

Order made by the Secretary of State, laid before Parliament under section 1(8) of the Food and Environment Protection Act 1985, for approval by resolution of each House of Parliament within twenty-eight days beginning with the day on which the order was made, subject to extension for periods of dissolution, prorogation or adjournment for more than four days.

STATUTORY INSTRUMENTS

1989 No. 2056

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

**The Food Protection (Emergency Prohibitions)
(Contamination of Feeding Stuff) (Wales) Order 1989**

<i>Made</i>	- - - -	<i>7th November 1989</i>
<i>Laid before Parliament</i>		<i>8th November 1989</i>
<i>Coming into force</i>	- -	<i>8th November 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⁽¹⁾, 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 following Order, 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, commencement and interpretation

1.—(1) This Order may be cited as the Food Protection (Emergency Prohibitions) (Contamination of Feeding Stuff) (Wales) Order 1989 and shall come into force on 8th November 1989.

(1) 1985 c. 48.

(2) In this Order

- (a) “the Act” means the Food and Environment Protection Act 1985,
- (b) “designated area” means the farms, holdings and agricultural premises described in the Schedule to this Order.

Designated incident

2. In the opinion of the Secretary of State, food in the areas described in the Schedule to this Order is, or may be, or may become unsuitable for human consumption in consequence of the escape of lead into imported animal feeding stuff.

Designated area

3. The areas described in the Schedule to this Order are hereby designated for the purposes of part I of the Act.

Activities prohibited in the designated area

4. No person shall in the designated area—
- (a) slaughter any cattle for human consumption or for use in the preparation of feeding stuff,
 - (b) prepare or process for supply to purchasers or others any food derived from cattle or anything from which food could be derived, or
 - (c) feed to any creature a feeding stuff the subject matter of the incident designated by article 2 of this Order.

Restrictions on movement

5. No person shall move any milk or milk product derived from any cattle or any cattle from which milk may be derived, or cattle from which meat or any other food for human consumption may be derived from the designated area.

Restrictions throughout the United Kingdom

6. No person shall in the United Kingdom—
- (a) slaughter for human consumption or for use in the preparation of feeding stuff any cattle that were in a designated area after the coming into force of this Order,
 - (b) supply, or have in possession for supply, any milk, milk product, meat or other food, derived from cattle that were in a designated area after the coming into force of this Order, or
 - (c) feed to any creature a feeding stuff the subject matter of the incident designated by article 2 of this Order that was taken from a designated area after the coming into force of this Order,
 - (d) supply or have in possession for supply any food or anything from which food could be derived that was prepared or processed in contravention of article 4(b) of this Order.

7th November 1989

Peter Walker
Secretary of State for Wales

SCHEDULE

Article 3

THE DESIGNATED AREA

Name	Address
Messrs H. W. Neal and Partners	Middle Newton Farm Newton Road Rumney CARDIFF South Glamorgan CF3 8EJ
Messrs D. G. Thomas and Son	Dros y Mor Llantwit Major South Glamorgan CF6 9ZB

EXPLANATORY NOTE

This note is not part of the Order)

This Order contains emergency prohibitions restricting various activities in order to prevent human consumption of food rendered unsuitable for that purpose in consequence of the escape of lead into imported animal feeding stuff.

The Order designates certain land in Wales within which certain activities are prohibited (article 3 and the Schedule). Movement of cattle, food and other things out of the designated area is controlled (article 5) and certain other restrictions extend throughout the United Kingdom (article 6).

Under section 21 of the Food and Environment Protection Act 1985 the penalty for contravening an emergency prohibition is—

- (a) on summary conviction, a fine of an amount not exceeding the statutory maximum (at present £2,000);
- (b) on conviction on indictment, an unlimited fine, or imprisonment for a term of not more than two years or both.

Powers of enforcement in relation to emergency prohibitions are conferred by section 4 of, and Schedule 2 to, the 1985 Act. Obstruction of enforcement officers is an offence under paragraph 10 of that Schedule.