

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

1990 No. 43

**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 1990**

<i>Made</i> - - - -	<i>12th January 1990</i>
<i>Laid before Parliament</i>	<i>15th January 1990</i>
<i>Coming into force</i>	<i>16th January 1990</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(a), 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 1990 and shall come into force on 16th January 1990.

(2) In this Order —

“the Act” means the Food and Environment Protection Act 1985;

“designated area” means the farms, holdings and agricultural and other premises described in the Schedule;

“feeding stuff” does not include milk or milk products;

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

“food” does not include milk or milk products;

“slaughterhouse” has the same meaning as in section 34 of the Slaughterhouses Act 1974(a).

(3) Any reference in this Order to a numbered article or “the Schedule” shall be construed as a reference to the article bearing that number in this Order or the Schedule to this Order.

Designated incident

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

Designated area

3. The areas described in the Schedule 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) prepare or process for supply to purchasers or others any food or feeding stuff from which food could be derived, being in each case food or feeding stuff derived from cattle that were in the designated area on or after 8th November 1989; or
- (b) 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 or which is derived from cattle that were in the designated area on or after 8th November 1989.

Prohibitions on movement

5. No person shall move from any farm, holding, agricultural or other premises described in the Schedule any cattle from which meat or any other food for human consumption may be derived.

Prohibitions throughout the United Kingdom

6. No person shall, in the United Kingdom –

- (a) subject to article 8, slaughter for human consumption or for use in the preparation of feeding stuff any cattle that were in the designated area on or after 8th November 1989;
- (b) subject to article 8, supply or have in possession for supply any meat or other food derived from cattle that were in the designated area on or after 8th November 1989;
- (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 and which was taken from the designated area on or after 8th November 1989; 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(a).

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

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

(a) 1974 c.3.

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

Exceptions to prohibitions

8.—(1) Notwithstanding the prohibitions in articles 6(a) and 7(1), a person may slaughter 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 by this Order.

(2) Notwithstanding the prohibitions in articles 6(b) and 7(1), an occupier of a slaughterhouse may supply or have in possession for supply any meat or other food derived from 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 by this Order.

(3) Notwithstanding the prohibitions in articles 6(b) and 7(1), but subject to paragraph (4) below, where any 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.

(4) Paragraph (3) above shall not apply to an occupier of a slaughterhouse.

Revocation

9. The Food Protection (Emergency Prohibitions) (Contamination of Feeding Stuff) (Wales) (No. 4) Order 1989(a) is revoked.

Signed by authority of the
Secretary of State for Wales
12th January 1990

Ian Grist,
Parliamentary Under Secretary of
State, Welsh Office

SCHEDULE Articles 1(2), 2, 3 and 5
THE DESIGNATED AREA

PART I

APPLICATION OF CONTROLS IN RELATION TO CATTLE AND CERTAIN THINGS DERIVED THEREFROM

<i>Name</i>	<i>Address</i>
E T Adams & Sons	Darren Farm, Cowbridge, South Glamorgan
C Alford	Hall Farm, Llanddewi Rydderch, Abergavenny, Gwent
O Anstay & Sons	Ty Fry Farm, Pendoylan, Nr Cowbridge, South Glamorgan
J S Anstey	Court Farm, Rogiet, Newport, Gwent
M C Anstey	Innage Farm, Mathern, Chepstow, Gwent
P Antony & Partners	Tynewydd Farm, Blackwood, Gwent
R J Aston	Tre-neddyn Farm, Pontabraham, Pontardulais, Dyfed
R E Ballard	The Poplars, Redwick, Magor, Newport, Gwent
W J Bassett	Highfield Farm, Llantwit Major, South Glamorgan
R Benson	Ty Groes Farm, Bonvilston, Near Cardiff, South Glamorgan
Mrs M D Bevan	Worthybrook Farm, Wonaston, Monmouth, Gwent

(a) S.I. 1989/2269.

SCHEDULE: Part 1 – *continued*

<i>Name</i>	<i>Address</i>
J R Bowen T/A M G Bowen & Son	Great House Farm, Bishton, Newport, Gwent
R Bradshaw	Wallas Farm, Wick Road, Ewenny, Bridgend, Mid Glamorgan
M Brewer	Rhyd Halog Farm, Pontyclun, Mid Glamorgan
J Bromwell & Sons	Rheld Farm, Llangenny, Crickhowell, Powys
R E Brown	New Beaupre Farm, St Hilary, Cowbridge, South Glamorgan
J Bugler	Llanilio Farm, Thomastown, Tonyrefail, Porth, Mid Glamorgan
W R & G Clement	Tal-y-Fan Fawr Farm, Pontardulais, Swansea, West Glamorgan
A H Colley	Great House Farm, Undy, Magor, Gwent
Mrs G M Collingbourne	Collstar Farm, Malthouse Lane, Llantarnam, Cwmbran, Gwent
J D R & J Corbett	Ifton Hill Farm, Port Skewett, Chepstow, Gwent
T G Cracknell	No. 4 Holding, Hayesgate Lane, Mathern, Chepstow, Gwent
T P David	Fair Orchard, St Brides, Newport, Gwent
D J Davies	Gelly Ceidrim Farm, Tycroes, Ammanford, Dyfed
H T Davies & Partners	Machen Farm, Lower Machen, Newport, Gwent
I Davies	Gelligaled Farm, Felinfoel, Llanelli, Dyfed
J D Davies	Forrest Farm, Aberdulais, Neath, West Glamorgan
Mrs M L Davies	Cross Farm, Pantysaison Tintern, Chepstow, Gwent
W G Davies	Woodwille, Undy, Magor, Gwent
F I Dean & Son	Upper Carn Farm, Llanhennock, Caerleon, Newport, Gwent
M T Difford	Ton Teilwr Farm, Nelson, Treharris, Mid Glamorgan
J Duffy	Gilwern Farm, Ponthir, Newport, Gwent
D T Edwards	Moat Farm, Llysworney, South Glamorgan
I R & H Edwards	Cwmdu Farm, Maesycwmmmer, Hengoed, Mid Glamorgan
R & A England	Pwllly Darren Farm, Welsh St Donats, Cowbridge, South Glamorgan
A E Evans	Red House Farm, Goldcliffe, Newport, Gwent
H W Evans & Son	Pentre Farm, Llansoy, Usk, Gwent
J & J Evans	Penraig Farm, Llanhennock, Newport, Gwent
P A Evans	Maes Y Delyn, Coychurch, Bridgend, Mid Glamorgan
P A Evans & Sons	Brickyard Farm, Llangwm, Usk, Gwent
R Evans	Bedw Farm, Coed Ely, Tonyrefail, Porth, Mid Glamorgan
R Evans	Hafodtrysclawd Farm, Argoed, Blackwood, Gwent
W J C Evans	Tydu Farm, Llanillterne, Cardiff, South Glamorgan
W M Evans & J M Stead	Craig-Yr-Hufan Farm, Senghenydd, Caerphilly, Mid Glamorgan
L D Fluck	Pleasant View Farm, Sigginston, Cowbridge, South Glamorgan
E J Fox	35 Penalltra Road, Ystrad Mynach, Hengoed, Mid Glamorgan
A Garfield	Tyn Y Waun Farm, Llangynwydd, Near Bridgend, Mid Glamorgan
T H Gibbon	Glan-Rhymney Farm, Bedwas, Caerphilly, Mid Glamorgan
Mrs M B Gibbons	Cilvaynog, Llanvair Discoed, Chepstow, Gwent
L Gleadon	Orchard Dene, Welsh St Donats, Cowbridge, South Glamorgan
D J & J M Goldsworthy	Whitney Farm, Merthyr Fawr, Bridgend, Mid Glamorgan
R D Goulding & Son	Pencoed Castle Farm, Llanmartin, Newport, Gwent
D T Griffiths	Llanilid Farm, Pencoed, Bridgend, Mid Glamorgan

SCHEDULE: Part 1 – *continued*

<i>Name</i>	<i>Address</i>
E Griffiths	Pantyrfa Farm, Henllys, Cwmbran, Gwent
J Griffiths	Park House, Rhiwderin, Newport, Gwent
R H Griffiths	Castle-Y-Bwth Farm, Henllys, Cwmbran, Gwent
A Hammett	West Orchard Farm, Higher End, St Athan, Barry, South Glamorgan
A H Harris	Pensidan Farm, Bassaleg, Newport, Gwent
V J & R Hearse	Cilaudy Farm, Coytrahene, Bridgend, Mid Glamorgan
M/S H R & D E Heaven	Church Farm, Caldicot, Newport, Gwent NP6 4HT
R H F Heeps	Pentre-Wylan Farm, Llantilio Crossenny, Abergavenny, Gwent
Mrs C E Holly	Ty-Newydd, Groes Faen, Pontyclun, Mid Glamorgan
M L Howells & Son	Ty Freeman Farm, Gwenhelog, Usk, Gwent
D J Husband	The Ton Farm, Llangibby, Usk, Gwent
G C Jenkins	Upper Tremain Farm, Merthyr Mawr, Bridgend, Mid Glamorgan
H W Jenkins	Tir Gwaidd Farm, Wattstown, Porth, Mid Glamorgan
W J P Jenkins	Twyn Gwyn Farm, Mammoel, Blackwood, Gwent
B G & I Jeremiah	Ty Draw Farm, St Georges Super Ely, Cardiff, South Glamorgan
T W Jervis	Franklin Farm, Clemenstone, Cowbridge, South Glamorgan
D T & J John	Blaencrymlin Farm, Blackmill, Bridgend, Mid Glamorgan
E J Johns & Sons	Brocastle Farm, Brocastle, Bridgend, Mid Glamorgan
B Jones	Plasnewydd Farm, Llantwit Major, South Glamorgan
D C Jones & Son	Parcnewydd Farm, Nottage, Porthcawl, Mid Glamorgan
M/S D & N Jones & Son	Coalpits Farm, Shirenewton, Chepstow, Gwent
G T & B M Jones	Maescadlawr Farm, Llangynwydd, Bridgend, Mid Glamorgan
S Jones & Son	Maes-Yr-Aul Farm, Pendoylan, Cowbridge, South Glamorgan
W P Jones & Son	Court-Y-Gullen Farm, Llandenny, Usk, Gwent
J D Joseph	The Grove Farm, South Cornelly, Pyle, Near Bridgend, Mid Glamorgan
M/S J F & P A Lalley	Twyn Hendrance Farm, Earlswood, Chepstow, Gwent
Mr G A & Mrs E Lane	Stone House Farm, Newchurch West, Chepstow, Gwent
D C Lewis & Son	The Crofta Farm, Ystradowen, Cowbridge, South Glamorgan
Mr P J Lewis	Croes Robert Farm, Trelleck, Monmouth, Gwent
R D Lewis	Ty-Newydd Farm, Flemingstone, St Athan, South Glamorgan
R G Lewis	Hendre Denny Uchaf, Caerphilly, Mid Glamorgan
Llanbradach Fawr Partnership	Llanbradach, Caerphilly, Mid Glamorgan
D R Llewellyn	Tynyrheol Farm, Kenfig Hill, Bridgend, Mid Glamorgan
T D Llewellyn	Old Beaupre Farm, St Hilary, Cowbridge, South Glamorgan
V G G Marende	Hayesgate Farm, Chepstow, Gwent
M Mathews	Colliers Cottage, Nelson, Treharris, Mid Glamorgan
C T & E Millard	Great Brynhill Farm, Barry, South Glamorgan
K A Mitchell	Penbwch Esaf, Penycoedcae, Pontypridd, Mid Glamorgan
M & T Moore	Cem Ifor Farm, Caerphilly, Mid Glamorgan
A R D Morgan	21 New Barn, Flemingston, Barry, South Glamorgan
C H Morgan	Pantynawel Farm, Blackmill, Bridgend, Mid Glamorgan
M/S L R, I D, M S Morgan	Dunley Farm, Trelleck, Monmouth, Gwent

SCHEDULE: Part 1 – *continued*

<i>Name</i>	<i>Address</i>
R N G Morgan	Llanpill Farm, Llansoy, Usk, Gwent
Messrs J & R G Morris	Penheolmeirch, Llanbedr, Ystradwy, Crickhowell, Powys
Messrs H W Neal and Partners	Middle Newton Farm, Newton Road, Rumney, Cardiff, South Glamorgan
T P Nolan	Swn-y-Mor Farm, Peterstone, Wentloog, Gwent
Mrs L M O'Dwyer	Rose Cottage, Usk Road, Shirenewton, Gwent
I Oliver	Maendy Farm, Ton-Teg, Pontypridd, Mid Glamorgan
F E Park	Manor House Farm, Rogiet, Newport, Gwent
G P Phillips	Tynycwm, Pencoed, Bridgend, Mid Glamorgan
D R Powell	Purlon Farm, Llantwit Major, South Glamorgan
M/S L Powell & Son	Gorse Farm, St Arvans, Chepstow, Gwent
M/S C G and L T Price	New House Farm, Wolvesnewton, Chepstow, Gwent
T J Price	Channel View, Redwick, Magor, Gwent
W A Price	The Gwent Lands, Llanmartin, Newport, Gwent
M/S T Pritchard & Sons	Park Farm, Caerleon, Newport, Gwent
N D Prossor & Partners	Sluice House Farm, Peterstone Westloog, Rumney, Cardiff, South Glamorgan CF3 8TN
Messrs E H Radcliffe & Son	Penmark Place Farm, Penmark, Barry, South Glamorgan
T Radcliffe & Sons	Kenfig House Farm, Margam, Port Talbot, West Glamorgan
V G Radcliffe	Court Farm, St Mary Hill, Bridgend, Mid Glamorgan
J H Randall	Allt-Laes Farm, Peterston-Super-Ely, Cardiff, South Glamorgan
E M Richards	Bryn Llefrith Farm, Caerau, Maesteg, Bridgend, Mid Glamorgan
R F Richards	The Gardens, Catash, Langston, Newport, Gwent
Mrs J A Richardson	Plant Hire, Cefn Llogell Fach, Coedkernew, Newport, Gwent
D T Roberts & Son	Cwrt Y Carne Farm, Gorseinon, West Glamorgan
T W Roberts	Malthouse Farm, Llanedeyrn, Near Cardiff, South Glamorgan
M/S J & S Robinson	Marlborough Farm, Grosmont, Abergavenny, Gwent
R J Ruff	Heolddu Farm, Gellygroes, Pontllanfraith, Gwent
K J Ruffall	Arches Farm, Caerwent, Newport, Gwent
Mrs I E Shervington	Country Fresh Eggs, Ty-Mawr Farm, St Brides, Wentlooge, Gwent
Mrs D A Smith	Laurel Cottage, Earlswood, Chepstow, Gwent
F Stephenson	The Hollies, Greave Farm, Wenvoe, Cardiff
H Stokes & Company	Cefnmaes, Taliaris, Llandeilo, Dyfed
T A Stone	Gilfaen Farm, Felindre, Swansea, West Glamorgan
D Tansell	Tyduffrwyth, Forest Road, Llanharry, Pontyclun, Mid Glamorgan
D Thomas	Bailey Llwyd, Manordeilo, Llangadog
D G Thomas, T/A M E & D G Thomas	Rhos Fawr Farm, Salem, Morriston, Swansea, West Glamorgan
Messrs D G Thomas & Son	Dros y Mor, Llantwit Major, South Glamorgan
D Lynn Thomas	Stormy Farm, Pyle, Bridgend, Mid Glamorgan
G E Thomas	Croes Cwtta Farm, St Brides Major, Bridgend, Mid Glamorgan
Messrs H & N K Thomas	Lower Lodge, Manordeilo, Llandeilo, Dyfed
J L Thomas	Ty-Cribbwr Farm, Aberkenfig, Bridgend, Mid Glamorgan
R Thomas	Golaufryn, St Mary Hill, Bridgend, Mid Glamorgan

SCHEDULE: Part 1 – *continued*

<i>Name</i>	<i>Address</i>
R S Thomas & Son	Sutton Newydd Farm, Wick, Cowbridge, South Glamorgan
V Thomas	Tynywaun Farm, Hendy, Pontardulais, Dyfed
E Thorne & Son	Gyla Farm, Tonyrefail, Porth, Mid Glamorgan
D & R Trigg	Tynewydd Farm, Trelewis, Treharris, Mid Glamorgan
C D Turner	Pantygwreiddyn Farm, Hollybush, Blackwood, Gwent
J J & A D Turner	Church Farm, St Brides Wentlooge, Newport, Gwent
W P Waters	Lower Grange Farm, Magor, Gwent
I A & D Watkins & Son	Great House Farm, Triley, Abergavenny, Gwent
P J Watkins	Maerdy Farm, Grosmont, Abergavenny, Gwent
O P Watts	Pen Y Waun Farm, Bedwas, Newport, Gwent
R H Webster	24A Gelli Crescent, Risca, Newport, Gwent
Welsh Folk Museum	St Fagans, Cardiff, South Glamorgan
Mrs West	Hillside, Kilgwrrwg, New Church, Near Chepstow, Gwent
William Bros	Pen-Llwyn-Gwent Farm, Blackmill, Bridgend, Mid Glamorgan
Mrs A M Williams	Cock-y-North Farm, Henllys, Cwmbran, Gwent
D Williams & Sons	Ynystanglwys Farm, Ynystawe, Glydach, Swansea, West Glamorgan
D T Williams & Sons	Doghill Farm, St Nicholas, Cardiff, South Glamorgan
G H Williams	Gladlys Farm, Blackmill, Bridgend, Mid Glamorgan
O P & K M Williams & Partners	Plas Machen Farm, Machen, Near Newport, Gwent
W H Williams	Dolau Ifan Ddu Farm, Blackmill, Bridgend, Mid Glamorgan

PART II

APPLICATION OF CONTROLS IN RELATION TO SHEEP AND GOATS AND CERTAIN THINGS DERIVED THEREFROM

<i>Name</i>	<i>Address</i>
J R Bowen T/A M G Bowen & Son	Great House Farm, Bishton, Newport, Gwent
J Griffiths	Park House, Rhiwderin, Newport, Gwent
R H Griffiths	Castle-y-Bwth Farm, Henllys, Cwmbran, Gwent
Llanbradach Fawr Partnership	Llanbradach, Caerphilly, Mid Glamorgan
E Thorne & Son	Gyla Farm, Tonyrefail, Port, Mid Glamorgan
D & R Trigg	Tynewydd Farm, Trelewis, Treharris, Mid Glamorgan

EXPLANATORY NOTE

(This note is not part of the Order)

This Order replaces the Food Protection (Emergency Prohibitions) (Contamination of Feeding Stuff) (Wales) (No. 4) Order 1989. 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 material used in the manufacture of imported animal feeding stuff.

The Order designates certain farms, holdings and agricultural and other premises in Wales within which certain activities are prohibited (articles 3, 4 and 7 and the Schedule). Movement of cattle, sheep and goats from any of these areas is controlled (articles 5 and 7) and certain other prohibitions extend throughout the United Kingdom (articles 6 and 7). Provision is made for certain exceptions to the prohibitions in the Order (article 8).

This Order makes the following changes of substance:-

- (a) certain farms, holdings and premises are removed from the designated area and some corrections are made to the description of areas already designated (article 3 and the Schedule);
- (b) all prohibitions relating to milk and milk products have been omitted;
- (c) a further exception to the prohibition in articles 6(b) and 7(1) of the Order is introduced (article 8(2)).

The Order also makes certain drafting changes.

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.

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