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SCOTTISH STATUTORY INSTRUMENTS

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**2002 No. 408**

**The Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (Orkney) (No. 3) (Scotland) Order 2002**

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (Orkney) (No. 3) (Scotland) Order 2002 and shall come into force at 1700 hours on 4th September 2002.

(2) In this Order—

- (a) “scallops” means scallops of the species of *Pecten maximus*; and
- (b) “relevant time” means 0001 hours on 4th September 2002.

**Designated circumstances**

2. In the opinion of the Scottish Ministers, scallops in the area designated in article 3 below may be affected by the toxins which cause amnesic shellfish poisoning in human beings and are likely to create a hazard to human health if they are consumed.

**Designated area**

3. The area described in the Schedule to this Order is hereby designated for the purposes of Part I of the Food and Environment Protection Act 1985.

**Activity prohibited in the designated area**

4. No person shall fish for or take any scallops in the designated area.

**Prohibited movement of scallops**

5. No person shall move any scallops out of the designated area.

**Restrictions**

6. No person shall—

- (a) use any scallops taken out of the designated area after the relevant time in the preparation or processing for supply of food and anything from which food could be derived;
- (b) land any scallops which were in waters in the designated area after the relevant time;
- (c) supply, or have in possession for supply, any scallops which were in the designated area after the relevant time;
- (d) supply, or have in possession for supply, any food or anything from which food could be derived in the preparation or processing of which anything was used in contravention of paragraph (a) of this article; or

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**Status:** This is the original version (as it was originally made).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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- (e) feed to any creature a feeding stuff in the preparation or processing of which anything was used in contravention of paragraph (a) of this article.

St Andrew's House,  
Edinburgh  
4th September 2002

*GODFREY ROBSON*  
A member of the staff of the Scottish Ministers