*Order made by the Secretary of State, laid before Parliament under section 1(8) of the Food and Environment Protection Act 1985, for approval by resolution of each House of Parliament within twenty-eight days beginning with the day on which the order was made, subject to extension for periods of dissolution, prorogation or adjournment for more than four days.*

STATUTORY INSTRUMENTS

# 1986 No. 1993

# PUBLIC HEALTH, ENGLAND AND WALES

# PUBLIC HEALTH, SCOTLAND

# PUBLIC HEALTH, NORTHERN IRELAND

## CONTAMINATION OF FOOD

# The Food Protection (Emergency Prohibitions) (No. 9) Order 1986

| | |
|---|---|
| *Made* - - - - | 21*st November* 1986 |
| *Coming into Operation* | 22*nd November* 1986 |
| *Laid before Parliament* | 24*th November* 1986 |

Whereas the Secretary of State 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 he 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 areas described in Schedule 1 to the following order, 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 the said section 1(1) and section 24(3) of the said Act, and of all other powers enabling him in that behalf, he hereby makes the following order:-

*Title, commencement and interpretation*

**1.**—(1) This order may be cited as the Food Protection (Emergency Prohibitions) (No. 9) Order 1986 and shall come into operation on 22nd November 1986.

(**a**) 1985 c.48.

(2) In this order -

*(a)* "designated area" means one of the areas described in Schedule 1 to this order;

*(b)* "sheep" means an animal of the genus *Ovis* of whatever age or sex.

*Designated incident*

**2.** In the opinion of the Secretary of State food in the areas described in Schedule 1 to this order, or which is derived from anything in those areas is, or may be, unsuitable for human consumption in consequence of the following escape of substances:-

the escape on or after 26th April 1986 of radioative substances from a nuclear powered reactor situated at Chernobyl in the Ukraine, USSR.

*Designated areas*

**3.** The areas described in Schedule 1 to this order are hereby designated for the purposes of Part I of the Food and Environment Protection Act 1985.

*Restrictions throughout the United Kingdom*

**4.** No person shall in the United Kingdom slaughter for human consumption or for use in the preparation of feeding stuffs sheep which have been removed from those parts of the designated areas described in column 1 of Schedule 2 to this order during the periods relating to those areas, specified in column 2 of the said Schedule 2.

*Revocation*

**5.** The orders detailed in Schedule 3 to this order are hereby revoked.

*J. W. L. Lonie*,
Assistant Secretary,
Scottish Office.

New St. Andrew's House,
Edinburgh.
21st November 1986.

SCHEDULE 1 Articles 2 and 3

## DESIGNATED AREAS

**1.** *Dumfries and Galloway*

*(a)* Those areas of land within the boundaries of Nithsdale District comprising the Parishes of - Kirkconnel, New Abbey, Ruthwell, Sanquhar and Troqueer.

*(b)* Those areas of land within the boundaries of Stewartry District comprising the Parishes of - Balmaclellan, Carsphairn, Dalry, Kells and Kirkgunzeon.

*(c)* The area of land within the boundaries of Wigtown District comprising the Parish of Minnigaff.

**2.** *Strathclyde*

*(a)* on the Island of Arran that part of the Parish of Kilbride lying on the north of a line extending from the junction of the Road B880 with the boundary between Kilmory Parish and Kilbride Parish eastwards along the Road A841 leading towards Corrie until it crosses Glen Rosa Water and then eastwards along the northern bank of the Glen Rosa Water until it flows into Brodick Bay.

*(b)* The area of land within the boundaries of Kyle and Carrick District comprising that part of the Parish of Straiton bounded on or towards the south west by the boundary between the Parish of Barr and the Parish of Straiton; and on or towards the west by the unclassified road running in a northerly direction to its junction with the Road B741 at Straiton; and on or towards the north by the Road B741, running in an easterly direction to its junction with the Road A713 at Dalmellington; and on or towards the north-east by the boundary between Dalmellington Parish and Straiton Parish running in a south-easterly direction from Dalmellington to Loch Doon; and on or towards the south-east following the line of the boundary between Strathclyde Region and Dumfries and Galloway Region westwards to the point of its connection with the boundary between the Parish of Straiton and the Parish of Barr.

| *Column 1*<br>Designated areas | *Column 2*<br>Periods during which prohibitions and restrictions applied |
|---|---|
| **1.** *Dumfries and Galloway* | |
| *(a)* the area of land within the boundaries of Stewartry District comprising the Parish of Kells; | 24th June 1986 to 20th August 1986 |
| *(b)* the area of land within the boundaries of Nithsdale District comprising the Parish of Sanquhar; | 24th June 1986 to 28th August 1986 |
| *(c)* the area of land within the boundaries of Stewartry District comprising the Parish of Balmaclellan; | 24th June 1986 to 28th August 1986 |
| *(d)* the area of land within the boundaries of Nithsdale District comprising the Parish of Kirkconnel; | 24th June 1986 to 5th September 1986 |
| *(e)* the area of land within the boundaries of Stewartry District comprising the Parish of Dalry; | 24th June 1986 to 12th September 1986 |
| *(f)* the area of land within the boundaries of Nithsdale District comprising the Parish of Troqueer; | 24th June 1986 to 17th September 1986 |
| *(g)* the area of land within the boundaries of Wigtown District comprising the Parish of Minnigaff; | 24th June 1986 to 17th September 1986 |
| *(h)* the area of land within the boundaries of Nithsdale District comprising the Parish of Ruthwell but excluding therefrom the area described in sub-paragraph *(n)* below; | 24th June 1986 to 25th September 1986 |
| *(i)* the area of land within the boundaries of Stewartry District comprising the Parish of Kirkgunzeon but excluding therefrom the area described in sub-paragraph *(o)* below; | 24th June 1986 to 25th September 1986 |
| *(j)* the area of land within the boundaries of Stewartry District comprising the Parish of Carsphairn but excluding therefrom:- | 24th June 1986 to 25th September 1986 |
| (i) the area of land described in sub-paragraph *(q)* below; | |
| (ii) the area of land described in sub-paragraph *(r)* below; | |
| *(k)*(i) the area of land within the boundaries of Stewartry District and the Parish of Kirkgunzeon bounded on the west by the Parish boundary running northwards from Kirkgunzeon Lane viaduct along the Kirkgunzeon Lane until near the bridge at Newfield, on the north running generally in a north-easterly direction by the Kirkgunzeon Lane and ditch until its junction with the course of the old railway on the east and south-east running in a south-westerly direction by the course of the old railway until it meets the Parish boundary at Kirkgunzeon Lane viaduct; | 24th June 1986 to 3rd October 1986 |
| (ii) the area of land within the boundaries of Stewartry District and the Parish of Kirkgunzeon bounded on the north-west by the fence from Bargrug Cottage to Bargrug Plantation by Bargrug Plantation and on the north and the north-east by the fence running generally in an easterly direction from Bargrug Plantation to the point national grid reference NX875631 and thence to the point national grid reference NX877637 and from there running easterly to the Plascow Rig Plantation on the east and south-east by the Plascow Rig Plantation until it meets the unclassified road from Congeith to Auchenskeoch Lodge, on the south-west by the unclassified road running in a north-westerly direction until Bargrug Cottage. | 24th June 1986 to 3rd October 1986 |
| *(l)* The area of land within the boundaries of Nithsdale District comprising that part of the Parish of New Abbey described as follows:- | 24th June 1986 to 3rd October 1986 |

| *Column 1*<br>Designated areas | *Column 2*<br>Periods during which prohibitions and restrictions applied |
|---|---|
| On the west by Loch Arthur, on the north and east by Loch Arthur Plantations, on the south-east by the fence from Loch Arthur Plantations running in a south-westerly direction until it meets the Glensone Hill Plantation and on the south by the Glensone Hill Plantation and the southern section of the Loch Arthur Plantations until it meets the eastern side of Loch Arthur; | |
| *(m)* The area of land within the boundaries of Nithsdale District comprising that part of the Parish of New Abbey described as follows:- | 24th June 1986 to 3rd October 1986 |
| On the north by the Glensone Burn running in an easterly direction until it meets the weir below the junction of the Glensone Burn and the Kinharvie Burn, on the east by the Kinharvie Plantation and the Kinharvie Burn running in a southerly direction until Hawkhill, on the south by Hayfield Knowe part of the Kinharvie Plantation in a westerly direction until the Cullendeugh Plantation and on the west running in a north-westerly direction by the Cullendeugh Plantation and the Drungons Plantation until the Drungons Plantation meets the Glensone Burn; | |
| *(n)* the area of land within the boundaries of Nithsdale District comprising that part of the Parish of Ruthwell described as follows:- | 24th June 1986 to 10th October 1986 |
| On the west, from the point where Longbridgemuir Plantation and Cockpool Plantation meet running in a north-westerly direction by the eastern boundary of Longbridgemuir Plantation, until it meets the Black Grain Burn; on or towards the north in an easterly direction by the Black Grain Burn and the Kirkshiel Burn until it meets the western boundary of Stragglingwath Plantation; on or towards the east by the ditch leading to Longbridgemuir, the Longbridgemuir access road to Peter's Plantation and along the line of the watercourse northwards to Dockridding Wood; on or towards the south-west and south, running in a north-westerly and westerly direction by the northern boundary of Dockridding Wood until it meets the Willow Burn, and on the east in a southerly direction by the Willow Burn, until it meets the eastern boundary of Cockpool Plantation and on the south by the northern boundary of Cockpool Plantation in a westerly direction until it meets the eastern boundary of Longbridgemuir Plantation; | |
| *(o)* the area of land within the boundaries of Stewartry District and the Parish of Kirkgunzeon and described as follows:- | 24th June 1986 to 29th October 1986 |
| On the north-west along the Road A711 in an easterly direction from Newfield to Beeswing, then on the north-east and south-east following the line of the boundary between Stewartry District and Nithsdale District to the point where it meets the boundary between the Parish of Kirkgunzeon and the Parish of Colvend at Cuil Hill and then following the line of that boundary until it meets the Kirkgunzeon Lane and then on the west by the Kirkgunzeon Lane until Newfield, but excepting therefrom the areas of land described in sub-paragraph *(k)*(i) and (ii) above; | |
| *(p)* the area of land within the boundaries of Nithsdale District comprising the Parish of New Abbey but excluding therefrom:- | 24th June 1986 to 29th October 1986 |
| (i) the area of land described in sub-paragraph *(l)* above; | |
| (ii) the area of land described in sub-paragraph *(m)* above; | |

| *Column 1*<br>Designated areas | *Column 2*<br>Periods during which prohibitions and restrictions applied |
|---|---|
| *(q)* the area of land within the boundaries of Stewartry District and the Parish of Carsphairn described as follows:-<br><br>On the north-west from the Road A713 at the national grid point reference NX533970 in a north-easterly direction to the Water of Deugh at national grid point reference NX548983 and then running in a southerly direction until Knockingarroch and then on the south in a south-westerly direction by a dyke linking the Water of Deugh with Carsphairn Lane in a north-westerly direction until it meets the Lamloch Burn and then on the north-west running in a north-easterly direction by the plantation to the Road A713; | 24th June 1986 to 6th November 1986 |
| *(r)* The area of land within the boundaries of Stewartry District comprising that part of the Parish of Carsphairn described as follows:-<br><br>On or towards the north-west by the boundary between Strathclyde Region and Dumfries and Galloway Region at Loch Doon running in a north-easterly direction until the boundary meets the Brownhill Burn and then on the north-east by the Brownhill Burn running in a south-easterly direction until it meets the Water of Deugh and then on or towards the east by the Water of Deugh running in a southerly direction to the point national grid reference NX548983 and then in a south-westerly direction to the point national grid reference NX533970 and then following the Road A713 in a north-westerly direction to the north-east of the Plantation on Cullendoch Hill and then following the north-eastern boundary of said land mentioned Plantation until it meets the boundary between Strathclyde Region and Dumfries and Galloway Region at Loch Doon; | 24th June 1986 to 21st November 1986 |
| **2.** *Strathclyde*<br><br>*(a)* On the Island of Arran that part of the Parish of Kilbride lying on the north of a line extending from the junction of the Road B880 with the boundary between Kilmory Parish and Kilbride Parish eastwards along the Road B880 until its junction with the Road A841 northwards along the Road A841 leading towards Corrie until it crosses the Glen Rosa Water and then eastwards along the northern bank of the Glen Rosa Water until it flows into Brodick Bay; | 24th June 1986 to 10th September 1986 |
| *(b)* The area of land within the boundaries of Kyle and Carrick District comprising that part of the Parish of Straiton bounded on or towards the south-west by the boundary between the Parish of Barr and the Parish of Straiton; and on or towards the west by the unclassified road running in a northerly direction to its junction with the Road B741 at Straiton; and on or towards the north by the Road B741, running in an easterly direction to its junction with the Road A713 at Dalmellington; and on or towards the north-east by the boundary between Dalmellington Parish and Straiton Parish running in a south-easterly direction from Dalmellington to Loch Doon; and on or towards the south-east following the line of the boundary between Strathclyde Region and Dumfries and Galloway Region westwards to the point of its connection with the boundary between the Parish of Straiton and the Parish of Barr. | 24th June 1986 to 12th September 1986 |

## SCHEDULE 3

Article 5

## REVOCATIONS

| *Column 1* | *Column 2* |
|---|---|
| The Food Protection (Emergency Prohibitions) (No. 8) Order 1986 | S.I. 1986/1574 |
| The Food Protection (Emergency Prohibitions) (No. 8) (Amendment) Order 1986 | S.I. 1986/1595 |
| The Food Protection (Emergency Prohibitions) (No. 8) (Amendment No. 2) Order 1986 | S.I. 1986/1615 |
| The Food Protection (Emergency Prohibitions) (No. 8) (Amendment No. 6) Order 1986 | S.I. 1986/1900 |

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This order revokes the Food Protection (Emergency Prohibitions) (No. 8) Order 1986, as amended.

In order to prevent the human consumption of food rendered unsuitable for that purpose in consequence of the escape of radioactive substances from a nuclear reactor situated at Chernobyl, in the Ukraine, USSR, this order designates areas in Scotland which are High Deposition Areas (Article 3 and Schedule 1). Restrictions on movement and slaughter were removed from various parts of the designated areas on certain dates, however sheep which have been moved from those parts before the restrictions and prohibitions were removed cannot be slaughtered until the whole of the United Kingdom is cleared. Article 4 of the order therefore prohibits the slaughter of sheep which were removed from those parts during the periods specified in column 2 of Schedule 2.

Under section 21 of the Food and Environment Protection Act 1985 ("the 1985 Act") the penalty for contravening an emergency prohibition is -

*(a)* on summary conviction, a fine of an amount not exceeding the statutory maximum (at present £2,000);

*(b)* on conviction on indictment, an unlimited fine or imprisonment for a term of not more than two years, or both.

Powers of enforcement in relation to emergency prohibitions are conferred by section 4 of, and Schedule 2 to, the 1985 Act. Under paragraph 10 of that Schedule obstruction of enforcement officers is an offence.

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