



# Food and Environment Protection Act 1985

## CHAPTER 48

### FOOD AND ENVIRONMENT PROTECTION ACT 1985

#### PART I

##### CONTAMINATION OF FOOD

###### *Emergency orders etc.*

- 1 Power to make emergency orders.
- 2 Powers of Ministers when emergency order has been made.

###### *Investigation and enforcement*

- 3 Authorisation of investigating officers and enforcement officers.
- 4 Powers of officers.

#### PART II

##### DEPOSITS IN THE SEA

###### *Licensing*

- 5 Requirement of licences for deposit of substances and articles in the sea etc.
- 6 Requirement for licences for incineration at sea etc.
- 7 Exemptions.
- 7A Application of Part II: further provisions.
- 8 Licences.

*Status: Point in time view as at 31/12/2003.*

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*Offences relating to licensing system etc.*

- 9 Offences relating to licensing system.
- 10 Power to take remedial action.

*Enforcement*

- 11 Powers of officers.
- 12 Enforcement of Conventions.

*Miscellaneous*

- 13 Powers of Ministers to test and to charge for testing.
- 14 Duty of licensing authority to keep public registers of information.
- 15 Repeal of Dumping at Sea Act 1974, consequential amendments and transitional provisions.

**PART III**

PESTICIDES ETC.

- 16 Control of pesticides etc.
- 17 Codes of practice.
- 18 Payments for general purposes of Part III.
- 19 Enforcement powers.

**PART IV**

GENERAL AND SUPPLEMENTARY

- 20 Application to Crown etc.
- 21 Offences—penalties etc.
- 22 General defence of due diligence.
- 23 Financial provisions.
- 24 Interpretation.
- 25 Northern Ireland.
- 26 Channel Islands etc.
- 27 Commencement.
- 28 Short title.

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**SCHEDULES**

**SCHEDULE 1 — Emergency Prohibitions**

**Part I — ACTIVITIES THAT MAY BE PROHIBITED IN A DESIGNATED AREA**

- 1 An emergency order may prohibit any of the following in...

**Part II — MOVEMENTS OF FOOD ETC. THAT MAY BE PROHIBITED**

- 2 An emergency order may prohibit the movement of food or...

**Part III — ACTIVITIES THAT MAY BE PROHIBITED THROUGHOUT THE UNITED KINGDOM**

- 3 An emergency order may prohibit any of the following ....
- 4 A prohibition of a kind specified in paragraph 3 above...

**SCHEDULE 2 — Officers and their Powers**

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### *Introductory*

- 1 In this Schedule “officer” means— (a) an investigating officer;

*Assistants for officers etc.*

- 2 (1) An officer may take with him, to assist him...

### *Power to question*

- 2A (1) If an officer is carrying out functions conferred by...

*Powers in relation to vessels, aircraft etc.*

- 3 (1) In order to perform functions under Part I or...

*Containers etc.*

- 4 (1) Without prejudice to his powers under any other provision of...

*Evidence of officers’ authority*

- 5 (1) An officer shall be furnished with a certificate of...

*Time of performance of functions*

- 6 An officer must perform his functions under this Act at...

*Entry into dwellings*

- 7 (1) An officer may only enter a dwelling for the...

*Power of officer to use reasonable force*

- 8 An officer may use reasonable force, if necessary, in the...

*Protection of officers*

- 9 An officer shall not be liable in any civil or...

*Offences*

- 10 Any person who— (a) intentionally obstructs an officer in the...

### SCHEDULE 3 — Licences—Right to make Representations etc.

- 1 If within 28 days of the issue of a licence...  
2 On issuing a licence to a person a licensing authority...  
3 If a licensing authority refuses an application for a licence,...  
4 If a licensing authority varies or revokes a licence without...  
5 If within 28 days of receipt of a notice under...  
6 A notice under this Schedule giving a licensing authority’s reasons...  
7 Each licensing authority shall draw up and from time to...  
8 If a licensing authority constitutes a committee, the authority shall...  
9 It shall be the duty of the chairman--  
10 A notice under paragraph 9(b) above shall not specify a...  
11 If he expresses a wish to make oral representations, the...  
12 The committee shall consider-- (a) the reasons given by the...  
13 The licensing authority shall notify the person who made the...

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- 14 Subject to paragraph 15 below, a licensing authority may pay...
- 15 No payment shall be made in a case where the...
- 16 A licensing authority may make arrangements for securing that such...
- 17 A licensing authority may pay-- (a) such fees and allowances...

#### SCHEDULE 4 —

Particulars to be  
Contained in Registers

##### Part I — LICENCES FOR DEPOSIT OR INCINERATION OR ASSOCIATED OPERATIONS

- 1 The name of the holder of the licence.
- 2 The period of the licence.
- 3 The name, where known, of the producer of the substances...
- 4 Their description and quantity.
- 5 Their country of origin, where known.
- 6 The site at which it was intended to deposit or...
- 7 The place from which it was intended that they should...
- 8 The nature of any container or packaging in which it...
- 9 The results of any toxicity tests carried out for the...

##### Part II — LICENCES FOR SCUTTLING OR ASSOCIATED OPERATIONS

- 10 The name of the holder of the licence.
- 11 The period of the licence.
- 12 The name of the owner of the vessel.
- 13 A description of the vessel.
- 14 The site at which it was intended to scuttle it...
- 15 The place from which it was intended that it should...

#### SCHEDULE 5 — The Advisory Committee

- 1 The Ministers shall jointly appoint the members of the committee,...
- 1A The committee shall include one member appointed by the Ministers...
- 2 The committee shall, at such time in each year as...
- 3 The Ministers may jointly make provision by regulations with respect...
- 4 The Ministers shall provide the committee with such staff and...
- 5 The Ministers may pay to the members of the committee...
- 6 The Ministers shall defray any expenses incurred with their approval...
- 7 The committee shall not be taken to be the servant...
- 8 Regulations under this Schedule shall be made by statutory instrument...

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**Changes to legislation:**

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