

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

1991 No. 1863

PUBLIC HEALTH, ENGLAND AND WALES
CONTAMINATION OF FOOD

**The Food Protection (Emergency Prohibitions)
(Poisonous Substances in Cattle) (Wales) Order 1991**

<i>Made</i>	- - - -	<i>15th August 1991</i>
<i>Laid before Parliament</i>		<i>15th August 1991</i>
<i>Coming into force</i>	- -	<i>16th August 1991</i>

The Secretary of State, in exercise of the powers conferred on him by section 1(1) and (2) and section 24(1) and (3) of the Food and Environment Protection Act 1985⁽¹⁾, and of all other powers enabling him in that behalf, being of the opinion that there exist or may exist circumstances which are likely to create a hazard to human health through human consumption of food and that in consequence food which is derived or may be in the future derived from cattle in the area described in the following Order, is, or may be, or may become, unsuitable for human consumption, hereby makes the following Order:—

Title and commencement

1. This Order may be cited as the Food Protection (Emergency Prohibitions) (Poisonous Substances in Cattle) (Wales) Order 1991 and shall come into force on 16th August 1991.

Designated circumstances

2. In the opinion of the Secretary of State, cattle in the area designated in article 3 below may have ingested polychlorinated biphenyls or other poisonous substances and are likely to create a hazard to human health if food derived from them is consumed.

(1) 1985 c. 48; section 1 was amended by section 51 of the Food Safety Act 1990 (c. 16), and section 24(1) was amended by paragraph 29 of Schedule 3 to that Act; section 1(2) defines “designating authority” and section 24(1) defines “the Ministers”.

Designated area

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

Prohibitions on movement

4. –

- (1) No person shall move any cattle from the designated area.
- (2) No person shall move from the designated area any food derived from cattle which are or have been in the designated area.
- (3) No person shall move from the designated area any product–
 - (a) which could be used as a feeding stuff for animals intended for human consumption; and
 - (b) which has been derived from any cattle which are or have been in the designated area.

Signed by authority of the Secretary of State for Wales

Nicholas Bennett
Parliamentary Under Secretary of State, Welsh
Office

15th August 1991

SCHEDULE

Article 3

THE DESIGNATED AREA

Pantyyfynnon Farm,
Mynyddislwyn,
Gwent.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prohibits the movement of cattle and any food or feeding stuffs derived from them from a designated area in Wales (articles 3 and 4 and the Schedule). They are likely to create a hazard to human health because they may be contaminated (article 2).

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.