

2004 No. 61

PUBLIC HEALTH

CONTAMINATION OF FOOD

**The Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 5) (Scotland) Order 2003
Partial Revocation Order 2004**

Made - - - - - *16th February 2004*

Coming into force in accordance with article 1

Laid before the Scottish Parliament *17th February 2004*

The Scottish Ministers, in exercise of the powers conferred by sections 1(1) and (2) and 24(3) of the Food and Environment Protection Act 1985(a), and of all other powers enabling them in that behalf, hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 5) (Scotland) Order 2003 Partial Revocation Order 2004 and shall come into force at 1600 hours on 16th February 2004.

Revocation

2. The Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 5) (Scotland) Order 2003(b) is hereby revoked in so far as it designates Area 1 in the Schedule to that Order.

MALCOLM CHISHOLM
A member of the Scottish Executive

St Andrew's House,
Edinburgh
16th February 2004

(a) 1985 c.48; section 1(1) and (2) was amended by section 51(2)(a) and (b) of the Food Safety Act 1990 (c.16); section 1(2) defines "designating authority"; section 1(2) was further amended by the Scotland Act 1998 (Modification of Functions) Order 1999 (S.I. 1999/1756), Schedule, paragraph 10(2) and (3), the Food Standards Act 1999 (c.28), Schedule 5, paragraph 6 and the Scotland Act 1998 (Consequential Modification) Order (S.I. 2000/2040), Schedule, Part I, paragraph 12.

(b) S.S.I. 2003/381.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is a partial revocation of the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 5) (Scotland) Order 2003 (“the principal Order”) which prohibits—

- (a) fishing for or taking scallops within the areas designated in the Schedule to the principal Order (article 4 of the principal Order);
- (b) movement of such scallops out of the designated areas (article 5 of the principal Order); and
- (c) landing, using in the preparation or processing for supply of food of, supplying and other specified activities in relation to, such scallops from the designated areas (article 6 of the principal Order).

The effect of this Order is to remove the prohibition in respect of the area of sea designated as Area 1 in the Schedule to the principal Order.

£3.00

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150 02/04 19593

