable to this request.

#### Disclosure Log

Under section 28 of the FOI Act, ACTHD maintains an online record of access applications called a disclosure log. The scope of your access application, my decision and documents released to you will be published in the disclosure log not less than three days but not more than 10 days after the date of this decision. Your personal contact details will not be published.

<https://www.health.act.gov.au/about-our-health-system/freedom-information/disclosure-log>.

#### Ombudsman review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the FOI Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in ACT Health's disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman  
GPO Box 442  
CANBERRA ACT 2601  
Via email: [ACTFOI@ombudsman.gov.au](mailto:ACTFOI@ombudsman.gov.au)  
Website: [ombudsman.act.gov.au](http://ombudsman.act.gov.au)

#### ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal  
Level 4, 1 Moore St  
GPO Box 370  
Canberra City ACT 2601  
Telephone: (02) 6207 1740  
<http://www.acat.act.gov.au/>

**Further assistance**

Should you have any queries in relation to your request, please do not hesitate to contact the FOI Coordinator on (02) 5124 9831 or email [HealthFOI@act.gov.au](mailto:HealthFOI@act.gov.au).

Yours sincerely

A handwritten signature in black ink that reads "F. Barbaro". The signature is written in a cursive, flowing style.

Fiona Barbaro  
**Executive Group Manager**  
Preventive and Population Health

1 June 2022

## FREEDOM OF INFORMATION SCHEDULE OF DOCUMENTS

Please be aware that under the *Freedom of Information Act 2016*, some of the information provided to you will be released to the public through the ACT Government's Open Access Scheme. The Open Access release status column of the table below indicates what documents are intended for release online through open access.

Personal information or business affairs information will not be made available under this policy. If you think the content of your request would contain such information, please inform the contact officer immediately.

Information about what is published on open access is available online at: <http://www.health.act.gov.au/public-information/consumers/freedom-information>

APPLICANT NAME	WHAT ARE THE PARAMETERS OF THE REQUEST	FILE NUMBER
[REDACTED]	<b>Any food safety inspection reports, improvement notices and prohibition orders related to Delight Ice Cream &amp; Popcorn Dickson, Shop 07B, Dickson Chambers, 25 Dickson Pl, Dickson ACT 2602</b>	<b>ACTHDFOI21-22.62</b>

Ref Number	Page Number	Description	Date	Status Decision	Factor	Open Access release status
1.	1 – 5	Food Premises Inspection Report	23 June 2020	Partial Release	Schedule 2.2(a)(ii) Privacy	YES
2.	6 - 10	Prohibition Order	24 June 2020	Partial Release	Schedule 2.2(a)(ii) Privacy	YES
3.	11- 67	Premises	3 November 2020	Partial Release	Schedule 2.2(a)(ii) Privacy	YES
4.	68 - 72	Food Premises Inspection Report	3 November 2020	Partial Release	Schedule 2.2(a)(ii) Privacy	YES
5.	73 - 77	Food Premises Inspection Report	12 November 2020	Partial Release	Schedule 2.2(a)(ii) Privacy	YES
6.	78 - 93	Premises	13 November 2020	Partial Release	Schedule 2.2(a)(ii) Privacy	YES
7.	94 - 98	Food Premises Inspection Report	13 November 2020	Partial Release	Schedule 2.2(a)(ii) Privacy	YES
<b>Total Number of Documents</b>						
<b>7</b>						





ACT Health

# Food Premises Inspection Report

This report is a lawful assessment of the food premises against the requirements of the *Food Act 2001 (ACT)* and *Australia New Zealand Food Standards Code*

Business Name	Delight Ice Cream and Popcorn		Reg No	0226/20
Proprietor	[REDACTED]		Date & Time	Start: 23 Jun 2020 11:07 AM  Finish: 23 Jun 2020 12:38 PM
Premises Address	26 Barry St, ANU Lena Lodge, CANBERRA ACT 2601		Reason	Other
Business/Mobile Phone	[REDACTED]	Email	[REDACTED]	Authorised Officer Chloe Howard
Compliance	<b>Non Compliant</b>			
C=Complies   Mi = Minor Non Compliant   Ma = Major Non Compliant   Cr = Critical Non Compliant   NA=Not Applicable   NO = Not Observed				
		Result	Comments	
<b>General Requirements</b>				
1	<b>Registration</b> – Is the food business registration current and accurate? [s91, 97 <i>Food Act 2001</i> ]	NA		Variation has been lodged for change of location
2	<b>Registration conditions</b> – Is the food business complying with any specific registration conditions (if applicable)? [s99 <i>Food Act 2001</i> ]	NA		
3	<b>Registration</b> – Is the current certificate of registration displayed? [s98A <i>Food Act 2001</i> ]	Mi		Please display new certificate once received
4	<b>Food Safety Supervisor (FSS)</b> – Does the food business have a current FSS? [s117 <i>Food Act 2001</i> ]	NO		
5	<b>Food Safety Supervisor (FSS)</b> – Is the FSS's certificate available at the premises? [s19 <i>Food Regulation 2002</i> ]	NO		
6	<b>Food Safety Program (FSP)</b> – Is a FSP required?	NA		
7	<b>Food Safety Program (FSP)</b> – Is the FSP available at the premises? [s13(2) <i>Food Regulation 2002</i> ]	NA		
8	<b>Food Safety Program (FSP)</b> – Has a copy been provided to the HPS? [s13(2) <i>Food Regulation 2002</i> ]	NA		
<b>Food Handling Controls</b>				
9	<b>Food receipt</b> – Is all food protected from contamination? [Standard 3.2.2 cl 5(1) <i>Food Standards Code</i> ]	NO		
10	<b>Food receipt</b> – Are supplier details available for food on the premises and all food items labelled appropriately (with a prescribed name where applicable)? [Standard 3.2.2 cl 5(2) <i>Food Standards Code</i> ]	C		
11	<b>Food receipt</b> – Are all practical measures taken to ensure potentially hazardous food is received under temperature control? [Standard 3.2.2 cl 5(3)–(4) <i>Food Standards Code</i> ]	NO		
12	<b>Food storage</b> – Is all food protected from contamination? [Standard 3.2.2 cl 6(1)(a) <i>Food Standards Code</i> ]	Ma		Fridges which store milk and freezers which store ice cream are solided with food particules and other matters. Frankfurters stored in refrigerator in front of house need to be keep in a container or be otherwise protected from contamination, food stored in cracked containers. Please ensure all cracked containers are disposed of.

13	<b>Food storage</b> – Are food storage conditions appropriate? [Standard 3.2.2 cl 6(1)(b) Food Standards Code]	C		
14	<b>Food storage</b> – Is potentially hazardous food stored under temperature control? [Standard 3.2.2 cl 6(2) Food Standards Code]	Mi		Refrigerator in front of house area is measured at 6.5 degrees, please turn down refrigerator and ensure all potentially hazardous food products are kept under 5°c
15	<b>Food processing</b> – When processing, is all food: <ul style="list-style-type: none"> <li>• safe and suitable;</li> <li>• prevented from being contaminated; and</li> <li>• adequately processed to make safe?</li> </ul> [Standard 3.2.2 cl 7(1) Food Standards Code]	NO		
16	<b>Food processing</b> – Are potentially hazardous ready-to-eat foods out of temperature control for minimum time while being processed?? [Standard 3.2.2 cl 7(2) Food Standards Code]	NO		
17	<b>Food processing</b> – Is potentially hazardous food cooled/reheated correctly? [Standard 3.2.2 cl 7(3) Food Standards Code]	NO		
18	<b>Food display</b> – Is food on display protected from contamination? [Standard 3.2.2 cl 8(1), (4) Food Standards Code]	C		
19	<b>Food display</b> – Do self-service areas have: <ul style="list-style-type: none"> <li>• supervision;</li> <li>• separate utensils; and</li> <li>• protective barriers?</li> </ul> [Standard 3.2.2 cl 8(2) Food Standards Code]	NA		
20	<b>Food display</b> – Is potentially hazardous food displayed under temperature control? [Standard 3.2.2 cl 8(5) Food Standards Code]	C		
21	<b>Food display</b> – If potentially hazardous food is not displayed under temperature control, is there a documented alternate method of compliance? [Standard 3.2.2 cl 25 Food Standards Code]	NA		
22	<b>Food packaging</b> – Is food packaged in a manner that protects it from contamination, using appropriate material? [Standard 3.2.2 cl 9 Food Standards Code]	C		
23	<b>Food transportation</b> – Is all food protected from contamination during transportation? [Standard 3.2.2 cl 10(a) Food Standards Code]	NA		Business contracts delivery to third party operators such as [REDACTED]
24	<b>Food transport vehicles</b> – Are food transport vehicles suitable? [Standard 3.2.3 cl 17 Food Standards Code]	NA		
25	<b>Food transportation</b> – Is all potentially hazardous food transported under temperature control? [Standard 3.2.2 cl 10(b), (c) Food Standards Code]	NA		
26	<b>Food disposal</b> – Is food for disposal kept separately from all other food and in a designated area? [Standard 3.2.2 cl 11(1) Food Standards Code]	C		
27	<b>Food recall</b> – Is there a documented recall system in place? [Standard 3.2.2 cl 12 Food Standards Code]	NA		
<b>Health and Hygiene Requirements for Food Handlers</b>				

28	<b>Health of food handlers</b> – Do food handlers report illness and exclude themselves from food handling if they are suffering from a foodborne disease and/or condition? [Standard 3.2.2 cl 14(1), (2) Food Standards Code]	C		Discussed
29	<b>Hygiene of food handlers</b> – Do food handlers exercise good hygiene practices? [Standard 3.2.2 cl 15(1) Food Standards Code]	NO		
30	<b>Hand washing</b> – Do food handlers wash their hands before commencing/recommencing work? [Standard 3.2.2 cl 15(2), (3) Food Standards Code]	NO		
31	<b>Hand washing</b> – Do food handlers wash and dry hands thoroughly using designated hand washing facilities? [Standard 3.2.2 cl 15(4) Food Standards Code]	NO		
32	<b>Hand washing</b> – Are the hand washing facilities appropriately located? [Standard 3.2.3 cl 14(1) Food Standards Code]	Cr		No handwash facilities are located within front of house / food preparation area, handwash is separated by doorway.
33	<b>Hand washing</b> – Are the hand washing facilities: <ul style="list-style-type: none"> <li>• permanent fixtures;</li> <li>• provided with a supply of warm running potable water through a single spout;</li> <li>• of an adequate size; and</li> <li>• used only for the washing of hands, arms and faces? [Standard 3.2.3 cl 14(2) Food Standards Code]</li> </ul>	Cr		No hot/warm water available at handwash basin, single tap available, this must be changed to a flick mixer.
<b>Health and Hygiene Requirements for Food Businesses</b>				
34	<b>Hygiene of food handlers (duties of food businesses)</b> – Does the business have easily accessible hand washing facilities that include: <ul style="list-style-type: none"> <li>• soap;</li> <li>• single use towel; and</li> <li>• a container for used towels? [Standard 3.2.2 cl 17 Food Standards Code]</li> </ul>	Cr		No soap or paper towel available at handwash basin. Hand wash is obstructed in storage area by cleaning supplies and freezer
35	<b>Health of food handlers (duties of food businesses)</b> – Are actions taken to ensure staff members do not engage in food handling if they are suffering from a foodborne disease or condition? [Standard 3.2.2 cl 16 Food Standards Code]	NO		
36	<b>General duties of food businesses</b> – Does the food business take all practical measures to ensure all people within the food business avoid contaminating food? [Standard 3.2.2 cl 18 Food Standards Code]	NO		
<b>Cleaning, Sanitising and Maintenance</b>				
37	<b>Cleanliness</b> – Are the floors, walls and ceilings maintained in a clean condition? [Standard 3.2.2 cl 19(1) Food Standards Code]	Ma		Cleaning is Required for walls and floors
38	<b>Cleanliness</b> – Are the fixtures, fittings and equipment maintained in a clean condition? [Standard 3.2.2 cl 19(2) Food Standards Code]	Ma		Popcorn machine, benches, refrigerators, freezers, equipment and utensils require cleaning
39	<b>Sanitising</b> – Are food contact surfaces and eating and drinking utensils sanitised using appropriate sanitising methods? [Standard 3.2.2 cl 20 Food Standards Code]	Cr		Improper sanitising methods used by business: utensils are placed in a water sanitiser solution, without prior cleaning of utensils. Double bowl sink nor dishwasher available at time of inspection nor alternate methods of compliance

40	<b>Maintenance</b> – Are premises, fixtures, fittings, equipment and utensils maintained in a good state of repair and working order? [Standard 3.2.2 cl 21 Food Standards Code]	Cr		Please see design and construction
41	<b>Thermometer</b> – Does the business have a readily accessible digital probe thermometer accurate to $\pm 1^{\circ}\text{C}$ ? [Standard 3.2.2 cl 22 Food Standards Code]	C		
42	<b>Single use items</b> – Are single use items protected from contamination and not reused? [Standard 3.2.2 cl 23 Food Standards Code]	C		
43	<b>Animals and pests</b> – Is the premises free from animals and pests? [Standard 3.2.2 cl 24(1)(a)(b) Food Standards Code]	C		
44	<b>Animals and pests</b> – Does the business take all practical measures to eradicate and prevent the entry and harbourage of pests? [Standard 3.2.2 cl 24(1)(c)(d) Food Standards Code]	C		Hart pest control,
<b>Design and Construction</b>				
45	<b>General requirements</b> – Is the food premises appropriate for its activities? [Standard 3.2.3 cl 3 Food Standards Code]	Cr		Premises is not suitable as a food business in current state, insufficient number of sinks, improper flooring in storage area, no coving, no hot water available, panelled ceiling is present in food preparation area, and ceiling is in disrepair.
46	<b>Water supply</b> – Is there an adequate supply of potable water? [Standard 3.2.3 cl 4 Food Standards Code]	Ma		No hot water available
47	<b>Sewage and waste water disposal</b> – Does the premises have an adequate sewage and waste water disposal system? [Standard 3.2.3 cl 5 Food Standards Code]	Ma		No cleaners sink nor floor waste available
48	<b>Garbage storage</b> – Does the premises have adequate storage facilities for garbage and recyclable matter? [Standard 3.2.3 cl 6 Food Standards Code]	C		
49	<b>Ventilation</b> – Does the premises have adequate natural or mechanical ventilation? [Standard 3.2.3 cl 7 Food Standards Code]	Mi		Popcorn machine may require ventilation
50	<b>Lighting</b> – Does the premises have sufficient lighting? [Standard 3.2.3 cl 8 Food Standards Code]	C		
51	<b>Floors</b> – Are floors appropriate for the food business' activities? [Standard 3.2.3 cl 10 Food Standards Code]	Ma		Carpet is not allowed in food storage areas, coving is required to facilitate ease of cleaning
52	<b>Walls and ceilings</b> – Are walls and ceilings designed and constructed in a way that is appropriate for the food business' activities? [Standard 3.2.3 cl 11 Food Standards Code]	Ma		Ceiling is currently acoustic panels which are broken. Ceilings are required to be of single surface construction, which are impervious, and easily cleanable
53	<b>Fixtures, fittings and equipment</b> – Are fixtures, fittings and equipment adequate and fit for their intended purpose and able to be effectively cleaned (and sanitised if applicable)? [Standard 3.2.3 cl 12 Food Standards Code]	C		
54	<b>Storage facilities</b> – Does the premises have adequate storage facilities? [Standard 3.2.3 cl 15 Food Standards Code]	Ma		Please ensure all foods are stored off the ground. Carpet is not allowed in storage areas.
55	<b>Toilet facilities</b> – Are there adequate toilet facilities available for the use of food handlers? [Standard 3.2.3 cl 16 Food Standards Code]	C		
56	<b>Toilet facilities</b> – Is the toilet fitted with an air lock if it opens to a food preparation area? [Standard 3.2.3 cl 3 Food Standards Code]	NA		
<b>Other</b>				
57	<b>Labelling</b> – Does food labelling comply with the Food Standards Code? [Food Standards Code]	NA		





Australian Capital Territory  
*Food Act 2001 ~ Prohibition Order*

*Food Act 2001, Part 7 Improvement Notice and Prohibition Orders*

s 82 (Service of Prohibition Order), s 83 (Contents of Prohibition Order)

s 27 Compliance with the Australia New Zealand Food Standards Code

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**1 Name of instrument**

This instrument is a Prohibition Order made under section 82 of the *Food Act 2001*. [For the purposes of section 83(3)(a)]

**2 Proprietor upon whom the Order is served**

This Prohibition Order is served upon [REDACTED] proprietor of the Delight Ice Cream and Popcorn with registration number 0226/20, located at Shop G07B, Dickson Chambers, 25-55 Dickson Place, Dickson, ACT, 2602.

**3 Decision to issue Prohibition Order**

As an authorised officer under the *Food Act 2001* this Prohibition Order is served having formulated a belief, on reasonable grounds, that service of this Prohibition Order is necessary to prevent or mitigate a serious danger to public health.

**4 Grounds for Prohibition Order**

This Prohibition Order is served having formulated a belief, on reasonable grounds, that:

- the *Food Act 2001* (including the Food Standards Code) has been, or is likely to be, contravened by the proprietor's food business in relation to the handling of food for sale.



Australian Capital Territory  
***Food Act 2001 ~ Prohibition Order***

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This order is issued following an inspection on Tuesday the 23rd of June 2020 that found significant issues, the cumulative effect of which represents a serious risk to public health that must be averted. The significant issues identified generally amount to:

- Absence of a ceiling of single surface construction in the food premises.
- Inadequate handwashing facilities.
- Damage to walls and ceiling.
- Handwashing facilities were not provided with soap, paper towel and warm running water through a single spout.
- Inappropriate flooring located in storage/wet washed area.
- Absence of facilities for cleaning and sanitising of equipment, utensils and food contact surfaces.
- Unclean equipment and surfaces throughout premises.
- Absence of adequate waste-water disposal facilities.

**5 Contravention of Prohibition Order**

Contravention of this Prohibition Order is an offence carrying a maximum penalty of 400 penalty units (\$60 000 for an individual, \$300 000 for a corporation).

**6 Display of Closure Notice**

Under section 84A of the *Food Act 2001* a Closure Notice(s) must be displayed indicating that your business has been closed under this Order. It is an offence to obstruct in any way an authorised officer attempting to erect a Closure Notice.

The Closure Notice can only be legally removed by an authorised officer. Unless it is necessary to reposition, update or correct the Closure Notice it will only be removed when a Clearance Certificate for this order has been issued.





Australian Capital Territory  
*Food Act 2001 ~ Prohibition Order*

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It is also an offence to remove, deface, obscure in any way, or otherwise interfere with the Closure Notice in any way. The maximum penalty for commission of such an offence is 100 penalty units (\$15 000 for an individual, \$75 000 for a corporation).

**7 Removal of Prohibition Order**

This order is effective from the date of service until a Clearance Certificate is issued by an authorised officer.

A Clearance Certificate will not be issued until a reinspection indicates that the proprietor has complied with this Prohibition Order, and there is no longer a serious danger to public health.

**8 Reinspection**

Pursuant to section 83(3)(e) the proprietor named in this order is instructed that a reinspection of the matters to which this order relates may be requested if the proprietor considers that the food business now complies with the Food Act.

A request for reinspection to revoke the Prohibition Order may only be made in writing using the attached form. Unless your business is a fee-exempt food business, a fee is imposed for all reinspections to revoke a Prohibition Order. If more than one reinspection is required to revoke the Prohibition Order, multiple reinspection fees are payable.

The reinspection fee must be paid before a reinspection to revoke this Prohibition Order can be arranged. The attached request for reinspection form provides the details of the reinspection fee to be paid, as well as instructions for submission and processing of the form.

In accordance with the *Electronic Transactions Act 2001* you are advised that consent is not given to requests for reinspection by electronic communication. If this Prohibition Order requires the provision of documents, records or plans, consent is given to the provision of such documents by email to [hps@act.gov.au](mailto:hps@act.gov.au).





Australian Capital Territory  
*Food Act 2001 ~ Prohibition Order*

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## 9 Order

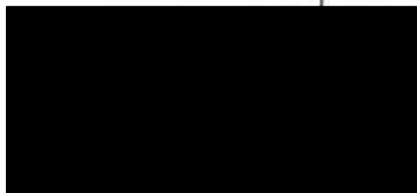
As an authorised officer under the *Food Act 2001* I am of the opinion that following an inspection, the food business warrants the issue of a Prohibition Order to prevent or mitigate a serious danger to public health. Accordingly, I instruct the proprietor named in this order to cease preparation of food for sale from the named business or use the named premises to handle food until:

1. All walls and floors are thoroughly cleaned to remove all food matter, dust, dirt, and waste. [Standard 3.2.2 clause 19];
2. All equipment that is used for food preparation or equipment that comes into contact with food is in a clean, sanitary condition and stored in a manner that it will not contaminate food. [Standard 3.2.2 clause 20];
3. A double bowl wash up sink or a single bowl wash up sink and dishwasher is installed and provided with both hot and cold water [Standard 3.2.3 clause 12];  
 (Note: Dishwashers must provide adequate temperatures for sanitising)
4. Floor surface in the food storage/ wetwashed areas is replaced to ensure the surface is capable of being effectively cleaned and unable to absorb food particles and water. [Standard 3.2.3 clause 10];
5. Coving to be installed in all food preparation areas between the floor and walls [Standard 3.2.3 clause 10]
6. All walls are repaired and sealed and able to be effectively cleaned. [Standard 3.2.3 clause 11];
7. A handwash basin is installed in the food preparation area which is supplied with warm running water delivered via a single spout and hands free device (e.g. flick mixer) that is for the sole purpose of washing hands, faces and arms. [Standard 3.2.3 clause 14].
8. Ensure handwash basin is supplied with soap, paper towel and a container for used towels. [Standard 3.2.2 clause 17].
9. A single surface ceiling which is intact, smooth, impervious and easily cleanable is installed throughout the food preparation area (e.g. plasterboard). [Standard 3.2.3 clause 11].



Australian Capital Territory  
**Food Act 2001 ~ Prohibition Order**

10. A cleaners sink or floor waste is installed in the food premises to facilitate the disposal of waste water. [Standard 3.2.3 clause 5].



**Radomir Krsteski**  
 Director Environmental Health Food  
 Health Protection Service

**24/6/2020**

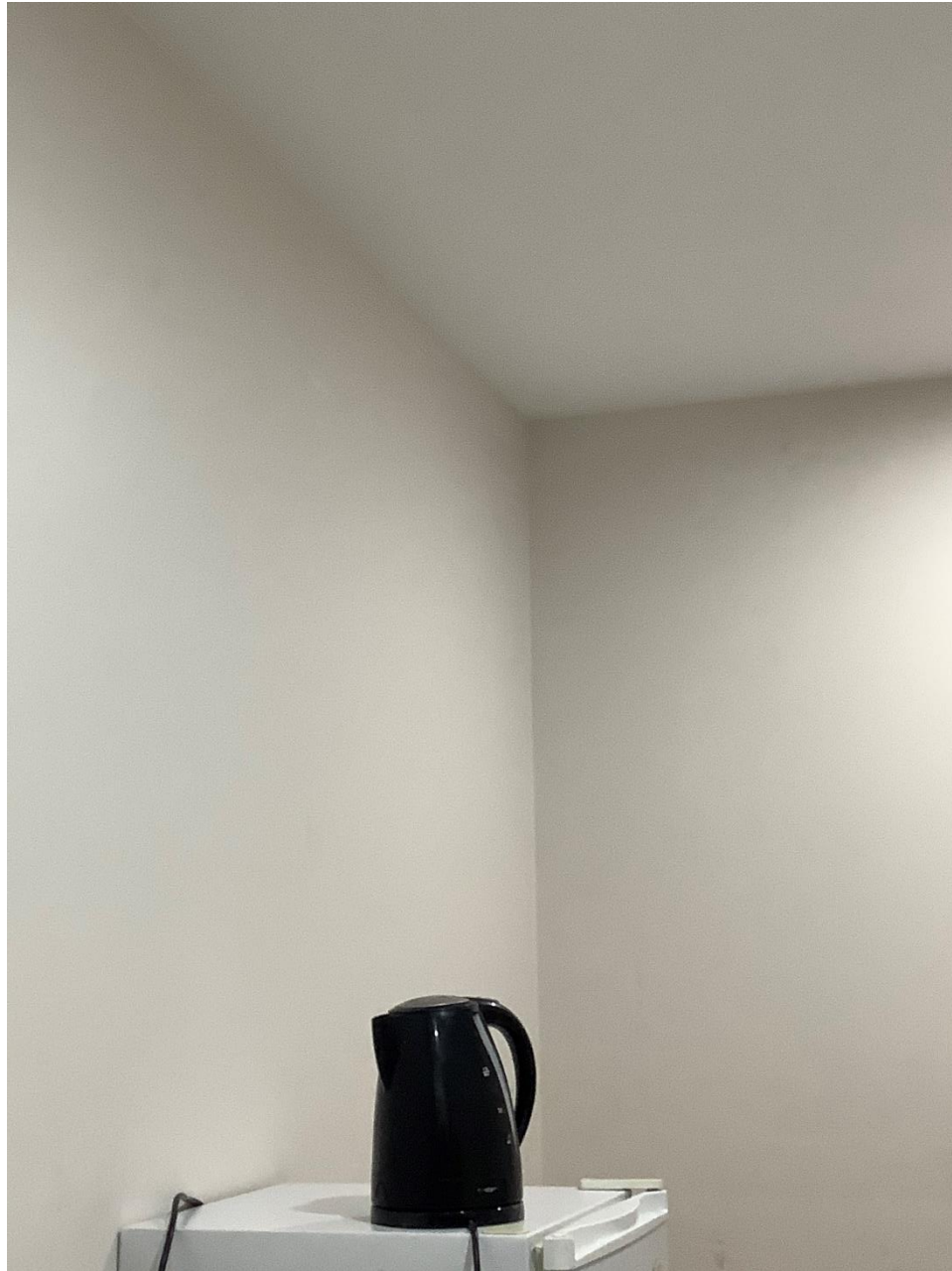
ENGLISH	If you need interpreting help, telephone:
ARABIC	: إذا احتجت لمساعدة في الترجمة الشفوية ، إتصل برقم الهاتف :
CHINESE	如果你需要传译员的帮助，请打电话：
CROATIAN	Ako trebate pomoć tumača telefonirajte:
GREEK	Αν χρειάζεστε διερμηνέα τηλεφωνήσετε στο
ITALIAN	Se avete bisogno di un interprete, telefonate al numero:
PERSIAN	: اگر به ترجمه شفاهی احتیاج دارید به این شماره تلفن کنید:
PORTUGUESE	Se você precisar da ajuda de um intérprete, telefone:
SERBIAN	Ako vam je potrebna pomoć prevodioca telefoniрајте:
SPANISH	Si necesita la asistencia de un intérprete, llame al:
TURKISH	Tercümana ihtiyacınız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

**TRANSLATING AND INTERPRETING SERVICE**  
**131 450**

Canberra and District - 24 hours a day, 7 days a week

# Premises : Delight Ice cream and Popcorn

Officer: Chloe Howard and Faith Bvirakare  
Inspection Performed on: 3 November 2020

















































































































































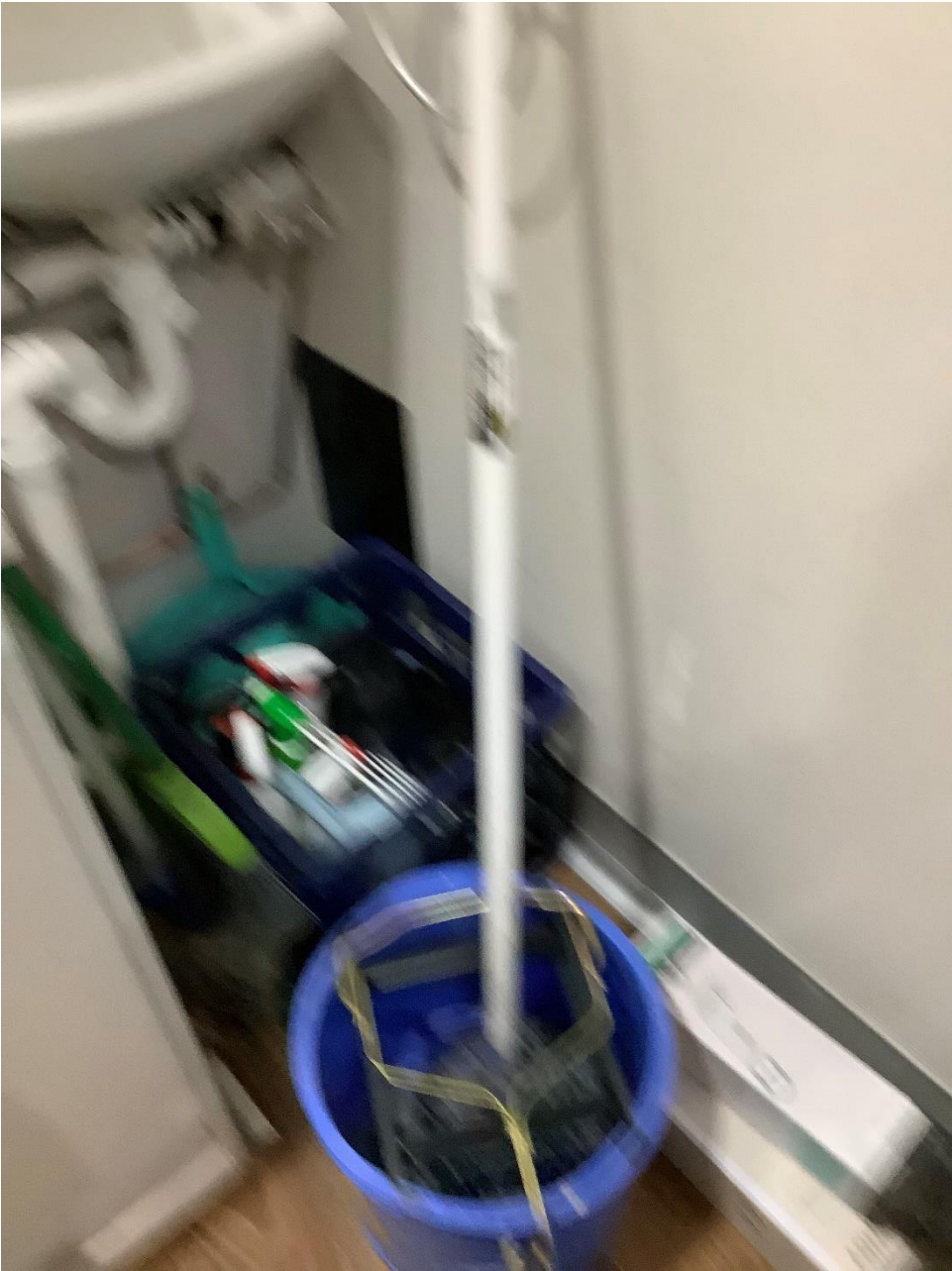




















ACT Health

# Food Premises Inspection Report

This report is a lawful assessment of the food premises against the requirements of the *Food Act 2001 (ACT)* and *Australia New Zealand Food Standards Code*

Business Name	Delight Ice Cream and Popcorn		Reg No	0226/20
Proprietor	[REDACTED]		Date & Time	Start: 03 Nov 2020 09:41 AM  Finish: 03 Nov 2020 10:35 AM
Premises Address	26 Barry St, ANU Lena Lodge, CANBERRA ACT 2601		Reason	Other
Business/Mobile Phone	[REDACTED]	Email	[REDACTED]	Authorised Officer Chloe Howard
Compliance	<b>Non Compliant</b>			

C=Complies | Mi = Minor Non Compliant | Ma = Major Non Compliant | Cr = Critical Non Compliant | NA=Not Applicable | NO = Not Observed

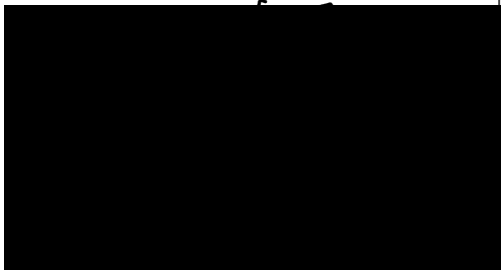
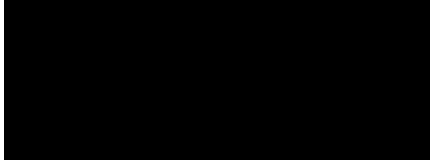
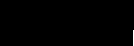
		Result	Comments	
<b>General Requirements</b>				
1	<b>Registration</b> – Is the food business registration current and accurate? [s91, 97 <i>Food Act 2001</i> ]	NA		
2	<b>Registration conditions</b> – Is the food business complying with any specific registration conditions (if applicable)? [s99 <i>Food Act 2001</i> ]	NO		
3	<b>Registration</b> – Is the current certificate of registration displayed? [s98A <i>Food Act 2001</i> ]	NO		
4	<b>Food Safety Supervisor (FSS)</b> – Does the food business have a current FSS? [s117 <i>Food Act 2001</i> ]	NO		
5	<b>Food Safety Supervisor (FSS)</b> – Is the FSS's certificate available at the premises? [s19 <i>Food Regulation 2002</i> ]	NO		
6	<b>Food Safety Program (FSP)</b> – Is a FSP required?	NA		
7	<b>Food Safety Program (FSP)</b> – Is the FSP available at the premises? [s13(2) <i>Food Regulation 2002</i> ]	NA		
8	<b>Food Safety Program (FSP)</b> – Has a copy been provided to the HPS? [s13(2) <i>Food Regulation 2002</i> ]	NA		
<b>Food Handling Controls</b>				
9	<b>Food receipt</b> – Is all food protected from contamination? [Standard 3.2.2 cl 5(1) <i>Food Standards Code</i> ]	NO		
10	<b>Food receipt</b> – Are supplier details available for food on the premises and all food items labelled appropriately (with a prescribed name where applicable)? [Standard 3.2.2 cl 5(2) <i>Food Standards Code</i> ]	NO		
11	<b>Food receipt</b> – Are all practical measures taken to ensure potentially hazardous food is received under temperature control? [Standard 3.2.2 cl 5(3)–(4) <i>Food Standards Code</i> ]	NO		
12	<b>Food storage</b> – Is all food protected from contamination? [Standard 3.2.2 cl 6(1)(a) <i>Food Standards Code</i> ]	Ma		Please clean all containers holding confectionary as glass was observed in containers, please clean all food contact surfaces
13	<b>Food storage</b> – Are food storage conditions appropriate? [Standard 3.2.2 cl 6(1)(b) <i>Food Standards Code</i> ]	C		

14	<b>Food storage</b> – Is potentially hazardous food stored under temperature control? [Standard 3.2.2 cl 6(2) Food Standards Code]	C		
15	<b>Food processing</b> – When processing, is all food: <ul style="list-style-type: none"> <li>• safe and suitable;</li> <li>• prevented from being contaminated; and</li> <li>• adequately processed to make safe?</li> </ul> [Standard 3.2.2 cl 7(1) Food Standards Code]	NO		
16	<b>Food processing</b> – Are potentially hazardous ready-to-eat foods out of temperature control for minimum time while being processed?? [Standard 3.2.2 cl 7(2) Food Standards Code]	NO		
17	<b>Food processing</b> – Is potentially hazardous food cooled/reheated correctly? [Standard 3.2.2 cl 7(3) Food Standards Code]	NO		
18	<b>Food display</b> – Is food on display protected from contamination? [Standard 3.2.2 cl 8(1), (4) Food Standards Code]	C		
19	<b>Food display</b> – Do self-service areas have: <ul style="list-style-type: none"> <li>• supervision;</li> <li>• separate utensils; and</li> <li>• protective barriers?</li> </ul> [Standard 3.2.2 cl 8(2) Food Standards Code]	NO		
20	<b>Food display</b> – Is potentially hazardous food displayed under temperature control? [Standard 3.2.2 cl 8(5) Food Standards Code]	NO		
21	<b>Food display</b> – If potentially hazardous food is not displayed under temperature control, is there a documented alternate method of compliance? [Standard 3.2.2 cl 25 Food Standards Code]	NO		
22	<b>Food packaging</b> – Is food packaged in a manner that protects it from contamination, using appropriate material? [Standard 3.2.2 cl 9 Food Standards Code]	NO		
23	<b>Food transportation</b> – Is all food protected from contamination during transportation? [Standard 3.2.2 cl 10(a) Food Standards Code]	NA		
24	<b>Food transport vehicles</b> – Are food transport vehicles suitable? [Standard 3.2.3 cl 17 Food Standards Code]	NA		
25	<b>Food transportation</b> – Is all potentially hazardous food transported under temperature control? [Standard 3.2.2 cl 10(b), (c) Food Standards Code]	NA		
26	<b>Food disposal</b> – Is food for disposal kept separately from all other food and in a designated area? [Standard 3.2.2 cl 11(1) Food Standards Code]	C		
27	<b>Food recall</b> – Is there a documented recall system in place? [Standard 3.2.2 cl 12 Food Standards Code]	NO		
<b>Health and Hygiene Requirements for Food Handlers</b>				
28	<b>Health of food handlers</b> – Do food handlers report illness and exclude themselves from food handling if they are suffering from a foodborne disease and/or condition? [Standard 3.2.2 cl 14(1), (2) Food Standards Code]	NO		



29	<b>Hygiene of food handlers</b> – Do food handlers exercise good hygiene practices? [Standard 3.2.2 cl 15(1) Food Standards Code]	NO		
30	<b>Hand washing</b> – Do food handlers wash their hands before commencing/recommencing work? [Standard 3.2.2 cl 15(2), (3) Food Standards Code]	NO		
31	<b>Hand washing</b> – Do food handlers wash and dry hands thoroughly using designated hand washing facilities? [Standard 3.2.2 cl 15(4) Food Standards Code]	NO		
32	<b>Hand washing</b> – Are the hand washing facilities appropriately located? [Standard 3.2.3 cl 14(1) Food Standards Code]	C		
33	<b>Hand washing</b> – Are the hand washing facilities: <ul style="list-style-type: none"> <li>• permanent fixtures;</li> <li>• provided with a supply of warm running potable water through a single spout;</li> <li>• of an adequate size; and</li> <li>• used only for the washing of hands, arms and faces? [Standard 3.2.3 cl 14(2) Food Standards Code]</li> </ul>	Ma		Please install single spout for hand wash basin
<b>Health and Hygiene Requirements for Food Businesses</b>				
34	<b>Hygiene of food handlers (duties of food businesses)</b> – Does the business have easily accessible hand washing facilities that include: <ul style="list-style-type: none"> <li>• soap;</li> <li>• single use towel; and</li> <li>• a container for used towels? [Standard 3.2.2 cl 17 Food Standards Code]</li> </ul>	Ma		Door must be removed or permanently fixed open
35	<b>Health of food handlers (duties of food businesses)</b> – Are actions taken to ensure staff members do not engage in food handling if they are suffering from a foodborne disease or condition? [Standard 3.2.2 cl 16 Food Standards Code]	NO		
36	<b>General duties of food businesses</b> – Does the food business take all practical measures to ensure all people within the food business avoid contaminating food? [Standard 3.2.2 cl 18 Food Standards Code]	NO		
<b>Cleaning, Sanitising and Maintenance</b>				
37	<b>Cleanliness</b> – Are the floors, walls and ceilings maintained in a clean condition? [Standard 3.2.2 cl 19(1) Food Standards Code]	Mi		All walls and floors require cleaning prior to the preparation of food
38	<b>Cleanliness</b> – Are the fixtures, fittings and equipment maintained in a clean condition? [Standard 3.2.2 cl 19(2) Food Standards Code]	Ma		All equipment and food contact surfaces must be cleaned prior to preparation of food
39	<b>Sanitising</b> – Are food contact surfaces and eating and drinking utensils sanitised using appropriate sanitising methods? [Standard 3.2.2 cl 20 Food Standards Code]	C		Education is required for the cleaning and sanitising of equipment and utensils. Demonstration given at time of inspection
40	<b>Maintenance</b> – Are premises, fixtures, fittings, equipment and utensils maintained in a good state of repair and working order? [Standard 3.2.2 cl 21 Food Standards Code]	Mi		Please seal gap near pipe at handwash basin
41	<b>Thermometer</b> – Does the business have a readily accessible digital probe thermometer accurate to $\pm 1^{\circ}\text{C}$ ? [Standard 3.2.2 cl 22 Food Standards Code]	NO		

42	<b>Single use items</b> – Are single use items protected from contamination and not reused? [Standard 3.2.2 cl 23 Food Standards Code]	NO		
43	<b>Animals and pests</b> – Is the premises free from animals and pests? [Standard 3.2.2 cl 24(1)(a)(b) Food Standards Code]	C		
44	<b>Animals and pests</b> – Does the business take all practical measures to eradicate and prevent the entry and harbourage of pests? [Standard 3.2.2 cl 24(1)(c)(d) Food Standards Code]	NO		
<b>Design and Construction</b>				
45	<b>General requirements</b> – Is the food premises appropriate for its activities? [Standard 3.2.3 cl 3 Food Standards Code]	NO		Prohibition order items still outstanding
46	<b>Water supply</b> – Is there an adequate supply of potable water? [Standard 3.2.3 cl 4 Food Standards Code]	C		
47	<b>Sewage and waste water disposal</b> – Does the premises have an adequate sewage and waste water disposal system? [Standard 3.2.3 cl 5 Food Standards Code]	Cr		Currently no waste water disposal available
48	<b>Garbage storage</b> – Does the premises have adequate storage facilities for garbage and recyclable matter? [Standard 3.2.3 cl 6 Food Standards Code]	C		
49	<b>Ventilation</b> – Does the premises have adequate natural or mechanical ventilation? [Standard 3.2.3 cl 7 Food Standards Code]	C		
50	<b>Lighting</b> – Does the premises have sufficient lighting? [Standard 3.2.3 cl 8 Food Standards Code]	C		
51	<b>Floors</b> – Are floors appropriate for the food business' activities? [Standard 3.2.3 cl 10 Food Standards Code]	C		
52	<b>Walls and ceilings</b> – Are walls and ceilings designed and constructed in a way that is appropriate for the food business' activities? [Standard 3.2.3 cl 11 Food Standards Code]	Mi		Please seal gap surrounding pipe near handwash basin
53	<b>Fixtures, fittings and equipment</b> – Are fixtures, fittings and equipment adequate and fit for their intended purpose and able to be effectively cleaned (and sanitised if applicable)? [Standard 3.2.3 cl 12 Food Standards Code]	Ma		Please discard of all broken equipment
54	<b>Storage facilities</b> – Does the premises have adequate storage facilities? [Standard 3.2.3 cl 15 Food Standards Code]	Mi		Please relocate cleaning equipment so as to not obstruct handwash facilities
55	<b>Toilet facilities</b> – Are there adequate toilet facilities available for the use of food handlers? [Standard 3.2.3 cl 16 Food Standards Code]	C		
56	<b>Toilet facilities</b> – Is the toilet fitted with an air lock if it opens to a food preparation area? [Standard 3.2.3 cl 3 Food Standards Code]	NA		
<b>Other</b>				
57	<b>Labelling</b> – Does food labelling comply with the Food Standards Code? [Food Standards Code]	NO		
58	<b>Kilojoule displays</b> – Does the food business display kilojoule information (only applicable to standard food outlets)? [s110–111 Food Act 2001]	NO		
59	<b>Skills and knowledge</b> – Do food handlers have appropriate skills and knowledge in food safety and hygiene matters to handle food safely? [Standard 3.2.2 cl 3 Food Standards Code]	Ma		Education required for cleaning and sanitising of equipment and food contact surfaces

<b>SUMMARY COMMENTS/ACTION TO BE TAKEN</b>			
<p><b>Prohibition order reinspection conducted 03/11/2020 with Chloe Howard and Faith Bvirakare</b></p> <p><b>Outstanding items remaining on prohibition order.</b></p> <p><b>Please see report for details.</b></p>			
Please rectify identified non-compliances by the due date. Contact the Officer for any enquiries.			<b>Follow-Up Date:</b> <b>04 Nov 2020</b>
I have read and I understand the contents of this assessment.			
Proprietor/Staff Signature:		Authorised Officer Signature:	
Proprietor/Staff Name:		Authorised Officer Name:	Chloe Howard





ACT Health

# Food Premises Inspection Report

This report is a lawful assessment of the food premises against the requirements of the *Food Act 2001 (ACT)* and *Australia New Zealand Food Standards Code*

Business Name	Delight Ice Cream and Popcorn			Reg No	0226/20
Proprietor	[REDACTED]			Date & Time	Start: 12 Nov 2020 01:52 PM  Finish: 12 Nov 2020 02:39 PM
Premises Address	26 Barry St, ANU Lena Lodge, CANBERRA ACT 2601			Reason	Follow Up
Business/Mobile Phone	[REDACTED]	Email	[REDACTED]	Authorised Officer	Faith Bvirakare
Compliance	<b>Compliant</b> Non Compliant Outstanding item on PO still to be rectified inspection is NC as discussed.				
C=Complies   Mi = Minor Non Compliant   Ma = Major Non Compliant   Cr = Critical Non Compliant   NA=Not Applicable   NO = Not Observed					
			Result	Comments	
<b>General Requirements</b>					
1	<b>Registration</b> – Is the food business registration current and accurate? [s91, 97 <i>Food Act 2001</i> ]		NO		
2	<b>Registration conditions</b> – Is the food business complying with any specific registration conditions (if applicable)? [s99 <i>Food Act 2001</i> ]		NO		
3	<b>Registration</b> – Is the current certificate of registration displayed? [s98A <i>Food Act 2001</i> ]		NO		
4	<b>Food Safety Supervisor (FSS)</b> – Does the food business have a current FSS? [s117 <i>Food Act 2001</i> ]		NO		
5	<b>Food Safety Supervisor (FSS)</b> – Is the FSS's certificate available at the premises? [s19 <i>Food Regulation 2002</i> ]		NO		
6	<b>Food Safety Program (FSP)</b> – Is a FSP required?		NO		
7	<b>Food Safety Program (FSP)</b> – Is the FSP available at the premises? [s13(2) <i>Food Regulation 2002</i> ]		NO		
8	<b>Food Safety Program (FSP)</b> – Has a copy been provided to the HPS? [s13(2) <i>Food Regulation 2002</i> ]		NO		
<b>Food Handling Controls</b>					
9	<b>Food receipt</b> – Is all food protected from contamination? [Standard 3.2.2 cl 5(1) <i>Food Standards Code</i> ]		NO		
10	<b>Food receipt</b> – Are supplier details available for food on the premises and all food items labelled appropriately (with a prescribed name where applicable)? [Standard 3.2.2 cl 5(2) <i>Food Standards Code</i> ]		NO		
11	<b>Food receipt</b> – Are all practical measures taken to ensure potentially hazardous food is received under temperature control? [Standard 3.2.2 cl 5(3)–(4) <i>Food Standards Code</i> ]		NO		
12	<b>Food storage</b> – Is all food protected from contamination? [Standard 3.2.2 cl 6(1)(a) <i>Food Standards Code</i> ]		NO		
13	<b>Food storage</b> – Are food storage conditions appropriate? [Standard 3.2.2 cl 6(1)(b) <i>Food Standards Code</i> ]		NO		

14	<b>Food storage</b> – Is potentially hazardous food stored under temperature control? [Standard 3.2.2 cl 6(2) Food Standards Code]	NO		
15	<b>Food processing</b> – When processing, is all food: <ul style="list-style-type: none"> <li>• safe and suitable;</li> <li>• prevented from being contaminated; and</li> <li>• adequately processed to make safe?</li> </ul> [Standard 3.2.2 cl 7(1) Food Standards Code]	NO		
16	<b>Food processing</b> – Are potentially hazardous ready-to-eat foods out of temperature control for minimum time while being processed?? [Standard 3.2.2 cl 7(2) Food Standards Code]	NO		
17	<b>Food processing</b> – Is potentially hazardous food cooled/reheated correctly? [Standard 3.2.2 cl 7(3) Food Standards Code]	NO		
18	<b>Food display</b> – Is food on display protected from contamination? [Standard 3.2.2 cl 8(1), (4) Food Standards Code]	NO		
19	<b>Food display</b> – Do self-service areas have: <ul style="list-style-type: none"> <li>• supervision;</li> <li>• separate utensils; and</li> <li>• protective barriers?</li> </ul> [Standard 3.2.2 cl 8(2) Food Standards Code]	NO		
20	<b>Food display</b> – Is potentially hazardous food displayed under temperature control? [Standard 3.2.2 cl 8(5) Food Standards Code]	NO		
21	<b>Food display</b> – If potentially hazardous food is not displayed under temperature control, is there a documented alternate method of compliance? [Standard 3.2.2 cl 25 Food Standards Code]	NO		
22	<b>Food packaging</b> – Is food packaged in a manner that protects it from contamination, using appropriate material? [Standard 3.2.2 cl 9 Food Standards Code]	NO		
23	<b>Food transportation</b> – Is all food protected from contamination during transportation? [Standard 3.2.2 cl 10(a) Food Standards Code]	NO		
24	<b>Food transport vehicles</b> – Are food transport vehicles suitable? [Standard 3.2.3 cl 17 Food Standards Code]	NO		
25	<b>Food transportation</b> – Is all potentially hazardous food transported under temperature control? [Standard 3.2.2 cl 10(b), (c) Food Standards Code]	NO		
26	<b>Food disposal</b> – Is food for disposal kept separately from all other food and in a designated area? [Standard 3.2.2 cl 11(1) Food Standards Code]	NO		
27	<b>Food recall</b> – Is there a documented recall system in place? [Standard 3.2.2 cl 12 Food Standards Code]	NO		
<b>Health and Hygiene Requirements for Food Handlers</b>				
28	<b>Health of food handlers</b> – Do food handlers report illness and exclude themselves from food handling if they are suffering from a foodborne disease and/or condition? [Standard 3.2.2 cl 14(1), (2) Food Standards Code]	NA		

29	<b>Hygiene of food handlers</b> – Do food handlers exercise good hygiene practices? [Standard 3.2.2 cl 15(1) Food Standards Code]	NA		
30	<b>Hand washing</b> – Do food handlers wash their hands before commencing/recommencing work? [Standard 3.2.2 cl 15(2), (3) Food Standards Code]	NA		
31	<b>Hand washing</b> – Do food handlers wash and dry hands thoroughly using designated hand washing facilities? [Standard 3.2.2 cl 15(4) Food Standards Code]	NA		
32	<b>Hand washing</b> – Are the hand washing facilities appropriately located? [Standard 3.2.3 cl 14(1) Food Standards Code]	NA		
33	<b>Hand washing</b> – Are the hand washing facilities: <ul style="list-style-type: none"> <li>• permanent fixtures;</li> <li>• provided with a supply of warm running potable water through a single spout;</li> <li>• of an adequate size; and</li> <li>• used only for the washing of hands, arms and faces? [Standard 3.2.3 cl 14(2) Food Standards Code]</li> </ul>	Ma		Hand basin still to have flick mixer installed.
<b>Health and Hygiene Requirements for Food Businesses</b>				
34	<b>Hygiene of food handlers (duties of food businesses)</b> – Does the business have easily accessible hand washing facilities that include: <ul style="list-style-type: none"> <li>• soap;</li> <li>• single use towel; and</li> <li>• a container for used towels? [Standard 3.2.2 cl 17 Food Standards Code]</li> </ul>	C		Soap and paper towel provided
35	<b>Health of food handlers (duties of food businesses)</b> – Are actions taken to ensure staff members do not engage in food handling if they are suffering from a foodborne disease or condition? [Standard 3.2.2 cl 16 Food Standards Code]	NA		
36	<b>General duties of food businesses</b> – Does the food business take all practical measures to ensure all people within the food business avoid contaminating food? [Standard 3.2.2 cl 18 Food Standards Code]	NA		
<b>Cleaning, Sanitising and Maintenance</b>				
37	<b>Cleanliness</b> – Are the floors, walls and ceilings maintained in a clean condition? [Standard 3.2.2 cl 19(1) Food Standards Code]	C		
38	<b>Cleanliness</b> – Are the fixtures, fittings and equipment maintained in a clean condition? [Standard 3.2.2 cl 19(2) Food Standards Code]	C		Equipment has been cleaned.
39	<b>Sanitising</b> – Are food contact surfaces and eating and drinking utensils sanitised using appropriate sanitising methods? [Standard 3.2.2 cl 20 Food Standards Code]	NO		
40	<b>Maintenance</b> – Are premises, fixtures, fittings, equipment and utensils maintained in a good state of repair and working order? [Standard 3.2.2 cl 21 Food Standards Code]	NO		
41	<b>Thermometer</b> – Does the business have a readily accessible digital probe thermometer accurate to $\pm 1^{\circ}\text{C}$ ? [Standard 3.2.2 cl 22 Food Standards Code]	NO		



42	<b>Single use items</b> – Are single use items protected from contamination and not reused? [Standard 3.2.2 cl 23 Food Standards Code]	NO		
43	<b>Animals and pests</b> – Is the premises free from animals and pests? [Standard 3.2.2 cl 24(1)(a)(b) Food Standards Code]	NO		
44	<b>Animals and pests</b> – Does the business take all practical measures to eradicate and prevent the entry and harbourage of pests? [Standard 3.2.2 cl 24(1)(c)(d) Food Standards Code]	NO		
<b>Design and Construction</b>				
45	<b>General requirements</b> – Is the food premises appropriate for its activities? [Standard 3.2.3 cl 3 Food Standards Code]	NO		
46	<b>Water supply</b> – Is there an adequate supply of potable water? [Standard 3.2.3 cl 4 Food Standards Code]	NO		
47	<b>Sewage and waste water disposal</b> – Does the premises have an adequate sewage and waste water disposal system? [Standard 3.2.3 cl 5 Food Standards Code]	C		Mop sink available
48	<b>Garbage storage</b> – Does the premises have adequate storage facilities for garbage and recyclable matter? [Standard 3.2.3 cl 6 Food Standards Code]	NO		
49	<b>Ventilation</b> – Does the premises have adequate natural or mechanical ventilation? [Standard 3.2.3 cl 7 Food Standards Code]	NO		
50	<b>Lighting</b> – Does the premises have sufficient lighting? [Standard 3.2.3 cl 8 Food Standards Code]	NO		
51	<b>Floors</b> – Are floors appropriate for the food business' activities? [Standard 3.2.3 cl 10 Food Standards Code]	NO		
52	<b>Walls and ceilings</b> – Are walls and ceilings designed and constructed in a way that is appropriate for the food business' activities? [Standard 3.2.3 cl 11 Food Standards Code]	NO		
53	<b>Fixtures, fittings and equipment</b> – Are fixtures, fittings and equipment adequate and fit for their intended purpose and able to be effectively cleaned (and sanitised if applicable)? [Standard 3.2.3 cl 12 Food Standards Code]	NO		
54	<b>Storage facilities</b> – Does the premises have adequate storage facilities? [Standard 3.2.3 cl 15 Food Standards Code]	NO		
55	<b>Toilet facilities</b> – Are there adequate toilet facilities available for the use of food handlers? [Standard 3.2.3 cl 16 Food Standards Code]	NO		
56	<b>Toilet facilities</b> – Is the toilet fitted with an air lock if it opens to a food preparation area? [Standard 3.2.3 cl 3 Food Standards Code]	NO		
<b>Other</b>				
57	<b>Labelling</b> – Does food labelling comply with the Food Standards Code? [Food Standards Code]	NO		
58	<b>Kilojoule displays</b> – Does the food business display kilojoule information (only applicable to standard food outlets)? [s110–111 Food Act 2001]	NO		
59	<b>Skills and knowledge</b> – Do food handlers have appropriate skills and knowledge in food safety and hygiene matters to handle food safely? [Standard 3.2.2 cl 3 Food Standards Code]	NO		

SUMMARY COMMENTS/ACTION TO BE TAKEN			
<p><b>Second Prohibition Order (PO) follow up inspection conducted.</b></p> <p><b>Business has rectified most of the outstanding items on the PO.</b></p> <p><b>Hand wash basin still outstanding without a flick mixer. Business has ordered a new sink to be installed.</b></p> <p><b>PO will stay until hand basin with flick mixer has been installed.</b></p>			
Please rectify identified non-compliances by the due date. Contact the Officer for any enquiries.			Follow-Up Date:
I have read and I understand the contents of this assessment.			
Proprietor/Staff Signature:		Authorised Officer Signature:	
Proprietor/Staff Name:		Authorised Officer Name:	Faith Bvirakare

# Premises : Delight Ice Cream & Popcorn

Officer: Faith Bvirakare

Inspection Performed on: 13/11/20



















































ACT Health

# Food Premises Inspection Report

This report is a lawful assessment of the food premises against the requirements of the *Food Act 2001 (ACT)* and *Australia New Zealand Food Standards Code*

Business Name	Delight Ice Cream and Popcorn		Reg No	0226/20
Proprietor	[REDACTED]		Date & Time	Start: 13 Nov 2020 02:04 PM  Finish: 13 Nov 2020 02:15 PM
Premises Address	26 Barry St, ANU Lena Lodge, CANBERRA ACT 2601		Reason	Follow Up
Business/Mobile Phone	[REDACTED]	Email	[REDACTED]	Authorised Officer Faith Bvirakare
Compliance	<b>Compliant</b>			

C=Complies | Mi = Minor Non Compliant | Ma = Major Non Compliant | Cr = Critical Non Compliant | NA=Not Applicable | NO = Not Observed

		Result	Comments	
<b>General Requirements</b>				
1	<b>Registration</b> – Is the food business registration current and accurate? [s91, 97 <i>Food Act 2001</i> ]	NO		
2	<b>Registration conditions</b> – Is the food business complying with any specific registration conditions (if applicable)? [s99 <i>Food Act 2001</i> ]	NO		
3	<b>Registration</b> – Is the current certificate of registration displayed? [s98A <i>Food Act 2001</i> ]	NO		
4	<b>Food Safety Supervisor (FSS)</b> – Does the food business have a current FSS? [s117 <i>Food Act 2001</i> ]	NO		
5	<b>Food Safety Supervisor (FSS)</b> – Is the FSS's certificate available at the premises? [s19 <i>Food Regulation 2002</i> ]	NO		
6	<b>Food Safety Program (FSP)</b> – Is a FSP required?	NA		
7	<b>Food Safety Program (FSP)</b> – Is the FSP available at the premises? [s13(2) <i>Food Regulation 2002</i> ]	NA		
8	<b>Food Safety Program (FSP)</b> – Has a copy been provided to the HPS? [s13(2) <i>Food Regulation 2002</i> ]	NA		
<b>Food Handling Controls</b>				
9	<b>Food receipt</b> – Is all food protected from contamination? [Standard 3.2.2 cl 5(1) <i>Food Standards Code</i> ]	NO		
10	<b>Food receipt</b> – Are supplier details available for food on the premises and all food items labelled appropriately (with a prescribed name where applicable)? [Standard 3.2.2 cl 5(2) <i>Food Standards Code</i> ]	NO		
11	<b>Food receipt</b> – Are all practical measures taken to ensure potentially hazardous food is received under temperature control? [Standard 3.2.2 cl 5(3)–(4) <i>Food Standards Code</i> ]	NO		
12	<b>Food storage</b> – Is all food protected from contamination? [Standard 3.2.2 cl 6(1)(a) <i>Food Standards Code</i> ]	NO		
13	<b>Food storage</b> – Are food storage conditions appropriate? [Standard 3.2.2 cl 6(1)(b) <i>Food Standards Code</i> ]	NO		

14	<b>Food storage</b> – Is potentially hazardous food stored under temperature control? [Standard 3.2.2 cl 6(2) Food Standards Code]	NO		
15	<b>Food processing</b> – When processing, is all food: <ul style="list-style-type: none"> <li>• safe and suitable;</li> <li>• prevented from being contaminated; and</li> <li>• adequately processed to make safe?</li> </ul> [Standard 3.2.2 cl 7(1) Food Standards Code]	NO		
16	<b>Food processing</b> – Are potentially hazardous ready-to-eat foods out of temperature control for minimum time while being processed?? [Standard 3.2.2 cl 7(2) Food Standards Code]	NO		
17	<b>Food processing</b> – Is potentially hazardous food cooled/reheated correctly? [Standard 3.2.2 cl 7(3) Food Standards Code]	NO		
18	<b>Food display</b> – Is food on display protected from contamination? [Standard 3.2.2 cl 8(1), (4) Food Standards Code]	NO		
19	<b>Food display</b> – Do self-service areas have: <ul style="list-style-type: none"> <li>• supervision;</li> <li>• separate utensils; and</li> <li>• protective barriers?</li> </ul> [Standard 3.2.2 cl 8(2) Food Standards Code]	NO		
20	<b>Food display</b> – Is potentially hazardous food displayed under temperature control? [Standard 3.2.2 cl 8(5) Food Standards Code]	NO		
21	<b>Food display</b> – If potentially hazardous food is not displayed under temperature control, is there a documented alternate method of compliance? [Standard 3.2.2 cl 25 Food Standards Code]	NO		
22	<b>Food packaging</b> – Is food packaged in a manner that protects it from contamination, using appropriate material? [Standard 3.2.2 cl 9 Food Standards Code]	NO		
23	<b>Food transportation</b> – Is all food protected from contamination during transportation? [Standard 3.2.2 cl 10(a) Food Standards Code]	NO		
24	<b>Food transport vehicles</b> – Are food transport vehicles suitable? [Standard 3.2.3 cl 17 Food Standards Code]	NO		
25	<b>Food transportation</b> – Is all potentially hazardous food transported under temperature control? [Standard 3.2.2 cl 10(b), (c) Food Standards Code]	NO		
26	<b>Food disposal</b> – Is food for disposal kept separately from all other food and in a designated area? [Standard 3.2.2 cl 11(1) Food Standards Code]	NO		
27	<b>Food recall</b> – Is there a documented recall system in place? [Standard 3.2.2 cl 12 Food Standards Code]	NO		
<b>Health and Hygiene Requirements for Food Handlers</b>				
28	<b>Health of food handlers</b> – Do food handlers report illness and exclude themselves from food handling if they are suffering from a foodborne disease and/or condition? [Standard 3.2.2 cl 14(1), (2) Food Standards Code]	NO		

29	<b>Hygiene of food handlers</b> – Do food handlers exercise good hygiene practices? [Standard 3.2.2 cl 15(1) Food Standards Code]	NO		
30	<b>Hand washing</b> – Do food handlers wash their hands before commencing/recommencing work? [Standard 3.2.2 cl 15(2), (3) Food Standards Code]	NO		
31	<b>Hand washing</b> – Do food handlers wash and dry hands thoroughly using designated hand washing facilities? [Standard 3.2.2 cl 15(4) Food Standards Code]	NO		
32	<b>Hand washing</b> – Are the hand washing facilities appropriately located? [Standard 3.2.3 cl 14(1) Food Standards Code]	NO		
33	<b>Hand washing</b> – Are the hand washing facilities: <ul style="list-style-type: none"> <li>• permanent fixtures;</li> <li>• provided with a supply of warm running potable water through a single spout;</li> <li>• of an adequate size; and</li> <li>• used only for the washing of hands, arms and faces? [Standard 3.2.3 cl 14(2) Food Standards Code]</li> </ul>	C		Flick mixer has now been installed at hand wash sink.
<b>Health and Hygiene Requirements for Food Businesses</b>				
34	<b>Hygiene of food handlers (duties of food businesses)</b> – Does the business have easily accessible hand washing facilities that include: <ul style="list-style-type: none"> <li>• soap;</li> <li>• single use towel; and</li> <li>• a container for used towels? [Standard 3.2.2 cl 17 Food Standards Code]</li> </ul>	C		
35	<b>Health of food handlers (duties of food businesses)</b> – Are actions taken to ensure staff members do not engage in food handling if they are suffering from a foodborne disease or condition? [Standard 3.2.2 cl 16 Food Standards Code]	NO		
36	<b>General duties of food businesses</b> – Does the food business take all practical measures to ensure all people within the food business avoid contaminating food? [Standard 3.2.2 cl 18 Food Standards Code]	NO		
<b>Cleaning, Sanitising and Maintenance</b>				
37	<b>Cleanliness</b> – Are the floors, walls and ceilings maintained in a clean condition? [Standard 3.2.2 cl 19(1) Food Standards Code]	NO		
38	<b>Cleanliness</b> – Are the fixtures, fittings and equipment maintained in a clean condition? [Standard 3.2.2 cl 19(2) Food Standards Code]	NO		
39	<b>Sanitising</b> – Are food contact surfaces and eating and drinking utensils sanitised using appropriate sanitising methods? [Standard 3.2.2 cl 20 Food Standards Code]	NO		
40	<b>Maintenance</b> – Are premises, fixtures, fittings, equipment and utensils maintained in a good state of repair and working order? [Standard 3.2.2 cl 21 Food Standards Code]	NO		
41	<b>Thermometer</b> – Does the business have a readily accessible digital probe thermometer accurate to $\pm 1^{\circ}\text{C}$ ? [Standard 3.2.2 cl 22 Food Standards Code]	NO		



42	<b>Single use items</b> – Are single use items protected from contamination and not reused? [Standard 3.2.2 cl 23 Food Standards Code]	NO		
43	<b>Animals and pests</b> – Is the premises free from animals and pests? [Standard 3.2.2 cl 24(1)(a)(b) Food Standards Code]	NO		
44	<b>Animals and pests</b> – Does the business take all practical measures to eradicate and prevent the entry and harbourage of pests? [Standard 3.2.2 cl 24(1)(c)(d) Food Standards Code]	NO		
<b>Design and Construction</b>				
45	<b>General requirements</b> – Is the food premises appropriate for its activities? [Standard 3.2.3 cl 3 Food Standards Code]	NO		
46	<b>Water supply</b> – Is there an adequate supply of potable water? [Standard 3.2.3 cl 4 Food Standards Code]	NO		
47	<b>Sewage and waste water disposal</b> – Does the premises have an adequate sewage and waste water disposal system? [Standard 3.2.3 cl 5 Food Standards Code]	NO		
48	<b>Garbage storage</b> – Does the premises have adequate storage facilities for garbage and recyclable matter? [Standard 3.2.3 cl 6 Food Standards Code]	NO		
49	<b>Ventilation</b> – Does the premises have adequate natural or mechanical ventilation? [Standard 3.2.3 cl 7 Food Standards Code]	NO		
50	<b>Lighting</b> – Does the premises have sufficient lighting? [Standard 3.2.3 cl 8 Food Standards Code]	NO		
51	<b>Floors</b> – Are floors appropriate for the food business' activities? [Standard 3.2.3 cl 10 Food Standards Code]	NO		
52	<b>Walls and ceilings</b> – Are walls and ceilings designed and constructed in a way that is appropriate for the food business' activities? [Standard 3.2.3 cl 11 Food Standards Code]	NO		
53	<b>Fixtures, fittings and equipment</b> – Are fixtures, fittings and equipment adequate and fit for their intended purpose and able to be effectively cleaned (and sanitised if applicable)? [Standard 3.2.3 cl 12 Food Standards Code]	NO		
54	<b>Storage facilities</b> – Does the premises have adequate storage facilities? [Standard 3.2.3 cl 15 Food Standards Code]	NO		
55	<b>Toilet facilities</b> – Are there adequate toilet facilities available for the use of food handlers? [Standard 3.2.3 cl 16 Food Standards Code]	NO		
56	<b>Toilet facilities</b> – Is the toilet fitted with an air lock if it opens to a food preparation area? [Standard 3.2.3 cl 3 Food Standards Code]	NO		
<b>Other</b>				
57	<b>Labelling</b> – Does food labelling comply with the Food Standards Code? [Food Standards Code]	NO		
58	<b>Kilojoule displays</b> – Does the food business display kilojoule information (only applicable to standard food outlets)? [s110–111 Food Act 2001]	NO		
59	<b>Skills and knowledge</b> – Do food handlers have appropriate skills and knowledge in food safety and hygiene matters to handle food safely? [Standard 3.2.2 cl 3 Food Standards Code]	NO		

<b>SUMMARY COMMENTS/ACTION TO BE TAKEN</b>			
<p><b>Follow up outstanding item on Prohibition Order(PO).</b></p> <p><b>Flick mixer installed at hand wash basin.</b></p> <p><b>Business has rectified items on PO. EH management will review and issue clearance certificate prior to business resuming operations.</b></p>			
<p>Please rectify identified non-compliances by the due date. Contact the Officer for any enquiries.</p>			<p><b>Follow-Up Date:</b></p>
<p>I have read and I understand the contents of this assessment.</p>			
<p>Proprietor/Staff Signature:</p>			<p>Authorised Officer Signature:</p> 
<p>Proprietor/Staff Name:</p>			<p>Authorised Officer Name: Faith Bvirakare</p>