
STATUTORY INSTRUMENTS

1997 No. 239

**PUBLIC HEALTH, ENGLAND AND WALES
PUBLIC HEALTH, SCOTLAND
PUBLIC HEALTH, NORTHERN IRELAND
CONTAMINATION OF FOOD**

**The Food Protection (Emergency Prohibitions)
(Oil and Chemical Pollution of Fish and
Plants) (Partial Revocation) Order 1997**

<i>Made</i>	- - - -	<i>6th February 1997</i>
<i>Laid before Parliament</i>		<i>7th February 1997</i>
<i>Coming into force</i>	- -	<i>7th February 1997</i>

Whereas the Secretary of State was of the opinion, as mentioned in section 1(1)(a) of the Food and Environment Protection Act 1985(1), that there existed or might have existed circumstances which were likely to create a hazard to human health through human consumption of food;

And whereas the Secretary of State was of the opinion, as mentioned in section 1(1)(b) of the said Act, that in consequence food which was derived or might have been in the future derived from fish and plants in the area described in the Schedule to the Food Protection (Emergency Prohibitions) (Oil and Chemical Pollution of Fish and Plants) Order 1996(2) was, or might have been, or might have become unsuitable for human consumption;

And whereas the Secretary of State is now of the opinion that food which is derived from whelks in that part of the said area described in the Schedule to this Order is no longer unsuitable for human consumption in consequence of the said circumstances;

Now, therefore, the Secretary of State in exercise of the powers conferred on him by section 1(1) and section 24(3) of the said Act, and of all other powers enabling him in that behalf hereby makes the following Order:—

(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(1) defines “designating authority” and section 24(1) defines “the Ministers”.
(2) S.I.1996/448, which was partially revoked by S.I. 1996/1213, S.I. 1996/1319, S.I. 1996/1712, S.I. 1996/1957, S.I. 1996/2355 and S.I. 1996/2649.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Title and commencement

1. This Order may be cited as the Food Protection (Emergency Prohibitions) (Oil and Chemical Pollution of Fish and Plants) (Partial Revocation) Order 1997 and shall come into force on 7th February 1997.

Partial Revocation

2.—(1) The Food Protection (Emergency Prohibitions) (Oil and Chemical Pollution of Fish and Plants) Order 1996 is hereby revoked insofar as it applies in relation to whelks which are in the part of the area designated by that Order which is described in the Schedule to this Order.

Signed by authority of the Secretary of State for Wales

Jonathan Evans
Parliamentary Under Secretary of State, Welsh
Office

6th February 1997

SCHEDULE

Article 2

PART OF THE DESIGNATED AREA IN WHICH WHELKS ARE NO LONGER SUBJECT TO RESTRICTIONS

An area of the sea off the Pembrokeshire coast of Wales, below mean high water springs, comprising the estuary known as Milford Haven which lies to the East of a line between Studdock Point at 51° 40.03' N latitude and 005° 7.2' W longitude and St Ann's Head to the north west at 51° 40.8' N latitude and 005° 10.02' W longitude.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order partially revokes the Food Protection (Emergency Prohibitions) (Oil and Chemical Pollution of Fish and Plants) Order 1996 (“the principal Order”) which contained emergency prohibitions on various activities in order to prevent human consumption of food rendered unsuitable for that purpose by virtue of edible plants, edible seaweed and fish having been affected by oil and other chemical pollutants.

This partial revocation provides that the emergency prohibitions contained in the principal Order shall not apply to whelks in a part of the area designated by that Order known as Milford Haven (article 2 and the Schedule).

Maps showing the area described in the Schedule to this Order are available for inspection during normal office hours at the offices of the Ministry of Agriculture Fisheries and Food at 5, Hamilton Terrace, Milford Haven, Pembrokeshire SA73 2AL and at the offices of the Welsh Office Agriculture Department at Cathays Park, Cardiff CF1 3NQ.