

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. 2109

**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) (No. 3) Order 1989**

<i>Made</i>	- - - -	<i>15th November 1989</i>
<i>Laid before Parliament</i>		<i>16th November 1989</i>
<i>Coming into force</i>	- -	<i>16th 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) (No. 3) Order 1989 and shall come into force on 16th November 1989.

(1) 1985 c. 48; see the definitions of “designating authority” in section 1(2) and “the Ministers” in section 24(1).

(2) In this Order

- (a) “the Act” means the Food and Environment Protection Act 1985,
- (b) “designated area” means the farms, holdings and agricultural and other premises described in the Schedule to this Order,
- (c) “the Milk Marketing Board” means the Milk Marketing Board for England and Wales established under the Agricultural Marketing Act 1958(2).

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 which is derived from cattle and from which food could be derived, or
- (c) feed to any creature from which food may be derived a feeding stuff which is the subject matter of the incident designated by article 2 of this Order or which is derived from cattle that were in the designated area on or after 8th November 1989.

Restrictions on movement

5. Subject to article 7 of this Order, 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 any farm, holding, agricultural or other premises described in the Schedule to this Order.

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 the designated area after the coming into force of this Order,
- (b) supply, or, subject to article 7 of this Order, have in possession for supply, any milk, milk product, meat or other food, derived from cattle that were in the designated area after the coming into force of this Order,
- (c) feed to any creature from which food may be derived a feeding stuff which is the subject matter of the incident designated by article 2 of this Order that was taken from the designated area after the coming into force of this Order, or
- (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.

Exceptions to restrictions

7.—(1) Notwithstanding the restrictions in article 5 of this Order, the Milk Marketing Board may move milk from any farm, holding, agricultural or other premises described in the Schedule to this Order, subject to the condition set out in paragraph (2) below.

(2) The condition referred to in paragraph (1) above is that such milk is processed into butter or milk powder.

(3) Notwithstanding the restrictions in article 6(b) of this Order, there may be supplied to the Milk Marketing Board milk derived from cattle that were in the designated area after the coming into force of this Order.

8. The Food Protection (Emergency Prohibitions) (Contamination of Feeding Stuff) (Wales) (No. 2) Order 1989⁽³⁾ and the Food Protection (Emergency Prohibitions) (Contamination of Feeding Stuff) (Wales) (No. 2) Amendment Order 1989⁽⁴⁾ are revoked.

15th November 1989

Peter Walker
Secretary of State for Wales

⁽³⁾ S.I.1989/2092.

⁽⁴⁾ S.I. 1989/2105.

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SCHEDULE

Article 3

THE DESIGNATED AREA

Messrs H. W. Neal and Partners, Middle Newton Farm, Newton Road, Rumney, Cardiff, South Glamorgan

Messrs D. G. Thomas and Son, Dros y Mor, Llantwit Major, South Glamorgan

E. J. Johns & Sons, Brocastle Farm, Brocastle, Bridgend, Mid Glamorgan

F. Stephenson, The Hollies, Greave Farm, Wenvoe, Cardiff

R. J. Aston, Tre-neddyn Farm, Pontabraham, Pontardulais

F. E. Park, Manor House Farm, Rogiet, Newport, Gwent

D. R. Powell, Purlon Farm, Llantwit Major, South Glamorgan

M. & G. Summers, Hendre Farm, Pencoed, Bridgend, Mid Glamorgan

D. R. Llewellyn, Tynyrheol Farm, Kenfig Hill, Bridgend, Mid Glamorgan

B. Jones, Plasnewydd Farm, Llantwit Major, South Glamorgan

T. D. Llewellyn, Old Beaupre Farm, St Hilary, Cowbridge, South Glamorgan

W. J. Bassett, Highfield Farm, Llantwit Major, South Glamorgan

P. A. Evans, Maes Y Delyn, Coychurch, Bridgend, Mid Glamorgan

A. Garfield, Tyn Y Waun Farm, Llangynwydd, Nr Bridgend, Mid Glamorgan

G. C. Jenkins, Upper Tremain Farm, Merthyr Mawr, Bridgend, Mid Glamorgan

G. E. Thomas, Croes Cwtta Farm, St Brides Major, Bridgend, Mid Glamorgan

J. L. Thomas, Ty-Cribbwr Farm, Aberkenfig, Bridgend, Mid Glamorgan

G. H. Williams, Gladlys Farm, Blackmill, Bridgend, Mid Glamorgan

W. H. Williams, Dolau Ifan Ddu Farm, Blackmill, Bridgend, Mid Glamorgan

D. T. Griffiths, Llanilid Farm, Pencoed, Bridgend, Mid Glamorgan

L. D. Fluck, Pleasant View Farm, Sigginston, Cowbridge, South Glamorgan

P. R. Charter, Corntown Farm, Ewenny, Bridgend, Mid Glamorgan

R. & A. England, Pwllly Darren Farm, Welsh St Donats, Cowbridge, South Glamorgan

V. G. Radcliffe, Court Farm, St Mary Hill, Bridgend, Mid Glamorgan

M. and G. Jenkins, Tynewydd Farm, Groesfaen, Pontyclun, Mid Glamorgan

D. T. Edwards, Moat Farm, Llysworney, South Glamorgan

R. D. Lewis, Ty-Newydd Farm, Flemingstone, St Athan, South Glamorgan

D. C. Lewis and Son, The Crofta Farm, Ystradowen, Cowbridge, South Glamorgan

E. T. Adams and Sons, Darren Farm, Cowbridge, South Glamorgan

R. E. Brown, New Beaupre Farm, St Hilary, Cowbridge, South Glamorgan

D. T. and J. John, Blaencrymlin Farm, Blackmill, Bridgend, Mid Glamorgan

R. Evans, Bedw Farm, Coed Ely, Tonyrefail, Porth, Mid Glamorgan

B. G. and I. Jeremiah, Ty Draw Farm, St George's Super Ely, Cardiff, South Glamorgan

H. W. Jenkins, Tir Gwaidd Farm, Wattstown, Porth, Mid Glamorgan

W. R. and G. Clement, Tal-y-Fan Fawr Farm, Pontardulais, Swansea, West Glamorgan

J. D. Davies, Forrest Farm, Aberdulais, Neath, West Glamorgan

D. G. Thomas, T/A M. E. and D. G. Thomas, Rhos Fawr Farm, Salem, Morriston, Swansea, West Glamorgan

D. T. Williams and Sons, Doghill Farm, St Nicholas, Cardiff, South Glamorgan

C. H. Morgan, Pantynawel Farm, Blackmill, Bridgend, Mid Glamorgan

Messrs E. H. Radcliffe & Son, Penmark Place Farm, Penmark, Barry, South Glamorgan

T. W. Jervis, Franklin Farm, Clemenstone, Cowbridge, South Glamorgan

E. Averill, 2 Johns Villas, Brynceithin, Bridgend, Mid Glamorgan

R. Bradshaw, Wallas Farm, Wick Road, Ewenny, Bridgend, Mid Glamorgan

William Bros, Pen-Llwyn-Gwent Farm, Blackmill, Bridgend, Mid Glamorgan

T. Radcliffe and Sons, Kenfig House Farm, Margam, Port Talbot, West Glamorgan

E. Thorne and Son, Gyla Farm, Tonyrefail, Porth, Mid Glamorgan

F. Price, Llanwenson Fach Farm, Groesfaen, Pontyclun, Mid Glamorgan

T. A. Stone, Gilfaen Farm, Felindre, Swansea, West Glamorgan

R. Benson, Ty Groes Farm, Bonvilston, Nr Cardiff, South Glamorgan

E. M. Richards, Bryn Llefrith Farm, Caerau, Maesteg, Bridgend, Mid Glamorgan

G. P. Phillips, Tynycwm, Pencoed, Bridgend, Mid Glamorgan

H. G. Rees, Erwfach Farm, Tycroes, Ammanford, Dyfed

D. Tansell, Tyduffrwyth, Forest Road, Llanharry, Pontyclun, Mid Glamorgan

Mrs. C. E. Holly, Ty-Newydd, Groes Faen, Pontyclun, Mid Glamorgan

C. J. Cox, 16 Waun Newydd, Heol-Y-Cyw, Bridgend, Mid Glamorgan

J. H. Randall, Allt-Laes Farm, Peterston-S-Ely, Cardiff, South Glamorgan

I. Davies, Gelligaled Farm, Felinfoel, Llanelli, Dyfed

I. Oliver, Maendy Farm, Ton-Teg, Pontypridd, Mid Glamorgan

D. J. Davies, Gelly Ceidrim Farm, Tycroes, Ammanford, Dyfed

V. J. & R. Hearse, Cilaudy Farm, Coytrahene, Bridgend, Mid Glamorgan

Welsh Folk Museum, St Fagans, Cardiff, South Glamorgan

L. Gleadon, Orchard Dene, Welsh St Donats, Cowbridge, South Glamorgan

D. C. Jones and Son, Parcnewydd Farm, Nottage, Porthcawl, Mid Glamorgan

G. T. & B. M. Jones, Maescadlawr Farm, Llangynwydd, Bridgend, Mid Glamorgan

J. Thomas, Slade Paddocks, Llanmaes, Llantwit Major, South Glamorgan

R. Thomas, Golaufryn, St Mary Hill, Bridgend, Mid Glamorgan

J. Bugler, Llanilio Farm, Thomastown, Tonyrefail, Porth, Mid Glamorgan

A. Hammett, West Orchard Farm, Higher End, St Athan, Barry, South Glamorgan

R. D. Goulding & Son, Pencoed Castle Farm, Llanmartin, Newport, Gwent

R. H. Griffiths, Castle-Y-Bwth Farm, Henllys, Cwmbran, Gwent

D. J. Husband, The Ton Farm, Llangibby, Usk, Gwent

T. J. Price, Channel View, Redwick, Magor, Gwent

H. T. Davies, Machen Fach Farm, Lower Machen, Newport, Gwent

I. R. and H. Edwards, Cwmdy Farm, Maesycwmmmer, Hengoed, Mid Glamorgan

A. R. Edwards, New Dairy Farm, St Brides Wentloog, Newport, Gwent

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W. J. C. Evans, Tydu Farm, Llanillterne, Cardiff, South Glamorgan
M. & T. Moore, Cem Ifor Farm, Caerphilly, Mid Glamorgan
M. T. Difford, Ton Teilwr Farm, Nelson Treharris, Mid Glamorgan
R. J. Ruff, Heolddu Farm, Gellygroes, Pontllanfraith, Gwent
W. P. Waters, Lower Grange Farm, Magor, Gwent
J. S. Anstey, Court Farm, Rogiet, Newport, Gwent
P. Anthony and Partners, Tynewydd Farm, Blackwood, Gwent
H. Turner, Springfield House, St Bridges Wentloog, Newport, Gwent
J. & J. Evans, Pencraig Farm, Llanhennock, Newport, Gwent
M. L. Howells and Son, Ty Freeman Farm, Gwenhelog, Usk, Gwent
O. P. Watts, Pen Y Waun Farm, Bedwas, Newport, Gwent
T. H. Gibbon, Glyn-Rhymney Farm, Bedwas, Caerphilly, Mid Glamorgan
F. I. Dean & Son, Upper Carn Farm, Llanhennock, Caerleon, Newport, Gwent
D. J. & J. M. Goldsworthy, Whitney Farm, Merthyr Fawr, Bridgend, Mid Glamorgan
D. Lynn Thomas, Stormy Farm, Pyle, Bridgend, Mid Glamorgan
R. S. Thomas & Son, Sutton Newydd Farm, Wick, Cowbridge, South Glamorgan
R. F. F. England, Pwllly Darren Farm, Welsh St Donats, Cowbridge, South Glamorgan
C. T. & E. Millard, Great Brynhill Farm, Barry, South Glamorgan
S. Jones & Son, Maes-Yr-Aul Farm, Pendoylan, Cowbridge, South Glamorgan
D. Williams & Sons, Ynystanglwys Farm, Ynystawe, Glydach, Swansea, West Glamorgan
V. Thomas, Tynywaun Farm, Hendy, Pontardulais
P. J. Watkins, Kingsfield Farms, Grosmont, Abergavenny, Gwent
M. Brewer, Rhyd Halog Farm, Pontyclun, Mid Glamorgan
O. Anstay & Son, Ty Fry Farm, Pendoylan, Nr Cowbridge, South Glamorgan
J. Bromwell & Son, Rheld Farm, Llangenny, Crickhowell, Powys NP8 1ED
W. P. Jones & Son, Court-Y-Gullen Farm, Llandenny, Usk, Gwent, NP5 1DB
H. T. Davies & Partners, Machen Farm, Lower Machen, Newport, Gwent NP1 8UW
O. P. & K. M. Williams & Partners, Pins Farm, Machen, Lower Machen, Nr Newport, Gwent NP1 8UW
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T. W. Roberts, Malthouse Farm, Llanedeyrn, Nr Cardiff, South Glamorgan CF3 9YG
J. J. & A. D. Turner, Church Farm, St Brides Wentloog, Newport, Gwent NP1 9SQ
J. R. Bowen T/A M. G. Bowen and Son, Great House Farm, Bishton, Newport, Gwent
B. G. James, Courtfield, Undy, Nr Magor, Gwent
A. H. Colley, Great House Farm, Undy Magor, Gwent
A. H. Harris, Pensidan Farm, Bassaleg, Newport, Gwent
E. Morgan, Brooklands Farm, Llantarnam, Cwmbran, Gwent
D. and R. Trigg, Tynewydd Farm, Trelewis, Treharris, Mid Glamorgan
W. J. P. Jenkins, Twyn Gwyn Farm, Mammoel, Blackwood, Gwent

K. J. Ruffall, Arches Farm, Caerwent, Newport, Gwent
T. P. David, Fair Orchard, St. Brides, Newport, Gwent
V. J. Lewis, Duffryn Farm, Llwyna Lane, Llantrissant, Usk, Gwent
F. H. Williams, The Croft, Goytre, Pontypool, Gwent
H. W. Evans & Son, Pentre Farm, Llansoy, Usk, Gwent
J. D. R. & J. Corbett, Ifton Hill Farm, Port Skewett, Chepstow, Gwent
Llanbradach Fawr Partnership, Llanbradach, Caerphilly, Mid Glamorgan
Mrs. C. E. James & Sons, Trevedow Farm, Llanvihangel Crucorney, Abergavenny, Gwent
Messrs T. P., O. D. & J. P. David, Fairview, Glan-y-Rhosog Farm, Peterstone, Wentlooge, Cardiff
I. J. Hopkins & Partners, Maerdy Farm, Llangovan, Monmouth, Gwent
Mr. & Mrs. E. Exton, Lower Cwm, Llantilio Crossenny, Abergavenny, Gwent
J. Griffiths, Park House, Rhiwderin, Newport, Gwent
E. Griffiths, Pantyryrfa Farm, Henllys, Cwmbran, Gwent
R. H. Webster, 24A Gelli Crescent, Risca, Newport, Gwent
R. G. Lewis, Hendre Denny Uchaf, Caerphilly, Mid Glamorgan
C. D. Turner, Pantygwreiddyn Farm, Hollybush, Blackwood, Gwent
W. M. Evans and J. M. Stead, Craig-Yr-Hufan Farm, Senghenydd, Caerphilly, Mid Glamorgan
R. E. Ballard, The Poplars, Redwick, Magor, Newport, Gwent
Messrs A. L. J. & K. D. Alford and Son, Field Farm, Coed Morgan, Abergavenny, Gwent
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Messrs J. & R. G. Morris, Penheolmeirch, Llanbedr, Ystradwy, Crickhowell, Powys
Messrs J. R. & E. M. Richards, Llanfair Farm, Crickhowell, Powys
M. Mathews, Colliers Cottage, Nelson, Treharris, Mid Glamorgan
R. H. F. Heeps, Pentre-Wylan Farm, Llantilio Crossenny, Abergavenny, Gwent
I. A. & D. Watkins and Son, Great House Farm, Triley, Abergavenny, Gwent
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J. D. Joseph, The Grove Farm, South Cornelly, Pyle, Near Bridgend, Mid Glamorgan
Mrs. M. D. Bevan, Worthybrook Farm, Wonaston, Monmouth, Gwent NP5 4DW
Mr. N. Land, Great House Farm, Trelleck Grange, Chepstow, Gwent NP6 6QK
M/S H. R. and D. E. Heaven, Church Farm, Caldicot, Newport, Gwent NP6 4HT
M/S L. R., I. D., M. S. Morgan, Dunley Farm, Trelleck, Monmouth, Gwent NP5 4PX
Mr. T. G. Cracknell, No. 4 Holding, Hayesgate Lane, Mathern, Chepstow, Gwent NP6 6LJ
M/S F. J. and M. D. Beaumont, Pentre Farm, Llantilio Portholey, Abergavenny, Gwent NP7 8AT

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Mr. M. C. Anstey, Innage Farm, Mathern, Chepstow, Gwent, NP6 6JA
M/S D. and N. Jones and Son, Coalpits Farm, Shirenewton, Chepstow, Gwent NP6 6LS
Mr. G. A. and Mrs. E. Lane, Stone House Farm, Newchurch West, Chepstow, Gwent NP6 6DA
Mrs. M. L. Davies, Cross Farm, Pantysaison Tintern, Chepstow, Gwent NP6 7TP
R. H. E. Jones, Barnetts Farm, Bay Field, Chepstow, Gwent NP6 6AH
Mr. P. J. Lewis, Croes Robert Farm, Trelleck, Monmouth, Gwent NP5 4PJ
Mr. W. A. Price, The Gwent Lands, Llanmartin, Newport, Gwent NP6 2ID
Mr. R. F. Richards, The Gardens, Catash, Langston, Newport, Gwent
M/S C. G. and L. T. Price, New House Farm, Wolvesnewton, Chepstow, Gwent NP6 6NZ
Mrs. M. B. Gibbons, Cilvaynog, Llanvair Discoed, Chepstow, Gwent NP6 6RD
Mr. R. N. G. Morgan, Llanpill Farm, Llansoy, Usk, Gwent NP5 1DO
M/S J. F. and P. A. Lalley, Twyn Hendrance Farm, Earlswood, Chepstow, Gwent NP6 6RD
Mrs. A. M. Williams, Cock-y-North Farm, Henllys, Cwmbran, Gwent, NP44 6HT
M/S T. Pritchard and Sons, Park Farm, Caerleon, Newport, Gwent NP6 1PB
M/S L. Powell and Son, Gorse Farm, St. Arvans, Chepstow, Gwent
Mrs. D. A. Smith, Laurel Cottage, Earlswood, Chepstow, Gwent NP6 6AR
M/S J. and S. Robinson, Marlborough Farm, Grosmont, Abergavenny, Gwent
Mr. V. G. G. Marende, Hayesgate Farm, Chepstow, Gwent NP6 6LR
P. A. Evans and Sons, Brickyard Farm, Llangwm, Usk, Gwent NP5 1HD
Mr. J. L. T. Thomas, Llys Pentwyn Uchaf, Blackwood, Gwent
Mrs. L. M. O'Dwyer, Rose Cottage, Usk Road, Shirenewton, Gwent
Mr. D. J. Deer, Trelenny Farm, Mathern, Chepstow
Mrs. I. E. Shervington, Country Fresh Eggs, Ty-Mawr Farm, St Brides, Wentlooge, Gwent NP1 9SF
Mr. R H Shewell, Livox Farm House, St Arvans, Chepstow, Gwent NP6 6HD
M/S J. Sevenoaks and Sons, Barn Farm, Skenfrith, Abergavenny, Gwent
T. L. Thomas, Llwyn-yr-In, Capel Issac, Llandeilo, Carmarthen
D. Thomas, Bailey Llwyd, Manordeilo, Llangadog
G. Davies, Ynysmoch, Llangadog, Dyfed
Thomas, Penycoed, Dryslwyn, Carmarthen, Dyfed
B. G. Hicks (Senior), Tyny Fynnon Farm, Rhiwderin, Near Newport, Gwent
K. A. Mitchell, Penbwch Esaf, Pencoedcae, Pontypridd, Mid Glamorgan
T. P. Nolan, Swn-y-Mor Farm, Peterstone, Wentloog, Gwent

EXPLANATORY NOTE

(This note is not part of the Order)

This Order consolidates with amendments the Food Protection (Emergency Prohibitions) (Contamination of Feeding Stuff) (Wales) (No. 2) Order 1989, as amended. It 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 farms, holdings, agricultural and other premises in Wales within which certain activities are prohibited (articles 3 and 4 and the Schedule). Movement of cattle and food from any of these areas is controlled (article 5) and certain other restrictions extend throughout the United Kingdom (article 6).

This Order makes the following changes of substance—

- (a) certain farms, holdings, and premises are removed from the designated area (article 3 and the Schedule);
- (b) the prohibition in the designated area on preparing or processing for supply anything from which food could be derived is limited to anything derived from cattle (article 4(b));
- (c) the restriction throughout the United Kingdom on feeding to any creature certain feeding stuffs is limited to creatures from which food may be derived (article 6(c));
- (d) the exception to the restrictions in article 6(b) is revised (article 7(3)).

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.