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SCOTTISH STATUTORY INSTRUMENTS

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**2003 No. 381**

**The Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 5) (Scotland) Order 2003**

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 5) (Scotland) Order 2003 and shall come into force at 1600 hours on 6th August 2003.

(2) In this Order—

- (a) “scallops” means scallops of the class of *Pecten maximus*; and
- (b) “relevant time” means 0001 hours on 6th August 2003.

**Designated circumstances**

2. In the opinion of the Scottish Ministers, scallops in the areas designated in article 3 below may be affected by the toxin which causes amnesic shellfish poisoning in human beings and are likely to create a hazard to human health if they are consumed.

**Designated areas**

3. The areas described in the Schedule to this Order are hereby designated for the purposes of Part I of the Food and Environment Protection Act 1985.

**Activity prohibited in the designated areas**

4. No person shall fish for or take any scallops in the designated areas.

**Prohibited movement of scallops**

5. No person shall move any scallops out of the designated areas.

**Restrictions**

6. No person shall—

- (a) use any scallops taken out of the designated areas after the relevant time in the preparation or processing for supply of food and anything from which food could be derived;
- (b) land any scallops which were in waters in the designated areas after the relevant time;
- (c) supply, or have in possession for supply, any scallops which were in the designated areas after the relevant time;
- (d) supply, or have in possession for supply, any food or anything from which food could be derived in the preparation or processing of which anything was used in contravention of paragraph (a) of this article; or

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (e) feed to any creature a feeding stuff in the preparation or processing of which anything was used in contravention of paragraph (a) of this article.

St Andrew's House, Edinburgh  
6th August 2003

*MALCOLM CHISHOLM*  
A member of the Scottish Executive