STATUTORY INSTRUMENTS

1986 No. 1621

PUBLIC HEALTH, ENGLAND AND WALES

PUBLIC HEALTH, SCOTLAND

PUBLIC HEALTH, NORTHERN IRELAND

CONTAMINATION OF FOOD

The Food Protection (Emergency Prohibitions) (England) Amendment (No. 5) Order 1986

Made - - - -	19*th September* 1986
Coming into Operation	20*th September* 1986
Laid before Parliament	22*nd September* 1986

Whereas the Minister of Agriculture, Fisheries and Food is of the opinion, in accordance with 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 the said Minister is of the opinion, in accordance with 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 area described in the Schedule to the Food Protection (Emergency Prohibitions) (England) Order 1986(**b**), or which is derived or may be in the future derived from anything in that area, is, or may be, or may become, unsuitable for human consumption;

Now, therefore, the said Minister, in exercise of the powers conferred on him by the said section 1(1) and section 24(3) of the said Act, and of all other powers enabling him in that behalf, hereby makes the following order:—

Title and commencement

1. This order may be cited as the Food Protection (Emergency Prohibitions) (England) Amendment (No. 5) Order 1986 and shall come into operation on 20th September 1986.

(**a**) 1985 c. 48.
(**b**) S.I. 1986/1413, amended by S.I. 1986/1431, 1479, 1540 and 1592.

Partial revocation and amendment

2. The Food Protection (Emergency Prohibitions) (England) Order 1986 is revoked to the extent that it imposes prohibitions—

(a) on the movement of any sheep into a part of the designated area described in Schedule 2 to that order;

(b) on the movement into the designated area of sheep which have been moved from any place in accordance with a consent given under section 2(1) of the Food and Environment Protection Act 1985 which was subject to a condition that the sheep to which it applies should be marked with a red mark;

(c) on the slaughter of any sheep which have been moved to a market in accordance with a consent under the said section which did not require that the sheep to which it applies should be marked in a manner specified therein; and

(d) in respect of sheep which are in the areas described in article 6 of this order on 20th September 1986,

and accordingly the first mentioned order is further amended in accordance with the following provisions of this order.

3. In article 5, there shall be inserted—

(a) in paragraph (2), after the words "designated area" the words "(other than a part thereof described in Schedule 2 to this order)"; and

(b) after paragraph (2), the following paragraph—

"(3) Paragraph (2) above shall not apply in the case 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 which was subject to the condition that the sheep to which it applies should be marked with a red mark.".

4. Article 6 shall be renumbered article 6(1) and after that paragraph there shall be inserted the following paragraph—

"(2) This article shall not apply in the case of any sheep which was moved to a market in accordance with a consent given under section 2(1) of the Food and Environment Protection Act 1985 which did not require that the sheep to which it applies should be marked in a manner specified therein.".

5. After article 10 there shall be inserted the following article—

"11. Articles 4, 5 and 6 of this order shall not apply in the case of any sheep which was in any part of the designated area described in paragraphs 7 and 8 of Schedule 2 to this order on 20th September 1986.".

6. In Schedule 2 there shall be inserted, after paragraph 6, the following paragraphs—

"Areas excepted from restrictions on 20th September 1986

7. An area comprising those parts of the designated area which lie within the following boundary:—

From Ennerdale Bridge, north east on a minor road to Croasdale; north east following field boundaries to O.S. map ref. 097177; south east following fell walls along edge of Banna Fell and Herdus Fell to O.S. map ref. 109165; south following field boundaries to O.S. map ref. 112159; west following the boundary of Bowness Plantation to a track at O.S. map ref. 110159; south on the track to its junction with a footpath at O.S. map ref. 109154; north east on the footpath to Ennerdale Water at O.S. map ref. 106155; north west along the edge of Ennerdale Water to a footpath at O.S. map ref. 091151; west following the footpath to Cragg Farm; west following forest boundary to O.S. map ref. 072147; south following field boundaries to O.S. map ref. 067142; north west following forest boundary to O.S. map ref. 065145; south west following forest boundary to a minor road at O.S. map ref. 063144; north along the minor road to Ennerdale Bridge.

The area excludes any part of a road, footpath or river by reference to which its boundary is defined.

8. An area comprising those parts of the designated area which lie within the following boundary:—

From where the road A593 crosses the River Brathay at Skelwith Bridge (O.S. map ref. NY 345035); north west along the River Brathay to where it leaves Elter Water (O.S. map ref. NY 338040); along the north bank of Elter Water to where Great Langdale Beck flows into it; west along Great Langdale Beck to where it flows under the minor road at O.S. map ref. NY 285060; south east along the minor road to its junction with a minor road at O.S. map ref. NY 302033; east along the minor road through Busk House and Colwith to its junction with the road A593; east along the road A593 to Skelwith Bridge.

The area excludes any part of a road or river by reference to which its boundary is defined.".

In Witness whereof the Offical Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 19th September 1986.

L.S.

Elizabeth A. J. Attridge,
Under-Secretary authorised by the
Minister of Agriculture, Fisheries and Food.

EXPLANATORY NOTE

(This Note is not part of the Order.)

The Food Protection (Emergency Prohibitions) (England) Order 1986 ("the principal order") contains emergency prohibitions restricting various activities in order to prevent human consumption of food which has been or which may have been rendered unsuitable for that purpose in consequence of the escape of radioactive substances from a nuclear reactor situated at Chernobyl in the USSR.

This order excepts—

(a) from the prohibition on movement into the designated area, the movement of any sheep into a part of the designated area in which restrictions do not apply (article 3(*a*));

(b) from the prohibition on movement into the designated area, sheep which have been identified by a red paint mark, and moved, in accordance with a Ministerial consent (article 3(*b*));

(c) from the prohibition on slaughter and supply throughout the United Kingdom, any sheep which have been moved unmarked to a market in accordance with a Ministerial consent (article 4); and

(e) from any of the restrictions imposed by the principal order those sheep which were in a part of the designated area described in article 6 on 20th September 1986; in consequence any sheep which have been moved from that area before that date remain subject to the restrictions imposed by the principal order and, in particular, may not be slaughtered, anywhere in the United Kingdom, for human consumption or for use in the preparation of feeding stuffs.

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