STATUTORY INSTRUMENTS

1989 No. 1281

PUBLIC HEALTH, ENGLAND AND WALES
PUBLIC HEALTH, SCOTLAND
PUBLIC HEALTH, NORTHERN IRELAND

CONTAMINATION OF FOOD

The Food Protection (Emergency Prohibitions) Amendment (No.2) Order 1989

Made - - - -	*27th July 1989*
Laid before Parliament	*28th July 1989*
Coming into force	*31st July 1989*

Whereas the Secretary of State is of the opinion, as mentioned in section 1(1)(a) of the Food and Environment Protection Act 1985(**a**), that there has been or may have been an escape of substances of such descriptions and in such quantities and such circumstances as are likely to create a hazard to human health through human consumption of food;

And whereas he is of the opinion, as mentioned in section 1(1)(b) of the said Act, that in consequence of the said escape of substances food which is, or may be in the future, in the areas described in the Schedule to the Food Protection (Emergency Prohibitions) Order 1989(**b**) or which is, or may be in the future, derived from anything in those areas is, or may be, or may become, unsuitable for human consumption;

Now, therefore, in exercise of the powers conferred on him by sections 1(1) and (2), and 24(1) and (3) of the said Act(**c**), and of all other powers enabling him in that behalf, he hereby makes the following Order:

Title, commencement and interpretation

1. This Order may be cited as the Food Protection (Emergency Prohibitions) Amendment (No.2) Order 1989 and shall come into force on 31st July 1989.

Partial revocation and amendment

2. The Food Protection (Emergency Prohibitions) Order 1989 is revoked to the extent that it imposes prohibitions on–

(a) the slaughter of any sheep which was moved from any place in accordance with a consent given under section 2(1) of the Food and Environment Protection Act 1985 on or after 31st July 1989 which consent was subject to the condition that the sheep to which it applies should be marked with a green mark; and

(b) the supply or having in possession for supply of meat, or food containing meat, derived from any sheep described in paragraph (a) of this article,

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(**a**) 1985 c.48.
(**b**) S.I. 1989/3, amended by S.I. 1989/655.
(**c**) Section 24(1) contains a definition of "the Ministers" relevant to the exercise of the statutory powers under which this Order is made.

and accordingly that Order is amended in accordance with the following provisions of this Order.

3. In article 5, for paragraph (2) there shall be substituted the following paragraph:–

"(2) Paragraph (1) above shall not apply in the case of–

(a) any sheep which was moved from any place in accordance with a consent given under section 2(1) of the said Act which consent did not require that the sheep to which it applies should be marked;

(b) any sheep which was moved from any place in accordance with a consent given under section 2(1) of the said Act which consent was subject to the condition that the sheep to which it applies should be marked with a red mark;

(c) any sheep which was moved from any place in accordance with a consent given on or before 31st July 1988 under section 2(1) of the said Act which consent was subject to the condition that the sheep to which it applies should be marked with an apricot mark;

(d) any sheep which was moved from any place in accordance with a consent given on or before 2nd October 1988 under section 2(1) of the said Act which consent was subject to the condition that the sheep to which it applies should be marked with a green mark;

(e) any sheep which was moved from any place in accordance with a consent given on or before 8th January 1989 under section 2(1) of the said Act which consent was subject to the condition that the sheep to which it applies should be marked with a blue mark;

(f) any sheep which was moved from any place in accordance with a consent given on or before 30th July 1989 under section 2(1) of the said Act which consent was subject to the condition that the sheep to which it applies should be marked with an apricot mark;

(g) any sheep which was moved from any place in accordance with a consent given on or after 31st July 1989 under section 2(1) of the said Act which consent was subject to the condition that the sheep to which it applies should be marked with a green mark.".

4. In article 6, for paragraph (2) there shall be substituted the following paragraph:–

"(2) Paragraph (1) above shall not apply in the case of–

(a) any sheep which was moved from any place in accordance with a consent given under section 2(1) of the said Act which consent did not require that the sheep to which it applies should be marked;

(b) any sheep which was moved from any place in accordance with a consent given on or before 31st July 1988 under section 2(1) of the said Act which consent was subject to the condition that the sheep to which it applies should be marked with an apricot mark;

(c) any sheep which was moved from any place in accordance with a consent given on or before 2nd October 1988 under section 2(1) of the said Act which consent was subject to the condition that the sheep to which it applies should be marked with a green mark;

(d) any sheep which was moved from any place in accordance with a consent given on or before 8th January 1989 under section 2(1) of the said Act which consent was subject to the condition that the sheep to which it applies should be marked with a blue mark;

(e) any sheep which–

(i) was moved from any place in accordance with a consent given under section 2(1) of the said Act which consent was subject to the condition that the sheep to which it applies should be marked with a red mark, or

(ii) was moved from any place in accordance with a consent given on or after 9th January 1989 under section 2(1) of the said Act which consent was subject to the condition that the sheep to which it applies should be marked with an apricot mark,

(iii) was moved from any place in accordance with a consent given on or after 31st July 1989 under section 2(1) of the said Act which consent was subject

to the condition that the sheep to which it applies should be marked with a green mark,

and which in any case has been examined and marked with an ear-tag by a person authorised in that behalf by one of the Ministers.".

D.J. Essery
Under Secretary,
Scottish Office

St. Andrew's House, Edinburgh
27th July 1989

EXPLANATORY NOTE

(This note is not part of the Order)

The Food Protection (Emergency Prohibitions) Order 1989 contains emergency prohibitions restricting various activities in order to prevent human consumption of food rendered unsuitable for that purpose in consequence of the escape in April 1986 of radioactive substances from a nuclear reactor situated at Chernobyl in the Ukraine, USSR.

This Order excepts from the prohibition on slaughter throughout the United Kingdom any sheep, and from the prohibition on the supply throughout the United Kingdom any meat derived from such sheep, identified by a green paint mark and which has been moved in accordance with a consent given under section 2(1) of the Food and Environment Protection Act 1985 on or after 31st July 1989, and which has been examined and marked by an ear-tag by a person authorised in that behalf by the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland or Wales or the Department of Agriculture for Northern Ireland.

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