



National Environmental Health Service, Health Service Executive,  
The Crossings,  
Dublin Road,  
Naas,  
Co. Kildare

Phone: [REDACTED]

5 September 2025

BK Foods Limited,

[REDACTED],  
Kildare,  
Co. Kildare

R51 TP82

### Prohibition Order

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

To: BK Foods Limited, [REDACTED], Kildare, Co. Kildare

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 **person in charge** on whom this Prohibition Order is served that the particular items of food and food packaging 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
- (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.

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 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
- (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.

### Schedule

#### Part 1 Details of the Particular Items of food

All dry goods, i.e. food, beverages and food packaging located in the warehouse at Clongorey, Newbridge, County Kildare W12 WV59.

#### Part 2 Particular Reasons for Making of the Prohibition Order

**Regulation (EC) No 852/2004 of the european parliament and of the council of 29 April 2004 on the hygiene of foodstuffs Annex II Chapter I**

**2. The layout, design, construction, siting and size of food premises are to:**

**(c) permit good food hygiene practices, including protection against contamination and, in particular, pest control:**

- The layout, design and construction of the food premises does not permit good food hygiene practices and in particular, pest control. Food products and food packaging are stored in a warehouse that is not adequately pest-proofed resulting in a rat infestation through-out the premises.

**Regulation (EC) No 852/2004 of the european parliament and of the council of 29 April 2004 on the hygiene of foodstuffs Annex II Chapter IX**

**4. Adequate procedures are to be in place to control pests. Adequate procedures are also to be in place to prevent domestic**

*animals from having access to places where food is prepared, handled or stored (or, where the competent authority so permits in special cases, to prevent such access from resulting in contamination).*

- Adequate procedures were not in place to control pests in the premises. A live rat was spotted in the premises and rat droppings were visible on the floor and shelving through-out the warehouse where foodstuffs and food packaging was stored.

Dated this day **05/09/2025**

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.

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