



FOOD SAFETY AUTHORITY OF IRELAND ACT, 1998
PROHIBITION ORDER

To: **Birgitta Curtin, Burren Smokehouse, Kincora Road, Lisdoonvarna, Co. Clare, V95HD70.**

I, [REDACTED] being an authorised officer of the Sea Fisheries Protection Authority, (SFPA), under the Food Safety Authority of Ireland Act, 1998 ("the Act"), and in exercise of the powers conferred on me by Section 54 of the Act, hereby direct that the **batches** identified in Part 1 of the Schedule be withdrawn from sale with immediate effect.

I make this Order being of the opinion that the activities (handling, processing, disposal, manufacturing, storage, distribution or selling of food) involve or, are likely to involve, a serious risk to public health from the said **batches** for the particular reasons set out in Part 2 of the Schedule.

I direct **Birgitta Curtin, Burren Smokehouse** to ensure that the food *is recalled from sale or distribution whether or not the food is on sale or being or has been distributed for sale in the State or elsewhere and is destroyed in a manner prescribed by* [REDACTED] **authorised officer.**

Schedule

Part 1

Batch Numbers	Year Produced	Requirement
411712/429721	(2024)	Recall, Supervised Destruction
413211/52221	(2024)	Recall, Supervised Destruction
422411/51721	(2024)	Recall, Supervised Destruction
321411/428921	(2023)	Supervised Destruction
321613/428921	(2023)	Supervised Destruction
327911/429121	(2023)	Recall, Supervised Destruction
320913	(2023)	Supervised Destruction
27008	(2022)	Supervised Destruction

Part 2 Particular reasons for making of Order

- Failure to produce records required by an authorised officer on the 22nd October 2024 for food batches **321411/428921, 321613/428921, 327911/429121, 320913** in accordance with Section 14 (1) (e) & Section 14 (1) (a) (ii) of European Union (Food and Feed Hygiene) Regulations 2020 (SI 22 of 2020) contrary to Section 21 (b), (c) of European Union (Food and Feed Hygiene) Regulation 2020 (SI 22 of 2020).
- Failure to take measures protect the consumer regarding batches **321411/428921, 321613/428921, 327911/429121 and 320913**, as per Regulation (EC) 2073 of 2005, Article 7, (1) when testing against food safety criteria set out in Chapter 1 of Annex I provides unsatisfactory results, the product or batch of foodstuffs shall be withdrawn or recalled in accordance with Regulation (EC) No 178/2002, Article 19.
- Failure to notify the competent authority of the presence of *Listeria monocytogenes* in batches **321411/428921, 321613/428921, 327911/429121 and 320913** following own testing, in breach of Article 14 of Regulation (EC) No 178/2002.
- Failure without reasonable cause to comply with a requirement of an authorised officer, regarding the supervised reworking of *Listeria monocytogenes* batches **411712/429721, 413211/52221, 422411/51721** in accordance with Section 14 (3) (vii) of European Union (Food and Feed Hygiene) Regulations 2020 (SI 22 of 2020) and contrary to Section 21 (b) of European Union (Food and Feed Hygiene) Regulation 2020 (SI 22 of 2020)
- Presence of *Listeria monocytogenes* in recalled batch **27008** from 2022 and period beyond frozen shelf-life of the product, under the precautionary principle, Article 7 of EU Regulation 178 of 2002 and implementing SI No 22 of 2020.

Dated this 22nd October 2024

Signed: [REDACTED] **(authorised officer)**

Duly authorised by the Sea Fisheries Protection Authority of Ireland for purposes of Section 54 of the Food Safety Authority of Ireland Act, 1998.

Note: Under Section 54(6) of the Food Safety Authority of Ireland Act, 1998, a person who is aggrieved by a Prohibition Order may, within the period of seven days beginning on the day on which the Prohibition Order is served on him or her, appeal against the Order to a Judge of the District Court in the District Court District in which the Order was served.

