

Order made by the Minister of Agriculture, Fisheries and Food, 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

1992 No. 2726

**PUBLIC HEALTH, ENGLAND AND WALES
CONTAMINATION OF FOOD**

**The Food Protection (Emergency Prohibitions)
(Lead in Ducks and Geese) (England) Order 1992**

<i>Made</i>	- - - -	<i>30th October 1992</i>
<i>Laid before Parliament</i>		<i>2nd November 1992</i>
<i>Coming into force</i>	- -	<i>31st October 1992</i>

The Minister of Agriculture, Fisheries and Food, 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 exists 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 drakes, ducks, ganders and geese in the area described in that 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)(Lead in Ducks and Geese)(England)Order 1992 and shall come into force on 31st October 1992.

Designated circumstances

2. In the opinion of the Minister of Agriculture, Fisheries and Food, drakes, ducks, ganders and geese in the area designated in article 3 below may have eaten lead and are likely to create a hazard to human health if their meat 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 drakes, ducks, ganders or geese from the designated area.

(2) No person shall move from the designated area any meat or other product derived from drakes, ducks, ganders or geese which are or have been in the designated area.

(3) No person shall move from from the designated area any product:—

(i) which could be used as a feeding stuff for animals intended for human consumption; and

(ii) which has been derived from any drakes, ducks, ganders or geese which are or have been in the designated area.

In witness whereof of the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 30th October 1992.

L.S.

Derek Andrews
Permanent Secretary Ministry of Agriculture,
Fisheries and Food

SCHEDULE

Article 3

THE DESIGNATED AREA

The Ponderosa
Lincoln Fields
Billingsley
Bridgnorth
Shropshire
WV16 6PB

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prohibits the movement of drakes, ganders and geese and any meat, product or feeding stuffs from a designated area (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.