

1992 No. 130

PUBLIC HEALTH

**Food Protection (Emergency Prohibitions) Order
(Northern Ireland) 1992***Made* 13th March 1992*Coming into operation* 13th March 1992

The Department of Agriculture, in exercise of the powers conferred on it by sections 1(1) and 24(3) of the Food and Environment Protection Act 1985(a) and of every other power enabling it in that behalf, being of the opinion in accordance with section 1(1) of that Act that there exist or may exist circumstances which are likely to create a hazard to human health through human consumption of food and that in consequence food which is or may be in the future in the area described in the Schedule to the following Order 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, hereby makes the following Order:—

Title, commencement and interpretation

1.—(1) This Order may be cited as the Food Protection (Emergency Prohibitions) Order (Northern Ireland) 1992 and shall come into operation on 13th March 1992.

(2) In this Order—

- (a) “designated area” means the Fish Farm described in the Schedule;
- (b) “fish” means rainbow trout, *Salmo Gairdneri*, alive or dead;
- (c) “the Act” means the Food and Environment Protection Act 1985;
- (d) “the Department” means the Department of Agriculture.

(3) The Interpretation Act (Northern Ireland) 1954(b) shall apply to this Order as it applies to a Measure of the Northern Ireland Assembly.

Designated circumstances

2. In the opinion of the Department, food which is or may be in the future derived from fish in the area described in the Schedule is, or may be, or may become unsuitable for human consumption in consequence of the presence of oil in the River Oona, Co. Tyrone.

Designated area

3. The area described in the Schedule is hereby designated for the purposes of Part I of the Act.

(a) 1985 c. 48 as amended by the Food Safety Act 1990 (c. 16). See also section 25(2) 1985 c. 48
(b) 1954 c. 33 (N.I.)

Activities prohibited in a designated area

4. A person shall not in the designated area prepare or process for supply to purchasers or others any food or feedingstuff from which food could be derived, being in each case food or feedingstuff derived from fish that were in the designated area on or after 10th March 1992.

Prohibitions on movement

5. A person shall not move any fish or any food derived from fish out of the designated area.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 13th March 1992.

(L.S.)

L. Sinclair

Assistant Secretary

The designated area

The area comprising the fish ponds and associated premises being the Fish Farm at Brosloy, Eglish, Dungannon, Co. Tyrone (Ordnance Survey Sheet 19 horizontal 776, vertical 568) occupied by Mr. Basil Quinn, Upperback, Stewartstown, Co. Tyrone.

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order contains emergency prohibitions on various activities in order to prevent human consumption of rainbow trout or food which is derived from rainbow trout originating in the designated area and which has been or may have been rendered unsuitable for human consumption in consequence of the presence of oil in the River Oona, Co. Tyrone.

The designated area is described (Article 3 and the Schedule). Within this area the preparation (packing) and processing of food or feedingstuff derived from fish is prohibited (Article 4). Movement of fish or any food derived from fish out of the designated area is prohibited (Article 5).

Any person who contravenes the provisions of this Order is guilty of an offence and is liable, on summary conviction, to a fine not exceeding £2,000 or on conviction on indictment to a fine or to imprisonment for a term or not more than two years or to both.