



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

Phone: [REDACTED]

3 September 2025

Company Secretary, Brand Basket 1 Ltd

[REDACTED]
Clonree
Dublin 15
Co. Dublin [REDACTED]

Prohibition Order

Regulation 29 of the European Union (Official Controls in relation to Food Legislation) Regulations 2020 (S.I. No. 79 of 2020)

To: (1) Company Secretary, Brand Basket 1 Ltd, [REDACTED] Clonree, Dublin 15, Co. Dublin

(2) The Person in Charge, Nearby Cashel, 3 Main Street, Cashel, Co. Tipperary

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 29 of S. I No. 79 of 2020 hereby direct the **operator/person in charge** on whom this Prohibition Order is served that the particular **class** of food identified in **Part 1 of the Schedule** are with immediate effect:

- (i) not used for human consumption
- (ii) restricted or prohibited from being placed on the market
- (iii) withdrawn from sale (whether or not the product is on the market for sale in the State or elsewhere)
- (iv) 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)
- (v) as appropriate in the interests of public health, is rendered safe for human consumption or detained or destroyed in a manner prescribed by the authorised officer: **Products to be removed from their wrapping/packaging for disposal or packs to be opened prior to disposal.**

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 the particular **class** of food identified in **Part 1 of the Schedule** should be:

- (i) not used for human consumption
- (ii) restricted or prohibited from being placed on the market
- (iii) withdrawn from sale
- (v) as appropriate in the interests of public health, is rendered safe for human consumption or detained or destroyed in a manner prescribed by the authorised officer: **Products to be removed from their wrapping/packaging for disposal.**

Schedule

Part 1 Details of the Particular Class of Food:

(1) Chilled food including:

- (a) [REDACTED] brand cooked ham: 23 packs
- (b) [REDACTED] brand crumbed ham: 42 packs
- (c) [REDACTED] brand sliced chicken: 10 packs

- (d) [REDACTED] brand luncheon roll: 12 packs
- (e) [REDACTED] brand carved Irish ham: 9 packs
- (f) [REDACTED] brand protein puddings/cups: 14 tubs
- (g) [REDACTED] brand fresh milk: 19 bottles
- (h) [REDACTED] brand milk: 2 bottles
- (i) [REDACTED] brand cream: 22 packs
- (j) [REDACTED] yoghurt: 1 tub
- (k) [REDACTED] brand butter: 4 packs
- (l) [REDACTED] brand butter: 19 packs
- (m) [REDACTED] brand black and white puddings: 37 packs
- (n) [REDACTED] spread: 7 packs
- (o) [REDACTED] original: 12 packs
- (p) [REDACTED] brand rashers: 6 packs
- (q) [REDACTED] brand cheese: 16 packs
- (r) [REDACTED] brand cheese: 23 packs

(2) Frozen food including:

- (a) [REDACTED] brand frozen chicken products: 57 packs
- (b) [REDACTED] ice cream: 43 packs
- (c) [REDACTED] ice cream: 38 packs
- (d) [REDACTED] [REDACTED] ice cream: 36 packs
- (e) [REDACTED] ice cream: 99 packs
- (g) [REDACTED] ice break: 45 packs
- (h) [REDACTED] Cones: 25 packs
- (i) [REDACTED] ice cream: 21 packs
- (j) [REDACTED] chock ices: 38 packs
- (k) [REDACTED] ice cream: 58 packs
- (l) [REDACTED] vanilla cups: 18 packs
- (m) [REDACTED] 61 units

Part 2 Particular Reasons for Making of the Prohibition Order

Legislation with which the operator or person in charge has failed to comply

Regulation (EC) No 852/2004 on the hygiene of foodstuffs

Article 4(2) and Annex II, Chapter IX, Paragraph 5

'Raw materials, ingredients, intermediate products and finished products likely to support the reproduction of pathogenic micro-organisms or the formation of toxins are not to be kept at temperatures that might result in a risk to health. The cold chain is not to be interrupted...'

Article 4(3)

*'Food business operators shall, as appropriate, adopt the following specific hygiene measures:
(c) compliance with temperature control requirements for foodstuffs;
(d) maintenance of the cold chain;'*

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


Chilled and frozen foods were being kept at potentially unsafe temperatures.

Chilled foods were being held at potentially unsafe temperatures of up to **+14.4°C**

Frozen foods had thawed, were soft to touch, and were at potentially unsafe temperatures of up to **+7.6°C**

There were no HACCP based temperature monitoring procedures in place and no corrective action had been taken by the food business operator in response to these potentially unsafe temperatures prior to the inspection.

Dated this day **03/09/2025**

Signed: 

Print Name:  (authorised officer)

Duly authorised by the Health Service Executive for the purposes of Regulation 29 of S.I. No.79 of 2020. This order shall take effect immediately upon service

Note 1: Under Regulation 29(1) of S.I. No. 79 of 2020 in the event of non-compliance or delay by the person on whom the notice has been served, an authorised officer of the Food Safety Authority of Ireland or the Health Service Executive shall, following consultation with the chief executive or other officer of the Food Safety Authority of Ireland or the Health Service Executive designated in that behalf, take whatever steps are considered necessary to ensure compliance with the direction given under this paragraph, including the seizure and destruction of the products in question or the making of any arrangements for such seizure or destruction or both.

Note 2: Under Regulation 29(6) of S.I. No. 79 of 2020 a person who is aggrieved by a Prohibition Order may, within the period of 7 days beginning on the day on which the Prohibition Order is served on him or her, appeal against the Prohibition Order to a judge of the District Court in the District Court district in which the Prohibition Order was served.

Note 3: Under Regulation 29(8) of S.I. No. 79 of 2020 a person who appeals against a Prohibition Order or who applies for a direction suspending the application of the Prohibition 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.

CC: The Person in Charge, Nearby Cashel, 3 Main Street, Cashel, Co. Tipperary
