

Order made by the Minister of Agriculture, Fisheries and Food, to be 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. 849

PUBLIC HEALTH, ENGLAND AND WALES
CONTAMINATION OF FOOD

The Food Protection (Emergency Prohibitions) (Dioxins) (England) Order 1992

<i>Made</i>	- - - -	<i>19th March 1992</i>
<i>To be laid before Parliament</i>		<i>27th April 1992</i>
<i>Coming into force</i>	- -	<i>20th March 1992</i>

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred on him by sections 1(1) and 24(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 creatures and crops 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) (Dioxins) (England) Order 1992 and shall come into force on 20th March 1992.

Designated circumstances

2. In the opinion of the Minister of Agriculture, Fisheries and Food, circumstances exist whereby creatures and crops in the area designated in article 3 below may be contaminated by dioxins 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

4.—(1) No person shall cause or permit the breeding in the designated area of any creature from which food could be derived.

(2) No person shall move into or out of the designated area any creature from which food could be derived.

(3) No person shall move out of the designated area—

- (a) any food derived from a creature which is or has been in the designated area;
- (b) any thing from which food could be derived, which is derived from a creature which is or has been in the designated area;
- (c) any food derived from any crop grown in the designated area;
- (d) any thing from which food could be derived, which is derived from any crop grown in the designated area.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on

L.S.

19th March 1992.

Derek Andrews
Permanent Secretary Ministry of Agriculture,
Fisheries and Food

SCHEDULE

Article 3

THE DESIGNATED AREA

WOODHOUSE FARM
SHUTTLEWOOD
CHESTERFIELD
DERBYSHIRE
S44 6QL

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prohibits the breeding of food creatures and the movement of such creatures and crops from the designated area (articles 3 and 4 and the Schedule). The creatures, crops and their produce may create a hazard to human health because they may be contaminated with dioxins (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.