

Slug-gate: 'Deliberate', 'targeted' closure

By Cam Lucadou-Wells

Before she allegedly found a slug in the back corner of I Cook Foods' factory, a Greater Dandenong environmental health inspector was hunched down in that corner for 17 seconds.

That was what the premises' cameras recorded, I Cook Foods director Ian Cook told a State Parliamentary inquiry into the closure of his business.

"It seems (the inspector) was not aware that these cameras were on, or that they were recording.

"These cameras, including her own body-camera, recorded (the inspector) repeatedly planting and falsifying evidence."

On the day of her inspection, the inspector had been wearing an "unconventional smock" with tissues poking from the outside pockets, Mr Cook said.

Mr Cook's brother Michael took a photo of a piece of wet tissue on the floor where the slug was captured. The tissue was missing on photos provided by the inspector to Mr Cook and Dandenong Magistrates' Court, Mr Cook said.

Mr Cook told the inquiry's MPs on 17 June that I Cook Foods was wrongly closed by the Department of Health and Human Services in February 2019 over a disproved listeria-related link to an elderly hospital patient's death.

But it was not closed due to "an abundance of caution" by the DHHS but a "deliberate, targeted, commercial, political and devastating" plan, he said.

He accused the department of delaying the release of exonerating reports until after \$700,000 of stock was destroyed and his contracts had collapsed. The closure order was made unlawfully under the wrong section of the food-safety legislation, he said.

Chief Health Officer Brett Sutton wasn't even a "lawful authority" to make the closure order, he said.

An email showed the DHHS colluding with



Ian Cook told the inquiry that his business was destroyed by a "deliberate" and "political" plot. 202497 Picture: STEWART CHAMBERS

an independent third-party auditor to change its audit. "Corruption in writing," Mr Cook told the inquiry.

I Cook Foods won an expensive Supreme Court case for access to the report justifying the DHHS's closure.

But the department provided just an "unrelated departmental email" without mentioning a single breach, Mr Cook said.

"To this day, uncertainty remains as to how much information was given to the Chief Health Officer Brett Sutton before he closed my business, or how much information was kept from him."

After the listeria link collapsed, Greater Dandenong Council mounted and then dropped its "fake" case of 96 charges including the alleged slug, Mr Cook said. The slug would have been a "serious breach". But it was improbable the nocturnal creature, not normally found in the area, slithered across an ozone-sterilised floor from outside on a summer's day.

It had not even left a detectable silver trail.

"If we didn't have the cameras in place, it would have been very difficult for us to fight ... I could have been facing a jail term."

Mr Cook says he was targeted as a rival to a failing business Community Chef, which was part-owned by Greater Dandenong Council and other councils and significantly financed by the DHHS.

"Put simply, I was closed by my competitor.

"The only way for Community Chef to turn a profit would be for my business to stop operating."

He told the inquiry that he'd filed a complaint to Victoria Police, with a brief of evidence voluntarily prepared by retired police detective Paul Brady.

Mr Cook said the issue meant more than just "the slug". It was the loss of 41 workers' livelihoods and the destruction of his \$48 million business.

"I was so proud of the business which my family and I built, I gave it my own name.

"So when the business's name was dragged through the mud and my business was accused of killing an elderly woman ... it felt like I was being accused of that."

Greater Dandenong Council has "absolutely refuted" claims that it planted evidence.

It has argued that I Cook Foods was temporarily closed down by the DHHS following "a number of positive samples for listeria ... one of which was linked to the death of an elderly woman".

"(Council) stands by its decision to bring charges against I Cook Foods, firmly believing that it is Council's priority to enforce the provisions of the Food Act and that the allegations were well founded," a spokesperson said last year.

Recently the council stated that it welcomed any inquiry or investigation of the matter.

The inquiry is expected to hear from witnesses from City of Greater Dandenong and the Department of Health and Human Services on Wednesday 24 June.

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