



Environmental Health Service
Dublin South East City
Adelaide Chambers
Peter Street
Dublin 8

Tel: [REDACTED]

Closure Order

Regulation 30 of the European Union (Official Controls in relation to Food Legislation)
Regulations 2020 (S.I. No. 79 of 2020)

To: HBV (Ireland) Limited

I, [REDACTED] being an authorised officer of the Health Service Executive under the Food Safety Authority of Ireland Act, 1998 and S.I. No. 79 of 2020, and in exercise of the powers conferred on me by Regulation 30 of S.I. No. 79 of 2020, hereby direct all or part of the premises, as identified in Part 1 of the Schedule be **closed** with immediate effect until the earliest of:-

- (i) An Order to contrary effect by a Court of competent jurisdiction; or
- (ii) Further written direction by the Health Service Executive.

I make this order being of the opinion that there is failure to comply with food legislation for the particular reasons set out in Part 2 of the Schedule and being of the opinion that **all or part** of the business, or its establishments, holdings or other premises to which the order relates as identified in Part 1 of the Schedule be closed.

Schedule

Part 1 Business/Establishments/Holdings/Other Premises

The business operated by HBV (Ireland) Limited, trading as Duck at 15 Adelaide St, Dublin 2.

This Closure Order Directs that:

(a) ~~All of the business, its establishments, holdings or other premises be closed.~~

Or

(b) ~~Part of the business, its establishments, holdings or other premises be closed (Please Specify: _____)~~

Part 2 Particular Reasons for Making of the Closure Order
State:

o Failure to comply with Regulation (EC) 853/2004 Annex II, Chapter 18(3) - At all stages of production, processing and distribution, food is to be protected against any contamination likely to render the food unfit for human consumption, injurious to health or contaminated in such a way that it would be unreasonable to expect it to be consumed in that state.

Evidence of non-compliance:

1. Blood from raw duck was noted to be dripping onto containers and bags of rice flour + sugar. This was also noted in previous inspection letters dated 14/09/23 and 01/09/23.
2. Dirty cleaning cloths used to mop up bloody water were placed on various surfaces throughout kitchen and on top of raw ducks. This was also noted in previous inspection letters dated 14/09/23 and 01/09/23.
3. Flies were observed on raw ducks and equipment. This was also noted in previous inspection letters dated 14/09/23 and 01/09/23.
4. A black bin bag filled with waste was stored in a sink in the basement kitchen. This non-compliance was noted in 2 previous inspection letters dated 14/09/23 and 01/09/23.
5. Whole raw ducks were being submerged in water directly in the meat sinks and the vegetable sink. The floor, walls, shelving, equipment and staff uniforms were noted to be contaminated with water run off and blood from raw duck being removed and transported from the sinks to the cold room and preparation table. This was also noted in letters dated 04/10/22 + 30/08/22.
6. There was no soap present at the hand wash sink in the basement kitchen. Inadequate hand washing procedures were observed at the time of inspection. It was noted that staff did not use soap to wash their hands following the handling of raw meat and use of toilet.
7. Staff were not following their 6-step cleaning and disinfection procedure which is documented in their Food Safety Management System, resulting in inadequate disinfection of surfaces and equipment. This was noted in a previous inspection letter dated 01/09/23.

Part 2 Particular Reasons for Making of the Closure Order

State:

8. The designated vegetable preparation area was being used to prepare raw duck. A container of vegetables was noted beside a container of raw duck cuttings and metal skewers used for hanging raw duck. There was also blood and raw duck cuttings on this preparation surface.

o Failure to comply with Regulation (EC) 853/2004, Annex II, Chapter XIa.

1. Due to the non-compliance observed in relation to contamination during the course of the inspection, it was evident that the food safety culture within the business was inadequate. Staff and Management did not show an awareness of food safety hazards and the importance of food safety and hygiene.

Dated this day 06/12/23

Signed: _____

Duly authorised by the Health Service Executive for the purposes of Regulation 30 of S.I. No.79 of 2020.

Note 1: Under Regulation 30(5) of S.I. No. 79 of 2020 a person who is aggrieved by a Closure Order may, within the period of 7 days beginning on the day on which the Closure Order is served on him or her, appeal against the Closure Order to a judge of the District Court in the District Court district in which the Closure Order was served.

Note 2: Under Regulation 30(7) of S.I. No. 79 of 2020 a person who appeals against a Closure Order or who applies for a direction suspending the application of the Closure Order shall at the same time notify the Food Safety Authority of Ireland or the Health Service Executive, as appropriate, of the appeal or the application and the grounds for the appeal or the application and the Food Safety Authority of Ireland or the Health Service Executive shall be entitled to appear, be heard and adduce evidence on the hearing of the appeal or the application.