



National Environmental Health Service, Health Service Executive
Community Care Centre
Western Road
Clonmel
Co. Tipperary

Phone: [REDACTED]
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18 February 2025

IAF Restaurant Ltd
T/A Bombay Kebab House
3 Bridge Street
Carrick-on-Suir
Co. Tipperary E32YH72

Closure Order

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

To: IAF Restaurant Ltd, 3 Bridge Street, Carrick-on-Suir, Co. Tipperary, E32 YH72

I [REDACTED], being an authorised officer of the Health Service Executive under the Food Safety Authority of Ireland Act, 1998 and under 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 I 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** 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 **IAF Restaurant Ltd**, trading as **Bombay Kebab House** at **Bombay Kebab House, 3 Bridge Street, Carrick-on-Suir, Co. Tipperary**

This Closure Order directs that:

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

Part 2 Particular Reasons for making of the Closure Order

1. Cleaning and Sanitation

Legislation breached

Regulation (EC) No 852/2004, Annex II, Chapter I, Paragraph 1

Regulation (EC) No 852/2004, Annex II, Chapter V, Paragraph 1

'Food premises are to be kept clean and maintained in good repair and condition'.

'All articles, fittings and equipment with which food comes into contact are to be effectively cleaned and, where necessary, disinfected. Cleaning and disinfection are to take place at a frequency sufficient to avoid any risk of contamination'.

Evidence of non-compliance

(a) The premises was in an unclean condition overall. For example: Floor-to-wall junctions, shelving, surfaces (including food and hand contact surfaces) and the interior and door seals of fridges.

(b) Equipment which comes into contact with food was in an unclean condition.

2. Training

Legislation breached

Regulation (EC) No 852/2004, Annex II, Chapter XII, Paragraph 1

'Food business operators are to ensure that food handlers are supervised and instructed and/or trained in food hygiene matters commensurate with their work activity'.

Evidence of non-compliance

The poor hygiene practices observed at the time of the inspection such as: poor cleaning; instances of poor temperature control; inadequate personal hygiene; absence of temperature monitoring and recording and absence of allergen information indicate that training of food handlers and management supervision is not effective.

3. Hazard analysis and critical control points (HACCP)

Legislation breached

Regulation (EC) No 852/2004, Article 5(1)

'Food business operators shall put in place, implement and maintain a permanent procedure or procedures based on the HACCP principles'.

Evidence of non-compliance

At the time of the inspection there was no evidence of any documented food safety management system based on the HACCP principles. No temperature monitoring records for critical control points (storage, cooking, cooling, reheating or hot holding) were available.

Potentially high risk, ready-to-eat foods (and other cooked foods) were found at potentially unsafe temperatures including:

(a) Cooked chicken pieces at 10.4°C in the countertop refrigerator in the pizza preparation area.

(b) Cut lettuce at 15.6°C in the kebab preparation area (with no system in place to limit maximum time at room temperature).

(c) Garlic sauce at 18.2°C in the kebab preparation area (with no system in place to limit maximum time at room temperature).

4. Food Information for Consumers

Legislation breached

Health (Provision of Food Allergen Information to Consumers in respect of Non-Prepacked Food) Regulations 2014, Regulation 4

'A food business operator shall not present or make available food for sale or supply, or sell or supply food, unless written particulars of any allergen in the food are indicated at: (a) the point of presentation, (b) the point of sale, or (c) the point of supply'.

Evidence of non-compliance

The presence of food allergens used as ingredients was not declared for any menu item. Food businesses must indicate allergens in writing for non-prepacked food at the point of presentation, or sale, or supply.

5. Food Safety Culture

Legislation breached

Regulation (EC) No 852/2004, Annex II, Chapter XIa, Paragraphs 1 & 2

'Food business operators shall establish, maintain and provide evidence of an appropriate food safety culture by fulfilling the following requirements: (a) commitment of the management, in accordance with point 2, and all employees to the safe production and distribution of food; (c) awareness of food safety hazards and of the importance of food safety and hygiene by all employees in the business;'

'Management commitment shall include: (e) ensuring compliance with relevant regulatory requirements;'

Evidence of non-compliance

(a) The business has a long history of non-compliance with food safety regulatory requirements [REDACTED]. An unsatisfactory level of compliance with food safety legislation was identified during inspections on: [REDACTED]. This demonstrates a clear lack of management commitment to ensuring compliance with relevant regulatory requirements.

(b) The observed hygiene standards at the time of the inspection demonstrate a lack of awareness of food safety hazards.

Dated this day **18/02/2025**

Signed [REDACTED]

Print Name: [REDACTED] **(authorised officer)**

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.