1989 No. 1279

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

CONTAMINATION OF FOOD

The Food Protection (Emergency Prohibitions) (Wales) (No. 5) Amendment No. 3 Order 1989

Made - - - -	*26th July 1989*
Laid before Parliament	*27th 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 the Secretary of State 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) (Wales) (No. 5) Order 1987(**b**), or which is derived 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, the Secretary of State, in exercise of the powers conferred on him by the said section 1(1) and (2) and section 24(1) and (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) (Wales) (No. 5) Amendment No. 3 Order 1989 and shall come into force on 31st July 1989.

Partial revocation and amendment

2. The Food Protection (Emergency Prohibitions) (Wales) (No. 5) Order 1987 is revoked to the extent that it imposes prohibitions on–

(a) the slaughter of a sheep which–

(i) is 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 is subject to the condition that the sheep to which it applies should be marked with a green mark; and

(ii) has been examined and marked with an ear-tag by a person authorised in that behalf by one of the Ministers; and

(**a**) 1985 c.48.
(**b**) S.I. 1987/1894, amended by S.I. 1988/9, 951, 1329, 1680, 1989/2 and 660.

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

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

3. 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 to a market in accordance with a consent given under section 2(1) of the Act which consent did not require that the sheep to which it applies should be marked in a manner specified therein;

(b) any sheep which was moved from any place in accordance with a consent given under the said section 2(1) on or before 31st July 1988 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 under the said section 2(1) on or before 2nd October 1988 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 under the said section 2(1) on or before 8th January 1989 which consent was subject to the condition that the sheep to which it applies should be marked with a blue mark; or

(e) any sheep which–

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

(ii) is moved from any place in accordance with such a consent given on or after 9th January 1989 which consent is subject to the condition that the sheep to which it applies should be marked with an apricot mark; or

(iii) is moved from any place in accordance with such a consent given on or after 31st July 1989 which consent is 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.".

Peter Walker
Secretary of State for Wales

26th July 1989

EXPLANATORY NOTE

(This note is not part of the Order)

The Food Protection (Emergency Prohibitions) (Wales) (No. 5) Order 1987, as amended by S.I. 1988/9, 951, 1329, 1680, 1989/2 and 660 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.

The Order excepts from the prohibition on slaughter throughout the United Kingdom any sheep, and from the prohibition on supply throughout the United Kingdom any meat derived from such a sheep, identified by a green paint mark and which is moved in accordance with a Ministerial 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 with an ear-tag by a person authorised by the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland, the Secretary of State for Wales or the Department of Agriculture for Northern Ireland.