SCOTTISH STATUTORY INSTRUMENTS

2005 No. 191

PUBLIC HEALTH

CONTAMINATION OF FOOD

The Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 9) (Scotland) Order 2004 Partial Revocation Order 2005

Made - - - - *24th March 2005*

Coming into force in accordance with article 1

Laid before the Scottish Parliament *30th March 2005*

The Scottish Ministers, in exercise of the powers conferred by sections 1(1) and (2) and 24(3) of the Food and Environment Protection Act 1985(**a**), and of all other powers enabling them in that behalf, hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 9) (Scotland) Order 2004 Partial Revocation Order 2005 and shall come into force at 1645 hours on 24th March 2005.

Revocation

2. The Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 9) (Scotland) Order 2004(**b**) is hereby revoked in so far as it designates the area described as Area 1 in the Schedule to that Order.

RHONA BRANKIN
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
24th March 2005

(a) 1985 c.48; section 1(1) and (2) was amended by section 51(2)(a) and (b) of the Food Safety Act 1990 (c.16); section 1(2) defines "designating authority"; section 1(2) was further amended by the Scotland Act 1998 (Modification of Functions) Order 1999 (S.I. 1999/1756), Schedule, paragraph 10(2) and (3), the Food Standards Act 1999 (c.28), Schedule 5, paragraph 6 and the Scotland Act 1998 (Consequential Modifications) Order 2000 (S.I. 2000/2040), Schedule, Part I, paragraph 12.

(b) S.S.I. 2004/359, partially revoked by S.S.I. 2005/68.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is a partial revocation of the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 9) (Scotland) Order 2004 ("the principal Order"), which prohibited–

(a) fishing for or taking scallops within the areas designated in the Schedule to the principal Order (article 4 of the principal Order);

(b) movement of such scallops out of the designated areas (article 5 of the principal Order); and

(c) landing, using in the preparation or processing for supply of food of, supplying and other specified activities in relation to, such scallops from the designated areas (article 6 of the principal Order).

The effect of this Order is to remove the prohibitions in respect of the area of sea designated as Area 1 in the Schedule to the principal Order. (The prohibitions in respect of the area of sea designated as Area 3 in that Schedule were removed by the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (Nos. 5 and 9) (Scotland) Order 2004 Partial Revocation Order 2005).

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