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STATUTORY INSTRUMENTS

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**1999 No. 1800**

**FOOD**

**The Food (Peanuts from Egypt)  
(Emergency Control) Order 1999**

<i>Made</i> - - - -	<i>24th June 1999</i>
<i>Laid before Parliament</i>	<i>24th June 1999</i>
<i>Coming into force</i> - -	<i>25th June 1999</i>

Whereas it appears to the Minister of Agriculture, Fisheries and Food that the import of peanuts originating in, or consigned from, Egypt may involve imminent risk of injury to health, now therefore the said Minister, in exercise of the powers conferred on him by sections 6(4), 13(1) and 48(1) of the Food Safety Act 1990<sup>(1)</sup>, and of all other powers enabling him in that behalf, hereby makes the following Order:

**Title and commencement**

**1.**—(1) This Order may be cited as the Food (Peanuts from Egypt) (Emergency Control) Order 1999 and shall come into force on 25th June 1999.

(2) In this Order—

“the Act” means the Food Safety Act 1990;

“the Commission Decision” means Commission Decision [1999/356/EC](#)<sup>(2)</sup> on the temporary suspension of imports of peanuts and certain products derived from peanuts originating in or consigned from Egypt;

“Egyptian peanuts” means peanuts and roasted peanuts falling within Article 1.1 of the Commission Decision;

“food authority” does not include the appropriate Treasurer referred to in section 5(1)(c) of the Act (which deals with the Inner Temple and the Middle Temple);

“free circulation” has the same meaning as in Article 23.2 of the Treaty establishing the European Community; and

“port health authority” includes a port local authority and a joint port local authority.

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(1) [1990 c. 16](#); “the Minister” is defined in section 4(2); section 6(4) of the Act was amended by paragraph 6 of Schedule 9 to the Deregulation and Contracting Out Act [1994 \(c. 40\)](#).

(2) OJ No. L139, 2.6.1999, p. 32.

### **Exemption**

2. This Order shall not apply to any Egyptian peanuts which meet the conditions for importation referred to in Article 1.2 of the Commission Decision.

### **Prohibition of import**

3.—(1) Subject to paragraph (2) below, no person shall import into Great Britain any Egyptian peanuts.

(2) Paragraph (1) above shall not be taken to prohibit the bringing into Great Britain from another member State of the European Community of Egyptian peanuts which are in free circulation in that member State.

### **Enforcement**

4.—(1) It shall be the duty of each port health authority to enforce and execute this Order within its district.

(2) The enforcement and execution of this Order in relation to any place not situated in the district of a port health authority shall be the duty of any food authority for the area in which that place is situated.

(3) Each port health authority or food authority, as appropriate, shall give such assistance and information to the Minister as he may request for the purpose of his duties under section 13 of the Act in connection with this Order.

### **Application of various provisions of the Act**

5.—(1) The following provisions of the Act shall apply, subject to paragraph (2) below, for the purposes of this Order and any reference in those provisions to the Act shall be construed for the purposes of this Order as a reference to this Order—

- (a) section 33 (obstruction etc. of officers);
- (b) section 35(1) (punishment of offences) in so far as it relates to offences under section 33 as applied by sub-paragraph (a) above; and
- (c) section 44 (protection of officers acting in good faith).

(2) In section 44 of the Act the references to “food authority” shall be construed as including reference to a port health authority.

24th June 1999

*Jeff Rooker*  
Minister of State, Ministry of Agriculture,  
Fisheries and Food

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order is made under section 13 of the Food Safety Act 1990 in consequence of it appearing to the Minister of Agriculture, Fisheries and Food that the importation of peanuts originating in or consigned from Egypt may involve imminent risk of injury to health.

The Order also implements in Great Britain Commission Decision [1999/356/EC](#) on the temporary suspension of imports of peanuts and certain products derived from peanuts originating in or consigned from Egypt (OJNo. L139, 2.6.1999, p. 32) (“the Commission Decision”).

The Order—

- (a) defines, and prohibits the importation of, “Egyptian peanuts” (articles 1 and 3);
- (b) exempts from its application Egyptian peanuts which, in accordance with Article 1.2 of the Commission Decision, have been subjected to the refining process and marked as specified therein (article 2);
- (c) specifies the enforcement authorities (article 4); and
- (d) applies, with modifications, provisions of the 1990 Act (article 5).

Contravention of the Order is an offence under section 13(2) of the 1990 Act.

No Regulatory Impact Assessment has been prepared.