

STATUTORY INSTRUMENTS

1989 No. 1263

The Sludge (Use in Agriculture) Regulations 1989

Dedicated sites

8.—^{F1}(1) In this regulation—

“occupier” means the occupier of a dedicated site;

“the actual concentration” means the concentration of any of the substances listed in column (1) of the soil table in the soil of an agricultural unit forming part of a dedicated site; and

“the permitted concentration” means the concentration in milligrams per kilogram of dry matter specified for that substance in column (2) of that Table.]

(2) Every sludge producer shall notify ^{F2}the Environment Agency^{F3} or, in Scotland, the Scottish Environment Protection Agency^{F4} or, in Wales, the Natural Resources Body for Wales] in writing as soon as may be after the operative date of the address and area of every dedicated site to which he supplies sludge.

^{F5}(3) Where the actual concentration exceeds the permitted concentration, the occupier shall not:—

(a) sell or offer for sale any crop grown on the agricultural unit affected except in accordance with the advice referred to in paragraph (4) below; or

(b) grow any commercial food crops on that unit other than crops intended for animal consumption.]

(4) ^{F6}Where the actual concentration exceeds (or if sludge were used would exceed) the permitted concentration, the occupier shall not use sludge on the agricultural unit] except in accordance with advice in writing from:—

(i) in England, the Minister of Agriculture Fisheries and Food ^{F7}and the Food Standards Agency];

(ii) in Wales, the Secretary of State for Wales ^{F8}and the Food Standards Agency]; or

(iii) in Scotland, the Secretary of State for Scotland ^{F9}and] the ^{F10}Food Standards Scotland].

F1 Reg. 8(1) substituted (8.5.1990) by The Sludge (Use in Agriculture) (Amendment) Regulations 1990 (S.I. 1990/880), regs. 1(1), **2(6)(a)**

F2 Words in reg. 8(2) substituted (1.4.1996) by The Environment Act 1995 (Consequential Amendments) Regulations 1996 (S.I. 1996/593), reg. 1, **Sch. 2 para. 5(3)**

F3 Words in reg. 8(2) inserted (S.) (1.4.1996) by The Environment Act 1995 (Consequential and Transitional Provisions) (Scotland) Regulations 1996 (S.I. 1996/973), reg. 1, **Sch. para. 9(3)**

F4 Words in reg. 8(2) inserted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 4 para. 23** (with Sch. 7)

F5 Reg. 8(3) substituted (8.5.1990) by The Sludge (Use in Agriculture) (Amendment) Regulations 1990 (S.I. 1990/880), regs. 1(1), **2(6)(b)**

F6 Words in reg. 8(4) substituted (8.5.1990) by The Sludge (Use in Agriculture) (Amendment) Regulations 1990 (S.I. 1990/880), regs. 1(1), **2(6)(c)**

Changes to legislation: *There are currently no known outstanding effects for the The Sludge (Use in Agriculture) Regulations 1989, Section 8. (See end of Document for details)*

- F7** Words in reg. 8(4)(i) added (1.4.2000) by The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (England and Wales) Regulations 2000 (S.I. 2000/656), reg. 1, **Sch. 8 Pt. 1(a)**
- F8** Words in reg. 8(4)(ii) added (1.4.2000) by The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (England and Wales) Regulations 2000 (S.I. 2000/656), reg. 1, **Sch. 8 Pt. 1(b)**
- F9** Words in reg. 8(4)(iii) added (1.4.2000) by The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (Scotland) Regulations 2000 (S.S.I. 2000/62), reg. 1(1), **sch. 8 Pt. 1** (with reg. 13)
- F10** Words in reg. 8(4)(iii) substituted (1.4.2015) by The Food (Scotland) Act 2015 (Consequential and Transitional Provisions) Order 2015 (S.S.I. 2015/100), arts. 1(2), 2, **sch. para. 2**

Modifications etc. (not altering text)

- C1** Reg. 8(2): transfer of functions (1.4.1996) by Environment Act 1995 (c. 25), **s. 2(2)(e)**

Commencement Information

- I1** Reg. 8 in force at 1.9.1989, see **reg. 1(1)**

Changes to legislation:

There are currently no known outstanding effects for the The Sludge (Use in Agriculture) Regulations 1989, Section 8.