

1987 No. 367

PUBLIC HEALTH

**Food Protection (Emergency Prohibitions) Order
(Northern Ireland) 1987**

Made 14th September 1987

Coming into operation 15th September 1987

Whereas the Department of Agriculture is of the opinion, in accordance with 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 said Department is of the opinion, in accordance with 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 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 said Department, in exercise of the powers conferred on it by sections 1(1) and 24(3) of the said Act, and of every other power enabling it 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) Order (Northern Ireland) 1987 and shall come into operation on 15th September 1987.

(2) In this order—

- (a) “designated area” means an area described in the Schedule;
- (b) “sheep” means an animal of the genus *Ovis* of whatever age or sex;
- (c) “the Act” means the Food and Environment Protection Act 1985;
- (d) “the Department” means the Department of Agriculture.

(3) The Interpretation Act (Northern Ireland) 1954(b) shall apply to this order as it applies to a Measure of the Northern Ireland Assembly.

(a) 1985 c. 48

(b) 1954 c. 33 (N.I.)

Designated incident

2. In the opinion of the Department, food which is or may be in the future in a designated area or which is or may be in the future derived from anything in such an area, is, or may be, or may become, unsuitable for human consumption in consequence of the escape on or after 26th April 1986 of radioactive substances from a nuclear powered reactor situated at Chernobyl in the Ukraine, USSR.

Designated areas

3. The areas described in the Schedule are hereby designated for the purposes of Part I of the Act.

Activities prohibited in a designated area

4. A person shall not, in a designated area, slaughter any sheep for human consumption or for use in the preparation of feedingstuffs.

Prohibitions on movement

5.—(1) A person shall not move any sheep from a farm, holding or agricultural premises situated in a designated area.

(2) Subject to paragraph (3), a person shall not move into a designated area any sheep which has been removed from that area or from any other area designated by an order under section 1 of the Act which refers to the escape of substances described in Article 2.

(3) Paragraph (2) shall not apply in the case of any sheep which was moved from any place in accordance with a consent given under section 2(1) of the Act which was subject to the condition that the sheep to which it applies should be marked with a red mark.

Activities prohibited throughout the United Kingdom

6.—(1) Subject to paragraph (2) a person shall not, in the United Kingdom—

- (a) slaughter for human consumption or for use in the preparation of feedingstuffs any sheep that was in a designated area at the time of coming into operation of this order; or
- (b) supply, or have in his possession for supply, any meat derived from a sheep or any food which contains any such meat, if that sheep was in a designated area at the time of coming into operation of this order.

(2) Paragraph (1) above shall not apply in the case of—

- (a) any sheep which was moved in accordance with a consent given under section 2(1) of the Act which did not require that the sheep to which it applies should be marked in a manner specified therein; or
- (b) any sheep which—
 - (i) was moved from any place in accordance with a consent given under the said section 2(1) which was subject to the condition that the sheep to which it applies should be marked with a green mark or a red mark; and
 - (ii) has been examined and marked with an ear tag by a person authorised in that behalf by the Department.

Exceptions

7. Articles 4, 5(1) and 6(1) shall not apply in respect of—

- (a) any sheep which, at the time of coming into operation of this order, was in a market, at a publicly advertised farm sale, or at a slaughterhouse or was in transit to or from a market, publicly advertised farm sale or slaughterhouse; or
- (b) any meat derived from such a sheep.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 14th September 1987.

(L.S.)

D. A. J. Hirrell

Assistant Secretary

SCHEDULE

The designated areas*Glenshane, County Londonderry*

The area comprising those parts of County Londonderry which lie within the following boundary:—

From the junction of the Lisnamuck Road and the Glenshane Road (OS Map Ref C 796 016) eastwards along the Glenshane Road to OS Map Ref C 806 013; north east along the Ranaghan Road to OS Map Ref C 819 020; north along the Seefin Road and Seefin Hill Road to OS Map Ref C 815 038; northwards along the Pollan Water to Tullykeeran Bridge (OS Map Ref C 818 045); north along the Tirkane Road to OS Map Ref C 812 049; west along fences and the Altcree Burn which mark the townland boundary between Tullykeeran and Currudda on the one hand and Slagtneill and Eden on the other to OS Map Ref C 773 054; southwards along the River Roe which marks the townland boundary between Currudda and Corick to OS Map Ref C 773 043; westward along fences marking the townland boundary between Glenshane and Moydamlaght on the one hand and Corick, Cluntygeeragh and Moneyneany on the other to OS Map Ref C 738 006; south along the boundary of Moydamlaght Forest to OS Map Ref H 741 986; south and east along the Moydamlaght Road, Feeny Road, and Fivemilestraight Road to OS Map Ref H 805 990; north along the Lisnamuck Road to the junction with the Glenshane Road (OS Map Ref C 796 016).

The area excludes any part of a road, fence, or river by reference to which its boundary is defined.

Belraugh, County Londonderry

The area comprising those parts of County Londonderry which lie within the following boundary:—

From the junction of the Belraugh Road and Gortnamoyagh Forest (OS Map Ref C 772 160); northwards along boundary of Gortnamoyagh Forest to OS Map Ref C 780 174; west along Coolnasilla River to OS Map Ref C 778 174; northwards along the Belraugh Road to OS Map Ref C 796 201; westwards along unnumbered road to C 790 204; southwards along the Gamlaght River to OS Map Ref C 777 197; south and west along the boundary of Cam Forest to OS Map Ref C 761 187; southwards along fences marking the townland boundary between Coolnasilla and Moneyguiggan on the one hand and Temain, Drumsurn Upper, and Kilhoyle on the other to OS Map Ref C 753 161; eastwards along the Drumsurn and B190 roads to the junction of the Belraugh Road and Gortnamoyagh Forest (OS Map Ref C 772 160).

The area excludes any part of a road, fence or river by reference to which its boundary is defined.

Glenwherry, County Antrim

The area comprising those parts of County Antrim which lie within the following boundary:—

From the junction of the Douglas Road and Road A36 (OS Map Ref D 240 996); eastwards along the A36 and Glenhead Roads to OS Map Ref D 279 998; northwards along the Eastern boundary of the Department of Agriculture's hill farm to OS Map Ref D 306 029; westward along the South and West boundary of Capanagh Forest to OS Map Ref D 292 054; north west along the Starbog Road to OS Map Ref D 288 063; westwards along fences to OS Map Ref D 264 057; westwards along the Druncrow and Shillanavogy roads to OS Map Ref D 249 048; westwards along the Shillanavogy Water, fences and Douglas Burn which form the townland boundary between Shillanavogy and Douglas on the one hand and Ballynacaird, Carnstroan and Racavan on the other to OS Map Ref D 222 035; southwards along the Douglas Road to the junction of the Douglas Road and Road A36 (OS Map Ref D 240 996).

The area excludes any part of a road, fence or river by reference to which its boundary is defined.

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order contains emergency prohibitions on various activities in order to prevent human consumption of food which has been or which may have been rendered unsuitable for that purpose in consequence of the escape of radioactive substances from a nuclear reactor situated at Chernobyl in the USSR.

The Order designates areas affected by the escape from which the movement of sheep and in which the slaughter of sheep for human consumption or for use in the preparation of feeding stuffs are prohibited (Articles 3, 4 and 5(1)).

Movement into a designated area of sheep which have been removed from it or from a similarly designated area elsewhere in the United Kingdom (other than sheep which have been identified by a red paint mark and moved in accordance with a consent given under section 2(1) of the Food and Environment Protection Act 1985 ("the Act")) is also prohibited (Article 5(2) and (3)). The Order also prohibits throughout the United Kingdom the slaughter of sheep from a designated area (other than sheep which have been moved in accordance with a consent given under section 2(1) of the Act and which are either unmarked or, if marked, which have been subsequently examined and ear tagged by the Department) and the supply of meat derived from such sheep (Article 6).

The prohibitions imposed by the Order do not apply in respect of sheep which, at the time of its coming into operation, were at or in transit to or from a market, publicly advertised farm sale or slaughterhouse or any meat derived from such sheep.

Any person who contravenes the provisions of this order is guilty of an offence and is liable, on summary conviction, to a fine not exceeding £2,000 or on conviction on indictment to a fine or imprisonment for a term of not more than two years or both.

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These Orders have been exempted from printing by the Statutory Rules (Northern Ireland) Order 1979. Summaries are given in the List of Statutory Rules of a Local Character under the heading ROADS.