Government of Western Australia
Department of Health

Notification of Conviction

*Relates to any person (individual or body corporate) who is convicted or whose employee or agent is convicted.

Enforcement Agency Name:	City of Rockingham
Date of conviction:	15 May 2025
Name of food business:	Swadesh Indian Restaurant
Name of person/s* convicted:	Ajay and Amar Pty Ltd
Address of food business where offence was committed:	3 / 61 Makybe Drive Baldivis WA 6171
Date of offence:	8 December 2022 and 19 January 2023

Section of Act/Subsidiary Legislation	Details of offence	Penalty imposed
Food Act 2008 Section 22 (compliance with the Australia New Zealand Food Standards Code)	Non-compliance with Standard 3.2.2 8 December 2022 • Clause 3(1) - failed to ensure persons undertaking and supervising food handling operations had skills and knowledge in food safety and food hygiene matters • Clause 6(1)(a) - failed to store food in a way to protect it from the likelihood of contamination • Clause 17(1)(a) - failed to maintain easily accessible handwashing facilities • Clause 19(1) - failed to maintain the food premises to a standard of cleanliness where there was no accumulation of food waste, dirt and grease • Clause 19(2) - failed to maintain equipment in the food premises to a standard of cleanliness where there was no accumulation of food waste, dirt and grease	Global penalty of $40,000 plus costs of $24,000

	Non-compliance with Standard 3.2.2 19 January 2023 • Clause 6(1)(a) - failed to store food in a way to protect it from the likelihood of contamination • Clause 17(1)(a) - failed to maintain easily accessible handwashing facilities • Clause 19(1) - failed to maintain the food premises to a standard of cleanliness where there was no accumulation of food waste, dirt and grease • Clause 19(2) - failed to maintain equipment in the food premises to a standard of cleanliness where there was no accumulation of food waste, dirt and grease	

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