

2005 No.68

PUBLIC HEALTH

CONTAMINATION OF FOOD

The Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (Nos. 5 and 9) (Scotland) Orders 2004 Partial Revocation Order 2005

Made - - - - - *11th February 2005*

Coming into force in accordance with article 1

Laid before the Scottish Parliament *14th February 2005*

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) (Nos. 5 and 9) (Scotland) Orders 2004 Partial Revocation Order 2005 and shall come into force at 1630 hours on 11th February 2005.

Revocations

2.—(1) The Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 5) (Scotland) Order 2004(b) is hereby revoked in so far as it designates the area described as Area 2 in the Schedule to that Order.

(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 Modifications) Order 2000 (S.I. 2000/2040), Schedule, Part I, paragraph 12.
(b) S.S.I. 2004/323.

(2) The Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 9) (Scotland) Order 2004^(a) is hereby revoked in so far as it designates the area described as Area 3 in the Schedule to that Order.

J T BROWN

A member of the staff of the Scottish Ministers

St Andrew's House,
Edinburgh
11th February 2005

^(a) S.S.I. 2004/359.

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 2004 and a partial revocation of the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 9) (Scotland) Order 2004 (“the principal Orders”) which prohibited–

- (a) fishing for or taking scallops within the areas designated in the Schedules to each of the principal Orders (article 4 of each of the principal Orders);
- (b) movement of such scallops out of the designated areas (article 5 of each of the principal Orders); 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 each of the principal Orders).

The effect of this Order is to remove the prohibitions in respect of the areas of sea designated as Area 2 in the Schedule to the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 5) (Scotland) Order 2004 and Area 3 in the Schedule to the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No. 9) (Scotland) Order 2004.

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**The Food Protection (Emergency Prohibitions) (Amnesic
Shellfish Poisoning) (West Coast) (Nos. 5 and 9) (Scotland)
Orders 2004 Partial Revocation Order 2005**

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