
STATUTORY INSTRUMENTS

1989 No. 2269

**The Food Protection (Emergency Prohibitions)
(Contamination of Feeding Stuff) (Wales) (No. 4) Order 1989**

Title, commencement and interpretation

1.—(1) This Order may be cited as the Food Protection (Emergency Prohibitions) (Contamination of Feeding Stuff) (Wales) (No. 4) Order 1989 and shall come into force on 5th December 1989.

(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(1),
- (d) “slaughterhouse” has the same meaning as in section 34 of the Slaughterhouses Act 1974(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 that were in the designated area on or after 8th November 1989 or anything which is derived from such 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.

(1) 1958 c. 47.

(2) 1974 c. 3.

Restrictions on movement

5. Subject to article 8 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 any 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) subject to article 8 of this Order, 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) subject to article 8 of this Order, supply, or, subject to article 8 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 and which 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.

Application of Order in relation to sheep and goats and certain things derived therefrom

7.—(1) The provisions of articles 4 to 6 of this Order shall have effect as regards the farms, holdings and agricultural and other premises described in Part II of the Schedule to this Order by substituting for the word “cattle” wherever it occurs in those articles the words “, sheep or goats”.

(2) Where any farms, holdings or agricultural or other premises are described in both Part I and Part II of the Schedule to this Order, articles 4 to 6 and 7(1) of this Order shall apply in relation to them.

Exceptions to restrictions

8.—(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 articles 6(a) and 7(1) of this Order, a person may slaughter for human consumption or for use in the preparation of feeding stuff any cattle, sheep or goats in respect of which a consent has been given under section 2(1) of the Act to the doing of everything prohibited and restricted by this Order.

(4) 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.

(5) Notwithstanding the restrictions in articles 6(b) and 7(1) of this Order, but subject to paragraph (6) below, where any milk, milk product, meat or other food derived from cattle, sheep or goats has been lawfully supplied to a person under the Act, that person may supply or have in possession for supply any such food or any food derived therefrom.

(6) Paragraph (5) above shall not apply to an occupier of a slaughterhouse who supplies or has in possession for supply any meat derived from cattle which have been fed or may have been fed a feeding stuff which is the subject matter of the incident designated by article 2 of this Order.

Revocation

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

4th December 1989

Peter Walker
Secretary of State for Wales

⁽³⁾ S.I.1989/2109.
⁽⁴⁾ S.I. 1989/2181.