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STATUTORY INSTRUMENTS

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**1989 No. 2**

**PUBLIC HEALTH, ENGLAND AND  
WALES PUBLIC HEALTH, SCOTLAND PUBLIC  
HEALTH, NORTHERN IRELAND  
CONTAMINATION OF FOOD**

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

<i>Made</i>	- - - -	<i>5th January 1989</i>
<i>Laid before Parliament</i>		<i>5th January 1989</i>
<i>Coming into force</i>	- -	<i>9th January 1989</i>

Whereas the Secretary of State is of the opinion, as mentioned in section 1(1)(a) of the Food and Environment Protection Act 1985<sup>(1)</sup>, 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<sup>(2)</sup>, 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 Order 1989 and shall come into force on 9th January 1989.

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(1) 1985 c. 48.

(2) S.I. 1987/1894, amended by S.I. 1988/9, 951, 1329 and 1680.

## **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 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 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; and
- (b) the slaughter of a sheep which –
  - (i) is moved from a place in accordance with a consent given under the said section 2(1) 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; and
  - (ii) has been examined and marked with an ear-tag by a person authorised in that behalf by one of the Ministers; and
- (c) the supply or having in possession for supply of meat, or food containing meat, derived from a sheep described in paragraph (a) or (b) 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 10th January 1988 which consent was subject to the condition that the sheep to which it applies should be marked with a blue 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 31st July 1988 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 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; 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;
  - (ii) is moved from any place in accordance with such a consent given on or after 3rd October 1988 which consent is subject to the condition that the sheep to which it applies should be marked with a blue mark; or
  - (iii) 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,

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.”.

Signed by authority of the Secretary of State for Wales

5th January 1989

*Wyn Roberts*  
Minister of State, Welsh Office

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## 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 and 1680 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,

- (a) identified by a green paint mark and which has been moved in accordance with a Ministerial consent given under section 2(1) of the Food and Environment Protection Act 1985 on or before 2nd October 1988; or
- (b) identified by an apricot paint mark and which is moved in accordance with a Ministerial consent given under the said section 2(1) on or after 9th January 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.