

Food Safety Reporting Guide

December 2020

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1. Introduction

Amendments were made to the *Food Act 1984* (the Act) in 2010 that introduced the requirement for councils to record and report data about food regulation activities. This led to the development of a database by the Department of Health and Human Services (the department) to allow the collection of consistent and comparable data across the 79 Victorian local council areas. The original database was superseded in 2017 by the Food Act Database.

The food safety data collected and stored by the Food Act Database are used to provide information to the department, councils, industry and consumers. Analysis of the data is published in the annual [Food Act Report](https://www2.health.vic.gov.au/public-health/food-safety/publications-guides-resources) at <<https://www2.health.vic.gov.au/public-health/food-safety/publications-guides-resources>>.

Councils are legally required to report food safety data under section 7D of the Act. The information required to be reported is outlined in the [Victoria Government Gazette No. S 375](http://www.gazette.vic.gov.au/gazette/Gazettes2010/GG2010S375.pdf) available at <<http://www.gazette.vic.gov.au/gazette/Gazettes2010/GG2010S375.pdf>>.

This guide is designed to consolidate previous guidance material on food safety data reporting and reflect improvements made to the reporting system since its introduction.

1.1. How to use this guide

The purpose of this guide is to promote consistent data entry and reporting by councils. It will explain:

- what needs to be recorded and why
- how to record it (which codes to use)
- examples of common issues.

This guide should be read in conjunction with the [Food Act Database User Manual](https://streatrader.health.vic.gov.au/how-to-use-council-users/food-safety-reporting/) and [Food Act Database Upload Instructions](https://streatrader.health.vic.gov.au/how-to-use-council-users/food-safety-reporting/) and are available from <<https://streatrader.health.vic.gov.au/how-to-use-council-users/food-safety-reporting/>>. These documents provide step-by-step instructions on how to use the reporting system.

2. How to report

Councils use a number of different IT systems to record information about food premises in their municipality. Often councils using the same system have it set up in different ways to suit their needs or preferences. This makes it challenging to provide a 'one size fits all' method for recording information and extracting the data for reporting.

This guide provides councils with a set of codes that ensures the information being recorded about food premises is in a format that can be easily read by the Food Act Database, regardless of which system they use. Codes are provided throughout [Section 3](#) as each reporting requirement is described, and also in the quick-reference coding tables provided at [Appendix 3](#) to this guide.

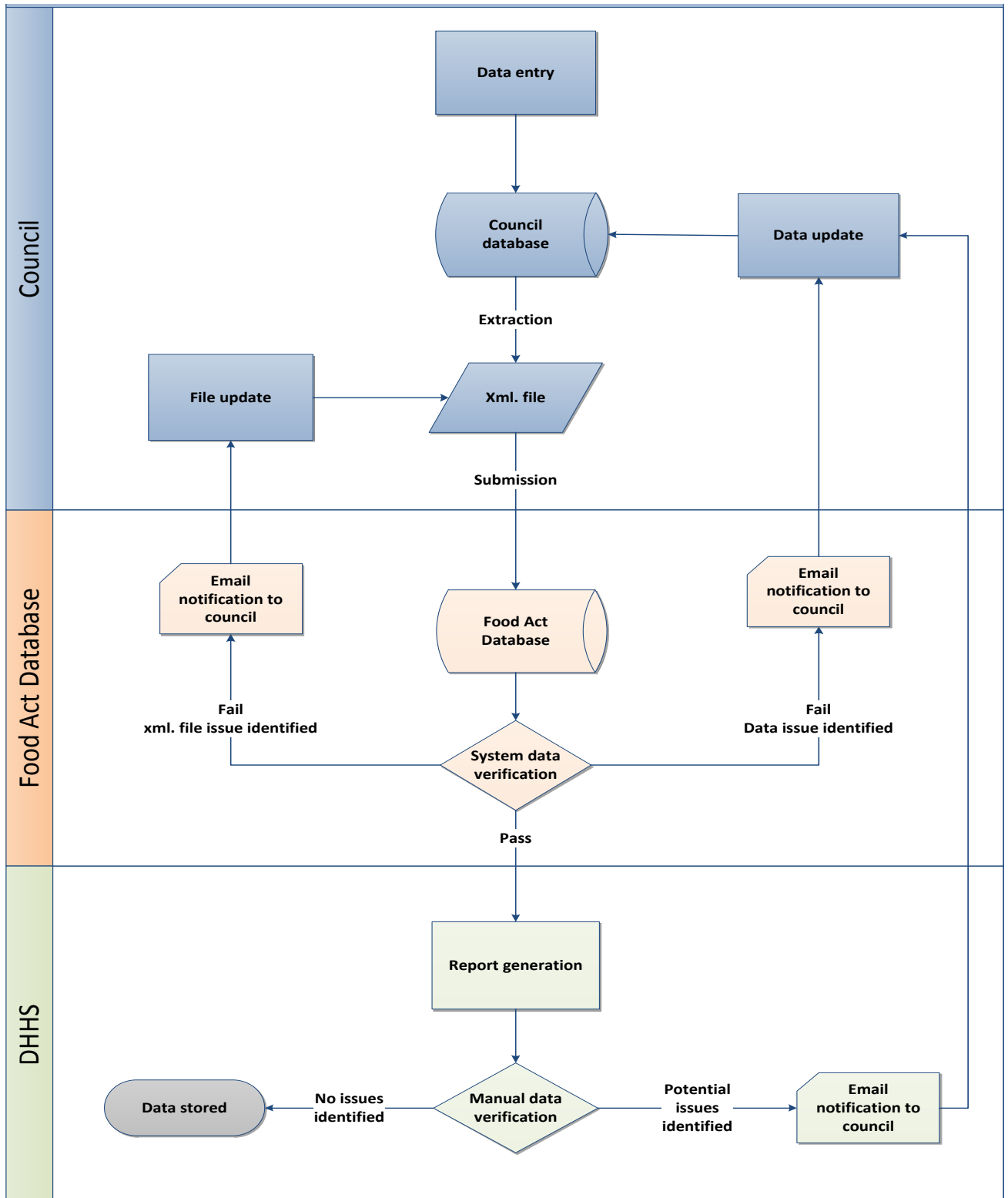
To allow for effective analysis and comparison, data must be uploaded to the Food Act Database and cannot be emailed to the department or provided in an alternative format.

The procedural requirements for reporting are:

1. Any activity or event described in [Section 3](#) of this guide that occurs within a reporting period must be recorded.
2. Data for each quarter must be provided to the department by uploading it to the Food Act Database in an electronic XML format **within seven days of the expiry of that quarter**. The database will automatically validate the data and email the submitter a verification report which will highlight whether any errors have been identified in the submission.
3. Any error in the data (as identified by the verification report) must be corrected by council before resubmission of the data to the department. All data submissions are required to be 100 per cent correct in order to avoid repeated error reports being issued and the data submission being rejected.
4. Data must be verified by council throughout the reporting period and following submission.

Figure 1 provides an overview of the process.

Figure 1 - Submission process for the Food Act Database



2.1. Data management

Setting up a council's records management system to make data management as straightforward as possible is key to successful record keeping and reporting. All staff involved in record keeping should have an awareness of the reporting process, and therefore the importance of recording accurate and meaningful data. This may include:

- IT staff who manage council's system and the contract with the service provider
- administrative staff who manage data
- environmental health officers (EHOs) who enter data on a regular basis
- managers who review, analyse and report on data.

Council's IT support can assist with the development of a records management system that meets the reporting requirements of the Act. A detailed dataset is available for provision to council IT support as a separate document. Council's IT support can work with the service provider to resolve issues and make system improvements. If a copy of the IT dataset is required, or if reporting issues cannot be resolved by a council's IT support, the council can contact the department by [emailing](mailto:streatradercouncilsupport@dhhs.vic.gov.au) <streatradercouncilsupport@dhhs.vic.gov.au>.

Some tips for successful data management include:

- ensuring data management and reporting considerations are included in council policies and procedures
- creating checklists to standardise the data entry process for EHOs and administrative officers
- building in reminders when updating a registration to confirm whether there have been any changes to the premises (for example, change in premises type or new food safety program)
- regularly checking the approved auditors list and updating the system to reflect current auditors.

2.2. Extracting the data

Data must be extracted from a council's system and uploaded to the Food Act Database in an XML file format. An XML file is a plain text document that uses codes to describe data in a format that can be read by both humans and machines.

The method for extracting data varies between councils. Some systems can submit data automatically to the database and some systems require the extracted XML file to be uploaded manually. As the department does not manage a council's extraction process, councils must consult their IT support or the system service provider in the first instance for assistance with this process.

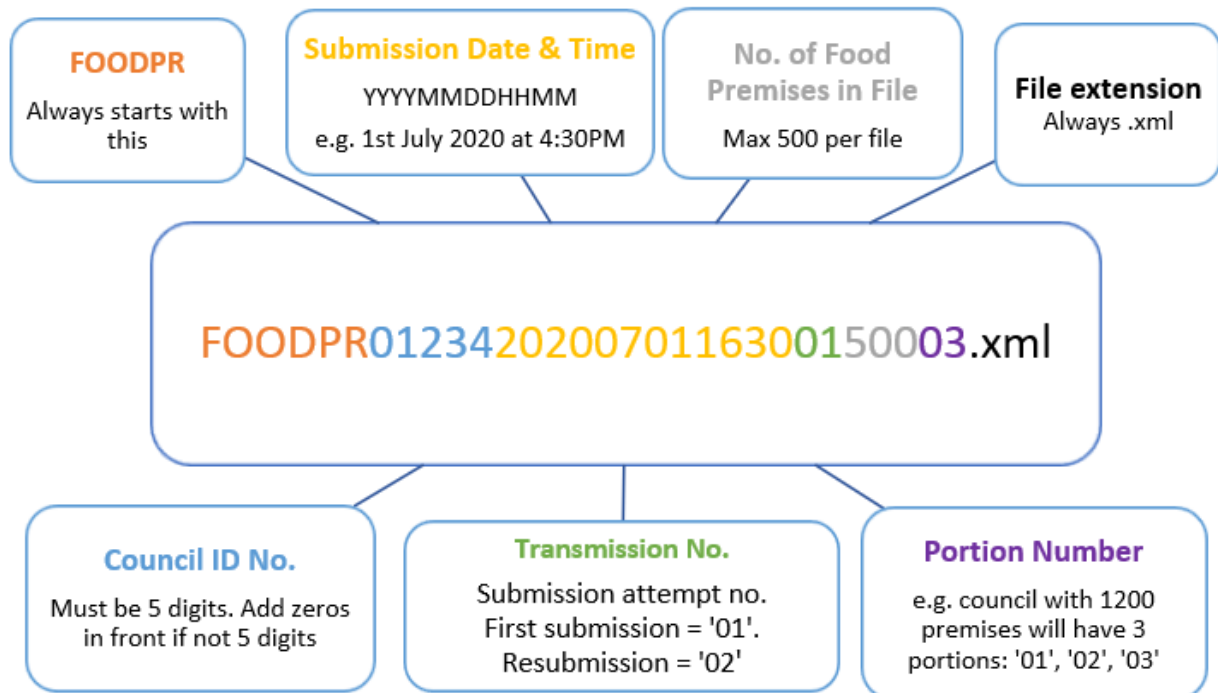
It is important that the XML file is named in the correct format to ensure successful submission to the Food Act Database.

The file name must be 27 characters long (31 including .xml) and must be in the following format:

FOODPR012342020070116300150003.xml

Figure 2 below explains how the file must be named.

Figure 2 - XML file name format



An error in the file name is the most common reason for a submission to be unsuccessful. If there is a minor error in the name, such as an incorrect number, the user will receive an email which describes the error. However, if the file name is completely wrong, for example it is named 'foodsafetydata.xml', the submission will fail and will become stuck in a 'queue'. The user will not receive a verification email and must send an [email](mailto:streatradercouncilsupport@dhhs.vic.gov.au) to <streatradercouncilsupport@dhhs.vic.gov.au> to request that the file be deleted. No further submissions can be made until the incorrect file is deleted.

Scenario

A council officer uploads quarterly data to the Food Act Database. After a few minutes they have not received the verification report email.

The officer checks the name of the XML file that they uploaded, and it reads:

'FOODPR012342020070116300150001.xml'

The officer realises that there is a letter 'O' where a number '0' should be (as highlighted). They amend the file name so that it reads:

'FOODPR012342020070116300150001.xml'

As there was a significant error in the file name and no email was received, the officer [emails](mailto:streatradercouncilsupport@dhhs.vic.gov.au) <streatradercouncilsupport@dhhs.vic.gov.au> and requests that the incorrect file be deleted.

Upon confirmation that the incorrect file has been deleted, the officer resubmits the amended file to the database. They receive a verification report email to confirm the submission was successful.

2.3. Using the Food Act Database

Councils can access the Food Act Database via the [Health Manager Portal](https://healthmanageronline.com.au/Login.aspx) <<https://healthmanageronline.com.au/Login.aspx>>. An existing council user can provide access to a colleague in the 'Users' tab on the database.

The Food Act Database allows users to:

- upload quarterly data
- view submissions and error messages
- view past submissions
- run reports on data
- compare data with other councils.

For technical guidance on how to use the database, including example screenshots, refer to the [Food Act Database User Manual](#) and [Food Act Database Upload Instructions](#) which accompany this guide and are available at <<https://streatrader.health.vic.gov.au/how-to-use-council-users/food-safety-reporting/>>.

XML files must be uploaded to the database in sequential order, such as, Q1, Q2, Q3, Q4. If a user uploads Q4 data then Q3 data, the Q4 data will be overwritten and no longer exist. The user will then have to resubmit the Q4 data.

Once the XML file has been uploaded to the database and the submission has been made, users will receive a submission verification report by email.

If an email is not received, it is likely that the file name is completely incorrect and has been blocked as described in the previous section.

IMPORTANT: Receipt of the verification email is not the end of the process.

It is important to read the email attachment and verify that the information provided in the submission was correct.

2.4. Verifying the submission

It is council's responsibility to ensure the accuracy of the data submitted. The verification report will advise whether the submission was successful or highlight any critical errors in the data.

Successful submission

If the submission has been successful, the process does not end there. The verification report will provide a high-level summary of the submitted data. Detailed information about the submission can be viewed by running a report in the Food Act Database.

All councils have access to the reports in the Food Act Database. For detailed instructions on how to run reports, refer to the [Food Act Database User Manual](#). Reports can be filtered to view specific information about submissions. The data should be cross-referenced with a council's internal system reports to ensure there are no discrepancies.

Where errors have been previously identified and remedied, a council should run a new XML report on its internal system and overwrite the previously submitted quarterly data on the Food Act Database.

Unsuccessful submission

The verification report email provides details about any errors in the submitted data. It highlights the relevant premises ID (where applicable) so the user can easily find and correct the error in the council's database.

Once the council's database has been updated to correct any errors, a new XML file can be extracted and resubmitted to the Food Act Database. Step-by-step instructions for resubmissions are provided in the [Food Act Database User Manual](#).

One of the most common resubmission errors is an incorrect file name. When resubmitting data, the transmission number must be different so that the database knows to overwrite the previous submission. This can be easily resolved by ensuring that the transmission number in the new XML file matches the transmission number in the file name.

Scenario

A council officer uploads quarterly data to the Food Act Database. A few minutes later they receive a verification report by email which advises that the submission was successful.

The officer runs a report on the Food Act Database to compare the data submitted with a report from council's internal database. Upon comparison, it is realised that the report uploaded to the Food Act Database states that they have 20 class 2 food premises registered when in fact they have 200.

The officer investigates the cause of the issue with their IT support person. They identify and resolve the glitch in the council's database that caused the discrepancy.

A new XML file is extracted from the council's database and uploaded to the Food Act Database by 'overwriting' the previous submission. The officer runs another report to confirm that the data is now correct.

3. What to record and how

The sections below outline the information about food premises that councils are required to record. This is the information that will be reported to the department on a quarterly basis. It is important to enter information correctly whenever a premises record is created or updated to avoid reporting errors at submission time.

At present, councils are only required to provide information on fixed food premises via the Food Act Database. The department collects information on mobile and temporary food premises separately using Streatrader.

3.1. Council and premises identification codes

The Food Act Database reads information about premises as numbers. Therefore, each council has been assigned with an identification number by the department. A list of council identification numbers can be found at [Appendix 1](#).

Councils must also assign a unique registration number to all premises. The premises type and registration status should be recorded against this number, as well as all compliance activities.

3.2. Registration or notification status

There are ten registration types that can be used to describe the status of a food premises registration. When recording the status of a food premises registration, the start and end date must also be recorded. The table below provides a description and code for each type of registration.

Code	Type of registration	Description
10	Initial registration	The initial registration of a food premises in accordance with Part 6 of the Act.
11	Renewal registration	The renewal of an existing registration of a food premises in accordance with Part 6 of the Act.
12	Transfer registration	The transfer of an existing registration of a food premises to a new proprietor under Part 6 of the Act. If a transfer of registration occurs within the same reporting period as the renewal of registration, both activities are to be recorded at the time that each activity occurs.
13	Conditional registration	A condition placed on an initial registration, or renewal or transfer of registration, by the council under Part 6 of the Act.
14	Refuse renewal of registration	The refusal to renew a registration in accordance with Part 6 of the Act.
15	Registrations revoked or suspended	The suspension or revocation of the registration of a food premises under the Act. If a food premises' registration is suspended by council, the end date is to be altered to refer to the date from which the suspension takes effect.

Code	Type of registration	Description
16	Notification of premises exempt from registration	Notification of a class 4 premises.
17	Premises operating unregistered	A food premises operating without registration/notification, including a suspended registration. This does not include premises pending registration.
18	Premises closed by the proprietor	The permanent closure of a food premises by the proprietor. If the proprietor wishes to re-open a premises registration after closure it should be processed as a new registration.
19	Pending registration	A time period between the registration period of a food premises expiring and the grant of a renewal/transfer of registration by the council.

Scenario

A nursing home yet to be audited applies for registration.

An EHO inspects the premises and assesses the adequacy of the Food Safety Program. The EHO grants a conditional registration on the basis that an audit of the premises will be undertaken within three months.

The registration status is entered as '13 – conditional registration' with an end date of three months from the date of issue.

Scenario

Council sends a renewal notice to a café on 1 December to renew their food premises registration for the following calendar year.

On 1 January, the café proprietor is late in paying their renewal but intends to continue trading. The status of the café's registration switches over to '19 – pending registration'.

On 5 January, the proprietor pays the renewal invoice, and the registration status switches to '11 – renewal registration'

3.3. Food premises information

Once the registration details have been established, council is required to record and maintain the following information.

3.3.1 Premises classification

Any decision on the class of a food premises should be based on the system established under the Act, as defined in [Victoria Government Gazette No. S.232](http://www.gazette.vic.gov.au/gazette/Gazettes2010/GG2010S232.pdf) (available from <<http://www.gazette.vic.gov.au/gazette/Gazettes2010/GG2010S232.pdf>>). Classification guidance is available on [health.vic](https://www2.health.vic.gov.au/public-health/food-safety/food-businesses/food-business-classification) <<https://www2.health.vic.gov.au/public-health/food-safety/food-businesses/food-business-classification>>.

Codes for the four classifications are provided in the table below.

Code	Classification	General description
200	Class 1	Hospitals, childcare centres and listed facilities for the aged, at which ready-to-eat potentially hazardous food is served.
201	Class 2	Other premises that handle potentially hazardous unpackaged foods.
202	Class 3	Premises handling unpackaged low-risk foods, selling potentially hazardous pre-packaged foods, or the warehousing or distribution of pre-packaged foods.
203	Class 4	Premises that only retail pre-packaged low-risk foods, and certain other low-risk or occasional activities.

All premises types have a mandatory classification associated with them. For example, a milk bar can only be a class 3 or 4. This should be taken into consideration when allocating a premises type to a registration. A milk bar registered on a council's system as a class 2 premises will result in an error when data is submitted. The table at [Appendix 2](#) details the mandatory classification options for each premises type.

Scenario

A pub has a dining area where it serves meals from the kitchen.

An EHO undertakes an inspection and assesses that the premises is class 2. When entering the premises details on the system, the EHO checks the mandatory classifications and identifies that '116 – Bars/Pub' can only be recorded as class 3.

The EHO picks the next most suitable premises type which is '118 – Café/restaurant' as this can be recorded as class 2.

3.3.2 Premises type

When compiled by the department, the premises type provides an understanding of the distribution of premises types across the state. For example, some metropolitan councils may have a larger number of manufacturers compared with some regional councils that may have more accommodation getaway premises. There are 31 premises type codes to choose from under the following broad categories:

- community group
- manufacturer
- retailer
- service sector
- warehouse/transport.

A description is provided for each premises type to promote a consistent reporting process.

A full list of premises types, descriptions and relevant codes can be found at [Appendix 2](#).

Only one premises type can be selected for each registration. Council should pick the code that best describes the **predominant activity** of the food premises. Where the business conducts

two or more activities that fall into different risk categories, the **highest risk activity** should be chosen.

The premises type should be reviewed and updated whenever a registration decision is made, such as initial registration, transfer or renewal. If the premises type changes, the date of change must be recorded.

Scenario

A new convenience store is equipped with an area to sell takeaway coffee.

Both the retail component and take-away coffee component are class 3 activities.

When entering the new registration on the system, the administrative officer chooses '104 – convenience store' as the premises type instead of '122 – coffee outlet' as retail is the **predominant activity** at the premises.

Scenario

An EHO undertakes an inspection at a class 3 convenience store and identifies that the business has installed a delicatessen counter.

When recording the inspection on the system, the EHO updates the premises type from '104 – convenience store' to '105 – delicatessen' as this reflects the **highest risk activity** at the premises.

3.3.3 Food safety programs (FSPs)

The type of FSP in use by a class 1 or 2 premises must be recorded. The table below provides a description for each type:

Code	FSP type	Description
10	Standard template	Standard registered template developed by the department, for example, FSP template no.1 v3 or FoodSmart.
11	Other department registered template	Other registered template under the Act, for example, a franchise food business template.
12	Proprietary FSP	Non-standard FSP developed by the proprietor that requires 3 rd party audit, for example, a class 1 FSP.
13	Quality assurance FSP ¹	Quality assurance FSP developed under a QA system or code declared suitable by the department.

If a council becomes aware that a food business has changed the type of FSP it is using, the change must be recorded, including the date. A premises FSP might change if:

- the premises changes classification
- council directs a premises to upgrade their FSP in response to an increase in the risk level of food handling activities
- a food business franchise has their FSP template registered with the department.

¹ As of December 2020, no quality assurance FSP has been declared by the department.

3.3.4 Water supply

The type of water supply used at a registered food premises must be recorded, including the date of any changes to the water supply type.

Data on food premises water supply can be used to:

- analyse compliance rates in premises using private water supply versus a public supply
- conduct targeted sampling programs for private water systems
- inform health promotion activities by councils and the department.

The codes in the table below can be used to record whether a food premises uses a public or private water supply:

Code	Water supply type
10	Public water supply.
11	Private water supply, for example, a rainwater tank.

Scenario

A metropolitan council has their system set up to apply 'public water supply' as the default setting on new food premises registrations.

After submitting council's quarterly data to the department, the environmental health manager is cross-referencing the verification report with council records to ensure that the data is correct. They identify that the report records 100 per cent of food premises as having a public water supply but recalls that there are some premises in rural parts of the municipality that use a private water supply.

The manager conducts an internal audit of food premises and finds that 10 food premises use a private water supply. They update the premises records, turn off the default setting so that water supply type must be selected and resubmit the amended data to the Food Act Database.

3.4 Audits, assessments and inspections

Audits and assessments have different meanings under section 19HA of the Act. Their definitions are as follows:

Audit: An audit of a food premises conducted for the purpose of the Act to determine whether the food safety requirements applying to the premises have been complied with; and whether the food safety program for the premises is adequate. *Note: auditors must report the outcomes of food safety audits to the registering council in accordance with the Act.*

Assessment – An assessment of a food premises conducted for the purpose of the Act to determine whether the food safety requirements applying to the premises have been complied with and in the case of a premises using a standard food safety program, whether the food safety program complies with the Act.

Audits and assessments can be carried out by either a council officer or an approved food safety auditor. Although not usually practiced, the Act allows a council officer with an

appropriate audit qualification to conduct an audit and an auditor to conduct an assessment of a food premises. Therefore, reporting codes are provided for these circumstances.

Inspections are not defined in the Act but cover a range of scenarios where a council officer may inspect a food premises for a reason other than for an audit or assessment.

3.4.1 Audits and assessments

All audits and assessments undertaken at a food premises must be recorded against the premises' registration. This includes where multiple audits have been undertaken by an auditor within a reporting period.

The Act requires an auditor to submit an audit certificate to the registering council within 14 days of issuing that certificate to the business, unless there has been a serious and immediate public health risk identified (a critical deficiency). In this case, auditors must notify the registering council of critical deficiencies within 24 hours.

The *Food Safety Auditors Handbook* (version 5) outlines audit requirements in detail. The latest version of the handbook simplifies the audit form system, reducing it to four forms. These forms tell council if the audit of a premises was compliant or if deficiencies were identified.

It is good practice for a council to review the approved auditors list regularly, including on receipt of an audit report, and update the council's database to reflect any changes.

Information that must be recorded about an audit or assessment:

1. Was an audit or assessment undertaken?
 - code **10** – audit
 - code **11** – assessment.
2. Who performed the audit or assessment?
 - code **10** – council officer
 - code **11** – third party (auditor).
3. If it was an auditor, what is their approved auditor number? Refer to the list on the [health.vic website](https://www2.health.vic.gov.au/about/publications/factsheets/approved-food-safety-auditors) <https://www2.health.vic.gov.au/about/publications/factsheets/approved-food-safety-auditors>.
4. What was the date of the audit or assessment? In format DDMMYYYY.
5. What was the outcome of the audit or assessment?
 - code **10** – compliant, including only minor deficiencies
 - code **11** – major non-compliance
 - code **12** – critical non-compliance.

3.4.2 Inspections

The following table provided describes the inspection types that can be undertaken at a food premises. Although some councils have different names for inspections, it is important that the inspection types in a council's registration system match the codes and descriptions of the prescribed inspection types. This provides for consistent interpretation of the data.

Information required to be recorded for an inspection:

1. What type of inspection was undertaken? Select code from table below.

2. What was the date of the inspection? In format DDMMYYYY.

3. What was the result of the inspection?

- code **10** – compliant, including only minor deficiencies
- code **11** – major non-compliance
- code **12** – critical non-compliance.

Inspection types that can be undertaken at a food premises

Code	Type	Meaning
1210	Routine inspection	Any inspection not mandatory under the Act, for example, sample result investigation, inspection undertaken at the request of the proprietor or any other inspection not covered by another code.
1211	Mandatory inspection	Inspections required under the Act, for example, initial registration, transfer of registration or the annual inspection of a class 3 premises (required for renewal of registration).
1212	Non-compliance inspection/follow-up to council audit	A follow up inspection that has occurred as a result of a non-compliance detected during a previous assessment/audit/inspection.
1213	Food complaint inspection – food adulteration	Investigation of a complaint made by a member of the public alleging adulteration of food by a foreign object.
1214	Food complaint inspection – microbiological	Investigation of a complaint made by a member of the public alleging food spoilage or poisoning.
1215	Food complaint inspection – chemical adulteration	Investigation of a complaint made by a member of the public alleging chemical adulteration of food.
1216	Food complaint inspection – food premises related	Investigation of a complaint made by a member of the public relating to food handling activities or the condition of a food premises.
1217	Food poisoning inspection	Inspection of a food premises following notification to council by the department of a food poisoning investigation.
1218	Undertaking application ²	Inspection to determine whether undertaking application made to council/the department Secretary under s. 19BB of the Act should be accepted.
1219	Undertaking follow-up inspection	A follow-up inspection to determine whether an undertaking under s. 19BB of the Act has been complied with.
1220	Enforcement follow-up inspection	A follow-up inspection to ascertain compliance with an enforcement action.

² Section 19BB of the Act provides for undertakings to be made by council or the department's Secretary. As of December 2020, this section of the Act has not been used and codes 1218 and 1219 are currently disabled on the Food Act Database.

Scenario

Council receives Form 1 from an auditor that states that non-critical deficiencies were identified during the audit but were remedied at the time. The officer records the following:

- code **10** – audit
- code **11** – performed by third party (auditor)
- auditor's number from department's list
- date of audit
- code **10** – compliant

Scenario

Council receives Form 3 from an auditor which notifies council that a critical deficiency has been identified and could not be remedied at the time of the audit. The officer enters the result of the audit as '12 – critical non-compliance'. An EHO conducts an inspection in response to the notice and enters their inspection under '1212 – non-compliance inspection'.

Scenario

Council receives an auditor's report, and an officer is entering the details into the system. The auditor is listed as 'Joe Bloggs', the same auditor as last time. The officer checks the department's current list of approved auditors and identifies that Joe Bloggs is not on the list. The details of the audit report cannot be entered on the system as it has not been undertaken by an approved food safety auditor. An officer must investigate further.

3.4.3 Compliance outcomes

It is recognised that there are various methodologies and descriptions used by councils across the state for describing the conclusions drawn from a compliance check. To provide consistency in recording and reporting data, there are only three compliance outcomes recognised by the Food Act Database: compliant, major or critical.

The following definitions are from the department's ['Enforcement Guidelines – a guide for councils in selecting enforcement tools under the Victorian Food Act 1984'](#) which were developed by the department in consultation with councils.

Compliant

A compliant compliance check outcome comprises a food premises that is fully compliant or where only 'minor deficiencies' are identified regarding compliance with the Act, the FSP (if applicable) and the Australia New Zealand Food Standards Code (the Code). A 'minor deficiency' is any deficiency that is not a major non-compliance or critical non-compliance. Several minor non-compliances at a food business may lead to the conclusion that there is a major non-compliance. If, for instance, the minor non-compliances, when taken together, pose a serious threat to public health, the outcome may be a critical non-compliance. For example, several small cleaning issues taken collectively may indicate that cleaning is a serious concern.

Major non-compliance

Depending on circumstances, a major non-compliance is a deficiency or breach that does not pose an immediate food safety risk to public health but may pose such a threat if no remedial action is taken. If there are several major non-compliances that, taken together, pose a serious threat to public health, the compliance check outcome may be categorised as critical.

Critical non-compliance

A critical non-compliance is a deficiency or breach that poses a food safety risk that is likely to cause an immediate threat to public health.

The *Compliance Outcomes Report – May 2020*, available from the document library on the [Public Health Hub \(PHHub\)](https://dhhs.vic.gov.au/sites/PublicHealthHub/) <<https://dhhs.vic.gov.au/sites/PublicHealthHub/>> provides further guidance for EHOs on best practice for choosing compliance outcomes.

3.4.4 Complaints

Any food premises complaint that is about a potential breach of the Act, and is sufficient to enable an investigation, must be recorded by council. Complaints that are frivolous or vexatious do not need to be reported.

The nature of the complaint, as well as the date it is received, must be recorded using one of the codes described in the table below:

Code	Description
10	Food adulteration - complaint alleging adulteration of food by a foreign object.
11	Microbiological - complaint alleging food spoilage or poisoning.
12	Chemical adulteration - complaint alleging chemical adulteration of food.
13	Food premises related - complaint relating to food handling activities or the condition of a food premises.

If an inspection is undertaken by a council officer in response to the complaint, an inspection must also be recorded on the food premises' registration. Refer to the table at [Section 3.4.2](#) for the five codes relating to complaint inspections.

3.4.5 Food recalls

The Victorian Competition and Efficiency Commission's [Report](#), *Simplifying the Menu: Food Regulation in Victoria*, September 2007 (<<https://www.dtf.vic.gov.au/sites/default/files/2018-02/food-regulation-in-victoria-inquiry.pdf>>) identified the need to record how councils are actioning a number of food safety issues, including food recalls issued by the department.

The method for recording and reporting recall actions has evolved since the requirement was introduced in 2012. For each food premises contacted by council about a recall, the following information should be recorded against the food premises' registration:

1. What date did council receive the recall notice from the department? In format DDMMYYYY.
2. What was the FSANZ recall number?³ Must be numeric. For example, if the reference number is FSANZ 2020/01, it must be entered as '202001'.
3. How did council contact the business about the recall?
 - code **10** – onsite visit

³ The FSANZ recall number is located on the recall notice emailed to council by the Food Safety Unit. To request an email address to be added to the mailing list, email foodsafety@dhhs.vic.gov.au

- code **11** – verbal notification (for example, phone)
- code **12** – written notification (for example, letter or email).

3.5 Enforcement

There are three broad types of enforcement, detailed with their codes in the table below.

Code	Description
10	General enforcement
11	Infringement notice
12	Prosecution

The following subsections describe the three types of enforcement and the outcomes that can be assigned for each.

3.5.1 General enforcement

General enforcement actions include decisions or actions under the Act such as notices, directions, orders, seizures, suspensions or revocations of registration, and the acceptance of undertakings. It also includes a decision to increase the frequency of audit or assessment under section 19H(4)(b) and (5) of the Act.

Enforcement actions may be instigated as a result of non-compliances detected during an audit, assessment or inspection. Such actions must be linked to an inspection type on the food premises' record.

The type of enforcement action and the date it was taken must be recorded (this might be after the inspection date).

A full list of general enforcement actions and their codes can be found in the 'enforcement action' table at [Appendix 3 – Quick Reference Codes](#).

3.5.2 Penalty infringement notice

An infringement notice is a notice issued under the *Food Act 1984* requiring payment of a penalty in expiation for an infringement offence, rather than having the matter dealt with by a court.

The 'enforcement action' table at [Appendix 3](#) lists the infringement offences and their codes. The infringement type must be recorded together with the date of offence.

Once known, the outcome of an infringement notice (including the date) must also be recorded using one of the three codes in the table below.

Code	Outcome	Meaning
13	Paid – infringement notice	The infringement notice issued by council has been paid.
14	Withdrawn/cancelled – infringement notice	The infringement notice issued was withdrawn/cancelled by the council. This includes withdrawal with intention to prosecute.
15	Unpaid enforcement under <i>Infringements Act 2006 (Vic)</i>	The infringement notice was not paid, and further action is being commenced by council in accordance with the Infringements Act.

An inspection may be required to determine the outcome of an infringement notice. Therefore, a follow up inspection (or other appropriate type) should be recorded as well as documenting the infringement outcome.

3.5.3 Prosecution

The recording of a prosecution applies where a person is charged with an offence against the Act or an alleged breach was initially the subject of an infringement notice, but the matter is now to be determined by the Magistrates' Court (for example, if the offence is disputed and the matter is referred to court).

If a prosecution has been commenced, council is required to record the answers to the following five questions:

1. What was the alleged offence?
 - code **68** – handling food in an unsafe manner
 - code **69** – knowingly selling unsafe food
 - code **70** – knowingly falsely describing food
 - code **71** – handling and sale of unsafe food
 - code **72** – handling and sale of unsuitable food
 - code **73** – misleading conduct relating to sale of food
 - code **74** – sale of food not complying with purchaser's demand
 - code **75** – sale of unfit equipment or packaging or labelling material
 - code **76** – non-compliance with Food Standards Code
 - code **77** – all other offences.
2. When was the charge sheet filed with the Magistrates' court? In date format DDMMYYYY.
In the case of an infringement offence that is to be determined by the court, this is the date when the required information is lodged with the Magistrates' Court (and is deemed to be a charge sheet).
3. What date did the proceeding commence? In format: DDMMYYYY.
4. What was the verdict?
 - code **10** – not guilty
 - code **11** – guilty – no conviction recorded
 - code **12** – guilty – conviction recorded
 - code **13** – any other sentence imposed, for example, a community based order (CBO).
5. What was the date of the verdict? In format DDMMYYYY.

Appendix 1: Council ID codes

Code	Council name	Code	Council name	Code	Council name
6031	Ararat Rural City Council	6305	Frankston City Council	6517	Mornington Peninsula Shire Council
10393	Banyule City Council	2777	Gannawarra Shire Council	2800	Mount Alexander Shire Council
6076	Bass Coast Shire Council	2778	Glen Eira City Council	2757	Moyne Shire Council
2765	Baw Baw Shire Council	10220	Glenelg Shire Council	10415	Murrindindi Shire Council
2766	Bayside City Council	2752	Golden Plains Shire Council	2802	Nillumbik Shire Council
12117	Benalla Rural City Council	10281	Greater Bendigo City Council	2803	Northern Grampians Shire Council
2805	Borough of Queenscliffe	2781	Hepburn Shire Council	2804	Pyrenees Shire Council
2768	Brimbank City Council	2782	Hindmarsh Shire Council	6803	Rural City of Wangaratta
2769	Buloke Shire Council	2783	Hobsons Bay City Council	2763	Shire of Alpine
10279	Campaspe Shire Council	2784	Horsham Rural City Council	10414	Shire of Indigo
2771	Cardinia Shire Council	10395	Hume City Council	2807	Shire of Strathbogie
2772	Casey City Council	6402	Knox City Council	2816	Shire of Yarra Ranges
2773	Central Goldfields Shire Council	2788	Latrobe City Council	10244	South Gippsland Shire Council
2120	City of Ballarat	2789	Loddon Shire Council	2758	Southern Grampians Shire Council
2767	City of Boroondara	2790	Macedon Ranges Shire Council	2759	Surf Coast Shire
10394	City of Darebin	12118	Mansfield Shire Council	6738	Swan Hill Rural City Council
2519	City of Greater Geelong	2792	Maribyrnong City Council	2779	The City of Greater Dandenong
2780	City of Greater Shepparton	6480	Melbourne City Council	2808	Towong Shire Council
2787	City of Kingston	6483	Melton Shire Council	10210	Warrnambool City
2791	City of Manningham	6495	Mildura Rural City Council	2809	Wellington Shire Council
2793	City of Maroondah	2795	Mitchell Shire Council	2810	West Wimmera Shire
6694	City of Port Phillip	2796	Moira Shire Council	2812	Whittlesea City Council
2806	City of Stonnington	2797	Monash City Council	10416	Wodonga City Council
2811	City of Whitehorse	2798	Moonee Valley City Council	2814	Wyndham City Council
2755	Colac Otway Shire Council	10391	Moorabool Shire Council	2815	Yarra City Council
2756	Corangamite Shire Council	10396	Moreland City Council	2817	Yarriambiack Shire Council
2776	East Gippsland Shire Council				

Appendix 2: Premises types and mandatory classifications

The table below provides a list of available premises types with descriptions and associated codes. The mandatory classification options are the classifications recognised by the Food Act Database for each premises type. Classification guidance is available on [health.vic <https://www2.health.vic.gov.au/public-health/food-safety/food-businesses/food-business-classification>](https://www2.health.vic.gov.au/public-health/food-safety/food-businesses/food-business-classification).

Note: Where the mandatory class option is listed as 'Streatrader', these activities are not required to be reported to the department by way of fixed premises reporting.

Premises types and their mandatory classification options

Code	Premises type	Description	Mandatory class options			
100	Community temporary food premises	Applies to a community group that is providing food for sale at a temporary event such as a market stall or a permanent structure not owned or leased by the community group.	<i>Streatrader</i>			
101	Manufacturer – potentially hazardous foods	Manufacture from raw ingredients of potentially hazardous foods that are packaged and are ready-to-eat or require further processing by the consumer. Examples include canned and bottled foods, baby food, chocolate, sandwiches, pastry and pasta filled with potentially hazardous foods, pre-washed, cut and packaged salad/fruit/vegetables and cakes and biscuits containing dairy products.	1	2	3	4
102	Manufacturer – low-risk foods	Manufacture from raw ingredients of low-risk foods that are packaged and are ready to eat or which require further processing by the consumer. This includes, for example, beverages (water, fruit juices, alcoholic drinks), condiments, coffee, cereals, flour, sugar, confectionery, biscuits, breads, savoury products, cakes (where the ingredients are only low-risk) and baking mixes.	1	2	3	4
103	Bakery retailer includes cakes, biscuits, savoury bread products and breads manufacture	Preparing packaged or unpackaged flour-based foods that may be potentially hazardous or low-risk foods from raw ingredients for distribution (and sale within) the immediate local area.	1	2	3	4
104	Convenience stores includes milk bars/ grocery stores/service stations	Premises that sell a limited range of low-risk and pre-packaged potentially hazardous food products. These products include grocery items, dairy products, fresh produce, bakery items, snack foods, beverages, confection, frozen foods, meats.	1	2	3	4
105	Delicatessen	Food premises that sell potentially hazardous ready to eat foods such as cured meats and sausage, dips, cheeses and olives. Delicatessens may also serve a limited range of sandwiches and focaccia containing potentially hazardous foods.	1	2	3	4

Code	Premises type	Description	Mandatory class options			
			1	2	3	4
106	Green grocery	The retail of fruit and vegetables.	1	2	3	4
107	Home-based retailer	A person who produces and packages low-risk or potentially hazardous foods from a residential premises where the produce may be sold from a market stall or other temporary food premises.	1	2	3	4
108	Low-risk packaged food retailer, for example, newsagent, chemist, liquor outlets, soft drink retailer	Premises such as department stores that sell low-risk pre-packaged foods, for example, packaged confectionary, chewing gum, chips, packaged ice-cream, liquor, alcohol, soft drink, confectionery.	1	2	3	4
109	Nuts/herbs/spices retail	Premises that sell packaged or un-packaged nuts, spices and herbs directly to the public.	1	2	3	4
110	Retailer of pasta filled with potentially hazardous foods	Retail premises that manufacture products that are filled with potentially hazardous foods encased by a pastry/pasta and require cooking or heating by the consumer prior to being consumed, such as fresh pasta filled with meat/cheese, dim sims, spring rolls, pies.	1	2	3	4
111	Supermarket	Retail premises that sell a wide variety of packaged foods (potentially hazardous and low-risk) and unpackaged potentially hazardous foods including ready-to-eat foods. Food sold includes meat/chicken/fish produce, fruit and vegetables, dairy products, bakery products, delicatessen items and packaged food.	1	2	3	4
112	Temporary food premises/market displays/exhibition stalls	A food premises that is: (a) a tent, stall or other structure that is not permanently fixed to a site or (b) a permanent structure not owned or leased by the food business that operates the premises in which food is handled for sale, or from which food is sold by that business, on an occasional basis only. (This does not apply to community group events which are code 100).	<i>Stretrader</i>			
113	Vending machines	A machine that sells potentially hazardous or low-risk pre-packaged foods.	<i>Stretrader</i>			
114	Accommodation getaway	These include B&Bs, farm-stays, and self-contained accommodation, historic homesteads, country cottages, guesthouses, nature retreats, boutique hotels, motels that provide ready to eat low risk meals (cereal/toast) and/or potentially hazardous meals as part of the short-accommodation stay.	1	2	3	4

Code	Premises type	Description	Mandatory class options			
			1	2	3	4
115	Aged care facilities	An aged care service that provides care in a residential facility, examples include a nursing home, a same day rehabilitation service or a hostel for the aged.	1	2	3	4
116	Bar/pubs	Premises that predominantly serve alcoholic and non-alcoholic beverages for consumption on site, along with other low-risk foods. For example, hotels and night clubs.	1	2	3	4
117	Canteen/camps	Food premises that sell low-risk or potentially hazardous ready to eat foods to a targeted population within an institution. For example, workers at a factory site, students at school (including before and after school programs), children attending a camp.	1	2	3	4
118	Café/restaurant	A facility where customers are generally served potentially hazardous or low-risk ready to eat meals for immediate consumption whilst seated at the premises.	1	2	3	4
119	Catering	Includes: (a) processing low-risk or potentially hazardous ready to eat or partially cooked foods at one location and served at a different location (b) processing and/or cooking ready to eat food at the same location where the food is served.	1	2	3	4
120	Childcare	Long day care, employer sponsored care or occasional care provided to four or more children under five years of age, which involves the sale of food, or preparation of food for sale, as part of the contract of service, by providing meals to the children. A sessional children's service that handles low-risk food or cut fruit/veg only is class 4.	1	2	3	4
121	Clubs	A facility that provides low-risk or potentially hazardous ready-to-eat meals for on-site consumption that are served to members of an establishment including sporting, gambling or cultural social /entertainment facility.	1	2	3	4
122	Coffee & dessert outlets such as coffee/cake /gelati/ice cream outlet.	Prepare and serve a limited range of low-risk or potentially hazardous ready to eat foods. Food served includes; coffee and other beverages, cakes, biscuits, gelati and ice-cream.	1	2	3	4

Code	Premises type	Description	Mandatory class options			
			1	2	3	4
123	Delivered meals organisations	<p>Premises:</p> <p>(a) at which the principal activity is preparing ready-to-eat meals for delivery to aged, impaired or other vulnerable persons in their homes, such as meals-on-wheels and similar organisations; or</p> <p>(b) located off site but their principal activity is to process food that is to be served to patients or residents at a hospital or aged care facility.</p> <p>Premises that receive pre-packaged potentially hazardous food for distribution (no food handling) in these settings are class 3.</p>	1	2	3	4
124	Juice bars	Food retailers that process fruit/vegetables/dairy/ice products into a beverage for immediate consumption.	1	2	3	4
125	Hospitals	<p>All types of hospitals/day care facilities that provide meals to patients including a day procedure centre and multipurpose centre. Includes hospices – facilities that provide meals to patients within a palliative care establishment.</p> <p>Hospitals that serve biscuits and tea or packaged sandwiches only are class 3.</p>	1	2	3	4
126	Mobile food premises	food premises that are vehicles. This includes trailers. Food can be sold from the vehicle at different locations from time to time, or continuously from a single site.	<i>Stretrader</i>			
127	Reception centres	Premises that are predominately used for pre-planned events with invited guests where low-risk or potentially hazardous ready to eat meals are served for immediate consumption.	1	2	3	4
128	Residential care	<p>Supported residential services (SRS), as defined in the <i>Health Services Act 1988</i> Victoria, where accommodation and care, which includes the provisions of meals, is provided to residents.</p> <p>SRS facilities at which potentially hazardous food is prepared for, or served to, residents and the majority of those residents are aged persons are class 1.</p> <p>SRSs that provide accommodation and services, including meals, to mostly young or middle-aged adults, are class 2.</p>	1	2	3	4
129	Take away foods/Fast food outlet /kiosk	Premises where customers purchase low-risk or potentially hazardous food that is ready to eat. The food is placed in take-away containers for immediate consumption either on or off-site.	1	2	3	4
130	Warehouse/distributors/wholesalers/importers	<p>A food premises where goods that require dry or cold storage are kept for distribution to another food premises.</p> <p>The wholesale of whole (uncut) fruit and vegetables is class 4.</p>	1	2	3	4

Appendix 3: Quick reference codes

Registration or notification status

Code	Current registration status
10	Initial registration
11	Renewal registration
12	Transfer registration
13	Conditional registration
14	Refuse renewal of registration
15	Registrations revoked or suspended
16	Notification of premises exempt from registration
17	Unregistered food premises
18	Closed by proprietor
19	Pending registration

Premises classification

Code	Classification
200	Class 1
201	Class 2
202	Class 3
203	Class 4

Food safety program (FSP)

Code	FSP type
10	Standard department template
11	Other department registered template
12	Proprietary FSP (requiring 3 rd party audit)
13	QA FSP

Water supply

Code	Water supply type
10	Public water supply
11	Private water supply

Audit/assessment

Code	Audit assessment type
10	Audit
11	Assessment

Performed by

Code	Audit/assessment performed by
10	Council
11	Third party (auditor)

Inspection type

Code	Inspection type
1210	Routine inspection
1211	Mandatory inspection
1212	Non-compliance inspection/follow-up to council audit
1213	Food complaint inspection – food adulteration (foreign object)
1214	Food complaint inspection – microbiological
1215	Food complaint inspection – chemical adulteration
1216	Food complaint inspection – food premises related
1217	Food poisoning inspection
1218	Undertaking application
1219	Undertaking follow-up inspection
1220	Enforcement follow-up inspection

Complaints

Code	Complaint type
10	Food adulteration
11	Microbiological
12	Chemical adulteration
13	Food premises related

Compliance outcome

Code	Compliance outcome
10	Compliant
11	Major non-compliance
12	Critical non-compliance

Food premises type

Code	Food premises type	Class
100	Community events	Stretrader (not applicable)
101	Manufacturer - potentially hazardous foods	Class 2
102	Manufacturer – low-risk foods	Class 3
103	Bakery retailer	Class 2 or 3
104	Convenience stores	Class 3 or 4
105	Delicatessen	Class 2
106	Green grocery	Class 2, 3 or 4
107	Home-based retailer	Class 2 or 3
108	Low-risk packaged food retailer	Class 4
109	Nuts/herbs/spices retail	Class 3 or 4
110	Pasta retail	Class 2
111	Supermarket	Class 2
112	Temporary food premises/market display/exhibition stall	Stretrader (not applicable)
113	Vending machine	Stretrader (not applicable)
114	Accommodation getaway	Class 2, 3 or 4
115	Aged care facilities	Class 1
116	Bar/pub	Class 3
117	Canteen/camps	Class 2 or 3
118	Café/restaurant	Class 2 or 3
119	Catering	Class 2 or 3
120	Childcare	Class 1 or 4
121	Club	Class 2 or 3
122	Coffee and dessert outlet	Class 2 or 3
123	Delivered meal organisation	Class 1 or 3
124	Juice bar	Class 2
125	Hospital	Class 1 or 3
126	Mobile food premises	Stretrader (not applicable)
127	Reception centre	Class 2 or 3
128	Residential care	Class 1 or 2
129	Takeaway foods/Fast food/kiosk	Class 2 or 3
130	Warehouse/distributors/wholesalers	Class 3 or 4

Recall action

Code	Food recall action
10	On-site visit
11	Verbal notification
12	Written notification

Enforcement type

Code	Enforcement type
10	General enforcement
11	Infringement notice
12	Prosecution

Enforcement action

Code	Enforcement action
10	Section 19 W - Directions powers concerning food safety
11	Notice Section 19 (2) Order
12	Section 19 (3) Closure order
13	Section 19 A - Food Vending machines and other equipment
14	Section 19 B - Unclean food handlers
16	Seizure
17	Revocation or suspension of registration
18	Undertaking proceeding
19	Section 19H - Audit/Assessment Frequency
20	Offence S16(1) contravention with FSC 3.2.2 Clause - 5(2)(a)
21	Offence S16(1) contravention with FSC 3.2.2 Clause - S5(2)(b)
22	Offence S16(1) contravention with FSC 3.2.2 Clause - 6(1)(a)
23	Offence S16(1) contravention with FSC 3.2.2 Clause - 6(2)
24	Offence S16(1) contravention with FSC 3.2.2 Clause - 7(1)(b)
25	Offence S16(1) contravention with FSC 3.2.2 Clause - 7(2)
26	Offence S16(1) contravention with FSC 3.2.2 Clause - 8(1)
27	Offence S16(1) contravention with FSC

Code	Enforcement action
	3.2.2 Clause - 8(2)(b)
28	Offence S16(1) contravention with FSC 3.2.2 Clause - 8(2)(c)
29	Offence S16(1) contravention with FSC 3.2.2 Clause - 8(4)
30	Offence S16(1) contravention with FSC 3.2.2 Clause - 8(5)(a)
31	Offence S16(1) contravention with FSC 3.2.2 Clause - 8(5)(b)
32	Offence S16(1) contravention with FSC 3.2.2 Clause - 10(b)
33	Offence S16(1) contravention with FSC 3.2.2 Clause - 10(c)
34	Offence S16(1) contravention with FSC 3.2.2 Clause - 11(3)
35	Offence S16(1) contravention with FSC 3.2.2 Clause - 11(4)
36	Offence S16(1) contravention with FSC 3.2.2 Clause - 12
37	Offence S16(1) contravention with FSC 3.2.2 Clause - 16(3)
38	Offence S16(1) contravention with FSC 3.2.2 Clause - 17
39	Offence S16(1) contravention with FSC 3.2.2 Clause - 19
40	Offence S16(1) contravention with FSC 3.2.2 Clause - 20(1)
41	Offence S16(1) contravention with FSC 3.2.2 Clause - 21(2)
42	Offence S16(1) contravention with FSC 3.2.2 Clause - 22(a)
43	Offence S16(1) contravention with FSC 3.2.2 Clause - 23(b)(ii)
44	Offence S16(1) contravention with FSC 3.2.2 Clause - 24(1)(a)
45	Offence S16(1) contravention with FSC 3.2.2 Clause - 24(1)(b)
46	Offence S16(1) contravention with FSC 3.2.3 clause - 4(2)
47	Offence S16(1) contravention with FSC 3.2.3 clause - 5(a)
48	Offence S16(1) contravention with FSC 3.2.3 clause - 6(a)

Code	Enforcement action
49	Offence S16(1) contravention with FSC 3.2.3 clause - 6(b)
50	Offence S16(1) contravention with FSC 3.2.3 clause - 10(2)(a)
51	Offence S16(1) contravention with FSC 3.2.3 clause - 10(2)(b)
52	Offence S16(1) contravention with FSC 3.2.3 clause - 10(2)(c)
53	Offence S16(1) contravention with FSC 3.2.3 clause - 11(4)(a)
54	Offence S16(1) contravention with FSC 3.2.3 clause - 12(2)(b)
55	Offence S16(1) contravention with FSC 3.2.3 clause - 12(2)(c)
56	Offence S16(1) contravention with FSC 3.2.3 clause - 12(3)
57	Offence S16(1) contravention with FSC 3.2.3 clause - 12(4)
58	Offence S16(1) contravention with FSC 3.2.3 clause - 13
59	Offence S16(1) contravention with FSC 3.2.3 clause - 14
60	Offence S16(1) contravention with FSC 3.2.3 clause - 15(2)
61	Offence S17 Food Act
62	PIN Offence S19BB(5) Food Act
63	Offence S19EB Food Act
64	Offence S19GB Food Act
65	Offence S35A(1) Food Act
66	Offence S35A(2) Food Act
67	Offence S35A(3) Food Act
68	Prosecution - Handling food in an unsafe manner
69	Prosecution - Knowingly selling unsafe food
70	Prosecution - Knowingly falsely describing food
71	Prosecution - Handling and sale of unsafe food
72	Prosecution - Handling and sale of unsuitable food

Code	Enforcement action
73	Prosecution - Misleading conduct relating to sale of food
74	Prosecution - Sale of food not complying with purchaser's demand
75	Prosecution - Sale of unfit equipment or packaging or labelling material
76	Prosecution - Non-compliance with Food Standards Code
77	Prosecution - All other offences

Infringement outcome

Code	Outcome
13	Paid – infringement notice
14	Withdrawn/cancelled – infringement notice
15	Unpaid enforcement under the <i>infringements Act 2006 (Vic)</i>

Prosecution verdict

Code	Verdict type
10	Not guilty
11	Guilty – no conviction recorded
12	Guilty – conviction recorded
13	Any other sentence imposed