

**2004 No. 131**

**PUBLIC HEALTH**

**CONTAMINATION OF FOOD**

**The Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 5) (Scotland) Order 2003  
Revocation Order 2004**

*Made* - - - - - *15th March 2004*

*Coming into force in accordance with article 1*

*Laid before the Scottish Parliament* *16th March 2004*

The Scottish Ministers, in exercise of the powers conferred by sections 1(1) and (2) of the Food and Environment Protection Act 1985(a), and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation and commencement**

1. This Order may be cited as the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 5) (Scotland) Order 2003 Revocation Order 2004 and shall come into force at 1530 hours on 15th March 2004.

**Revocation**

2. The Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 5) (Scotland) Order 2003(b), the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 5) (Scotland) Partial Revocation Order 2003(c) and the Food Protection (Amnesic Shellfish Poisoning) (West Coast) (No. 5) (Scotland) Order 2003 Partial Revocation Order 2004(d) are hereby revoked.

*IAN GORDON*

A member of the staff of the Scottish Ministers

St Andrew's House,  
Edinburgh  
15th March 2004

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(a) 1985 c.48; section 1(1) and (2) was amended by section 51(2)(a) and (b) of the Food Safety Act 1990 (c.16); section 1(2) defines "designating authority"; section 1(2) was further amended by the Scotland Act 1998 (Modification of Functions) Order 1999 (S.I. 1999/1756), Schedule, paragraph 10(2) and (3), the Food Standards Act 1999 (c.28), Schedule 5, paragraph 6 and the Scotland Act 1998 (Consequential Modifications) Order 2000 (S.I. 2000/2040), Schedule, Part I, paragraph 12.

(b) S.S.I. 2003/381, partially revoked by S.S.I. 2003/606 and 2004/61.

(c) S.S.I. 2003/606.

(d) S.S.I. 2004/61.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order revokes the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 5) (Scotland) Order 2003 (“the principal Order”) which prohibited—

- (a) fishing for or taking scallops within the areas designated in the Schedule to the principal Order (article 4 of the principal Order);
- (b) movement of such scallops out of the designated areas (article 5 of the principal Order); and
- (c) landing, using in the preparation or processing for supply of food of, supplying and other specified activities in relation to, such scallops from the designated areas (article 6 of the principal Order).

The principal Order was partially revoked by the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 5) (Scotland) Partial Revocation Order 2003 and the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 5) (Scotland) Order 2003 Partial Revocation Order 2004, which are also revoked by this Order.

The effect of this Order is to remove all of the prohibitions in respect of the areas of sea designated in the Schedule to the principal Order.

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