
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 340

The Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (Irish Sea) (Scotland) Order 2004

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (Irish Sea) (Scotland) Order 2004 and shall come into force at 1630 hours on 28th July 2004.

(2) In this Order—

- (a) “scallops” means scallops of the class of *Pecten maximus*; and
- (b) “relevant time” means 0001 hours on 28th July 2004.

Designated circumstances

2. In the opinion of the Scottish Ministers, scallops in the area designated in article 3 below may be affected by the toxin which causes amnesic shellfish poisoning in human beings and are likely to create a hazard to human health if they are consumed.

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.

Activity prohibited in the designated area

4. No person shall fish for or take any scallops in the designated area.

Prohibited movement of scallops

5. No person shall move any scallops out of the designated area.

Restrictions

6. No person shall—

- (a) use any scallops taken out of the designated area after the relevant time in the preparation or processing for supply of food and anything from which food could be derived;
- (b) land any scallops which were in waters in the designated area after the relevant time;
- (c) supply, or have in possession for supply, any scallops which were in the designated area after the relevant time;
- (d) supply, or have in possession for supply, any food or anything from which food could be derived in the preparation or processing of which anything was used in contravention of paragraph (a) of this article; or

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- (e) feed to any creature a feeding stuff in the preparation or processing of which anything was used in contravention of paragraph (a) of this article.

St Andrew's House, Edinburgh
28th July 2004

MALCOLM CHISHOLM
A member of the Scottish Executive