

Order made by the Secretary of State, 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

1989 No. 2269

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

**The Food Protection (Emergency Prohibitions)
(Contamination of Feeding Stuff) (Wales) (No. 4) Order 1989**

<i>Made</i>	- - - -	<i>4th December 1989</i>
<i>Laid before Parliament</i>		<i>5th December 1989</i>
<i>Coming into force</i>	- -	<i>5th December 1989</i>

Whereas the Secretary of State is of the opinion, as mentioned in section 1(1)(a) of the Food and Environment Protection Act 1985(1), that there has been or may have been an escape of substances of such descriptions and in such quantities and such circumstances as are likely to create a hazard to human health through human consumption of food;

And whereas the Secretary of State is of the opinion, as mentioned in section 1(1)(b) of the said Act, that in consequence of the said escape of substances food which is or may be in the future in the areas described in the Schedule to the following Order, or which is derived or may be in the future derived from anything in those areas, is, or may be, or may become, unsuitable for human consumption;

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by the said section 1(1) and (2) and section 24(1) and (3) of the said Act, and of all other powers enabling him in that behalf, hereby makes the following Order:—

Title, commencement and interpretation

1.—(1) This Order may be cited as the Food Protection (Emergency Prohibitions) (Contamination of Feeding Stuff) (Wales) (No. 4) Order 1989 and shall come into force on 5th December 1989.

(1) 1985 c. 48; see the definitions of “designating authority” in section 1(2) and “the Ministers” in section 24(1).

(2) In this Order—

- (a) “the Act” means the Food and Environment Protection Act 1985,
- (b) “designated area” means the farms, holdings and agricultural and other premises described in the Schedule to this Order,
- (c) “the Milk Marketing Board” means the Milk Marketing Board for England and Wales established under the Agricultural Marketing Act 1958⁽²⁾,
- (d) “slaughterhouse” has the same meaning as in section 34 of the Slaughterhouses Act 1974⁽³⁾.

Designated incident

2. In the opinion of the Secretary of State, food in the areas described in the Schedule to this Order is, or may be, or may become unsuitable for human consumption in consequence of the escape of lead into imported animal feeding stuff.

Designated area

3. The areas described in the Schedule to this Order are hereby designated for the purposes of Part I of the Act.

Activities prohibited in the designated area

4. No person shall in the designated area—

- (a) slaughter any cattle for human consumption or for use in the preparation of feeding stuff,
- (b) prepare or process for supply to purchasers or others any food derived from cattle that were in the designated area on or after 8th November 1989 or anything which is derived from such cattle and from which food could be derived, or
- (c) feed to any creature from which food may be derived a feeding stuff which is the subject matter of the incident designated by article 2 of this Order or which is derived from cattle that were in the designated area on or after 8th November 1989.

Restrictions on movement

5. Subject to article 8 of this Order, no person shall move any milk or milk product derived from any cattle or any cattle from which milk may be derived, or any cattle from which meat or any other food for human consumption may be derived, from any farm, holding, agricultural or other premises described in the Schedule to this Order.

Restrictions throughout the United Kingdom

6. No person shall, in the United Kingdom—

- (a) subject to article 8 of this Order, slaughter for human consumption or for use in the preparation of feeding stuff any cattle that were in the designated area after the coming into force of this Order,
- (b) subject to article 8 of this Order, supply, or, subject to article 8 of this Order, have in possession for supply, any milk, milk product, meat or other food, derived from cattle that were in the designated area after the coming into force of this Order,

(2) 1958 c. 47.

(3) 1974 c. 3.

- (c) feed to any creature from which food may be derived a feeding stuff which is the subject matter of the incident designated by article 2 of this Order and which was taken from the designated area after the coming into force of this Order, or
- (d) supply or have in possession for supply any food or anything from which food could be derived that was prepared or processed in contravention of article 4(b) of this Order.

Application of Order in relation to sheep and goats and certain things derived therefrom

7.—(1) The provisions of articles 4 to 6 of this Order shall have effect as regards the farms, holdings and agricultural and other premises described in Part II of the Schedule to this Order by substituting for the word “cattle” wherever it occurs in those articles the words “, sheep or goats”.

(2) Where any farms, holdings or agricultural or other premises are described in both Part I and Part II of the Schedule to this Order, articles 4 to 6 and 7(1) of this Order shall apply in relation to them.

Exceptions to restrictions

8.—(1) Notwithstanding the restrictions in article 5 of this Order, the Milk Marketing Board may move milk from any farm, holding, agricultural or other premises described in the Schedule to this Order, subject to the condition set out in paragraph (2) below.

(2) The condition referred to in paragraph (1) above is that such milk is processed into butter or milk powder.

(3) Notwithstanding the restrictions in articles 6(a) and 7(1) of this Order, a person may slaughter for human consumption or for use in the preparation of feeding stuff any cattle, sheep or goats in respect of which a consent has been given under section 2(1) of the Act to the doing of everything prohibited and restricted by this Order.

(4) Notwithstanding the restrictions in article 6(b) of this Order, there may be supplied to the Milk Marketing Board milk derived from cattle that were in the designated area after the coming into force of this Order.

(5) Notwithstanding the restrictions in articles 6(b) and 7(1) of this Order, but subject to paragraph (6) below, where any milk, milk product, meat or other food derived from cattle, sheep or goats has been lawfully supplied to a person under the Act, that person may supply or have in possession for supply any such food or any food derived therefrom.

(6) Paragraph (5) above shall not apply to an occupier of a slaughterhouse who supplies or has in possession for supply any meat derived from cattle which have been fed or may have been fed a feeding stuff which is the subject matter of the incident designated by article 2 of this Order.

Revocation

9. The Food Protection (Emergency Prohibitions) (Contamination of Feeding Stuff) (Wales) (No. 3) Order 1989⁽⁴⁾ and the Food Protection (Emergency Prohibitions) (Contamination of Feeding Stuff) (Wales) (No. 3) Amendment Order 1989⁽⁵⁾ are revoked.

(4) S.I.1989/2109.

(5) S.I. 1989/2181.

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

4th December 1989

Peter Walker
Secretary of State for Wales

SCHEDULE

Articles 1(2), 2, 3, 5 and 8(1)

THE DESIGNATED AREA

PART I

APPLICATION OF CONTROLS IN RELATION TO CATTLE
AND CERTAIN THINGS DERIVED THERE FROM

Name	Address
Messrs H W Neal and Partners	Middle Newton Farm Newton Road Rumney Cardiff South Glamorgan
Messrs D G Thomas and Son	Dros y Mor Llantwit Major South Glamorgan
E J Johns & Sons	Brocastle Farm Brocastle Bridgend Mid Glamorgan
F Stephenson	The Hollies Greave Farm Wenvoe Cardiff
R J Aston	Tre-neddyn Farm Pontabraham Pontardulais
F E Park	Manor House Farm Rogiet Newport Gwent
D R Powell	Purlon Farm Llantwit Major South Glamorgan
D R Llewellyn	Tynyrheol Farm Kenfig Hill Bridgend Mid Glamorgan
B Jones	Plasnewdd Farm Llantwit Major South Glamorgan
T D Llewellyn	Old Beaupre Farm St Hilary Cowbridge South Glamorgan
W J Bassett	Highfield Farm Llantwit Major South Glamorgan
P A Evans	Maes Y Delyn Coychurch Bridgend Mid Glamorgan
A Garfield	Tyn Y Waun Farm Llangynwydd Nr Bridgend Mid Glamorgan
G C Jenkins	Upper Tremain Farm Merthyr Mawr Bridgend Mid Glamorgan
G E Thomas	Croes Cwtta Farm St Brides Major Bridgend Mid Glamorgan
J L Thomas	Ty-Cribbwr Farm Aberkenfig Bridgend Mid Glamorgan
G H Williams	Gladlys Farm Blackmill Bridgend Mid Glamorgan
W H Williams	Dolau Ifan Ddu Farm Blackmill Bridgend Mid Glamorgan

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Name	Address
D T Griffiths	Llanilid Farm Pencoed Bridgend Mid Glamorgan
L D Fluck	Pleasant View Farm Sigginston Cowbridge South Glamorgan
R and A England	Pwllly Darren Farm Welsh St Donats Cowbridge South Glamorgan
V G Radcliffe	Court Farm St Mary Hill Bridgend Mid Glamorgan
D T Edwards	Moat Farm Llysworney South Glamorgan
R D Lewis	Ty-Newydd Farm Flemingstone St Athan South Glamorgan
D C Lewis and Son	The Crofta Farm Ystradowen Cowbridge South Glamorgan
E T Adams and Sons	Darren Farm Cowbridge South Glamorgan
R E Brown	New Beaupre Farm St Hilary Cowbridge South Glamorgan
D T and J John	Blaencrymlin Farm Blackmill Bridgend Mid Glamorgan
R Evans	Bedw Farm Coed Ely Tonyrefail Porth Mid Glamorgan
B G and I Jeremiah	Ty Draw Farm St George's Super Ely Cardiff South Glamorgan
H W Jenkins	Tir Gwaidd Farm Wattstown Porth Mid Glamorgan
W R and G Clement	Tal-y-Fan Fawr Farm Pontardulais Swansea West Glamorgan
J D Davies	Forrest Farm Aberdulais Neath West Glamorgan
D G Thomas, T/A M E and D G Thomas	Rhos Fawr Farm Salem Morriston Swansea West Glamorgan
D T Williams and Sons	Doghill Farm St Nicholas Cardiff South Glamorgan
C H Morgan	Pantynawel Farm Blackmill Bridgend Mid Glamorgan
Messrs E H Radcliffe & Son	Penmark Place Farm Penmark Barry South Glamorgan
T W Jervis	Franklin Farm Clemenstone Cowbridge South Glamorgan
R Bradshaw	Wallas Farm Wick Road Ewenny Bridgend Mid Glamorgan

Name	Address
William Bros	Pen-Llwyn-Gwent Farm Blackmill Bridgend Mid Glamorgan
T Radcliffe and Sons	Kenfig House Farm Margam Port Talbot West Glamorgan
E Thorne and Son	Gyla Farm Tonyrefail Porth Mid Glamorgan
T A Stone	Gilfaen Farm Felindre Swansea West Glamorgan
R Benson	Ty Groes Farm Bonvilston Nr Cardiff South Glamorgan
E M Richards	Bryn Llefrith Farm Caerau Maesteg Bridgend Mid Glamorgan
G P Phillips	Tynycwm Pencoed Bridgend Mid Glamorgan
D Tansell	Tyduffrwyth Forest Road Llanharry Pontyclun Mid Glamorgan
Mrs C E Holly	Ty-Newydd Groes Faen Pontyclun Mid Glamorgan
C J Cox	16 Waun Newydd Heol-Y-Cyw Bridgend Mid Glamorgan
J H Randall	Allt-Laes Farm Peterston-S-Ely Cardiff South Glamorgan
I Davies	Gelligaled Farm Felinfoel Llanelli Dyfed
I Oliver	Maendy Farm Ton-Teg Pontypridd Mid Glamorgan
D J Davies	Gelly Ceidrim Farm Tycroes Ammanford Dyfed
V J & R Hearse	Cilaudy Farm Coytrahene Bridgend Mid Glamorgan
Welsh Folk Museum	St Fagans Cardiff South Glamorgan
L Gleadon	Orchard Dene Welsh St Donats Cowbridge South Glamorgan
D C Jones and Son	Parcnewydd Farm Nottage Porthcawl Mid Glamorgan
G T & B M Jones	Maescadlawr Farm Llangynwydd Bridgend Mid Glamorgan
R Thomas	Golaufryn St Mary Hill Bridgend Mid Glamorgan
J Bugler	Llanilio Farm Thomastown Tonyrefail Porth Mid Glamorgan
A Hammett	West Orchard Farm Higher End St Athan Barry South Glamorgan

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Name	Address
R D Goulding & Son	Pencoed Castle Farm Llanmartin Newport Gwent
R H Griffiths	Castle-Y-Bwth Farm Henllys Cwmbran Gwent
D J Husband	The Ton Farm Langibby Usk Gwent
T J Price	Channel View Redwick Magor Gwent
H T Davies	Machen Fach Farm Lower Machen Newport Gwent
I R and H Edwards	Cwndu Farm Maesycwmmmer Hengoed Mid Glamorgan
W J C Evans	Tydu Farm Llanillterne Cardiff South Glamorgan
M and T Moore	Cem Ifor Farm Caerphilly Mid Glamorgan
M T Difford	Ton Teilwr Farm Nelson Treharris Mid Glamorgan
R J Ruff	Heolddu Farm Gellygroes Pontllanfraith Gwent
W P Waters	Lower Grange Farm Magor Gwent
J S Anstey	Court Farm Rogiet Newport Gwent
P Anthony and Partners	Tynewydd Farm Blackwood Gwent
H Turner	Springfield House St Brides Wentlooge Newport Gwent
J and J Evans	Pencraig Farm Llanhennock Newport Gwent
M L Howells and Son	Ty Freeman Farm Gwenhelog Usk Gwent
O P Watts	Pen Y Waun Farm Bedwas Newport Gwent
T H Gibbon	Glan-Rhymney Farm Bedwas Caerphilly Mid Glamorgan
F I Dean & Son	Upper Carn Farm Llanhennock Caerleon Newport Gwent
D J & J M Goldsworthy	Whitney Farm Merthyr Fawr Bridgend Mid Glamorgan
D Lynn Thomas	Stormy Farm Pyle Bridgend Mid Glamorgan
R S Thomas and Son	Sutton Newydd Farm Wick Cowbridge South Glamorgan
R F F England	Pwllly Darren Farm Welsh St Donats Cowbridge South Glamorgan
C T & E Millard	Great Brynhill Farm Barry South Glamorgan
S Jones & Son	Maes-Yr-Aul Farm Pendoylan Cowbridge South Glamorgan
D Williams & Sons	Ynystanglwys Farm Ynystawe Glydach Swansea West Glamorgan

Name	Address
V Thomas	Tynywaun Farm Hendy Pontardulais
M Brewer	Rhyd Halog Farm Pontyclun Mid Glamorgan
O Anstay & Son	Ty Fry Farm Pendoylan Nr Cowbridge South Glamorgan
J Bromwell & Son	Rheld Farm Llangenny Crickhowell Powys NP8 1ED
W P Jones & Son	Court-Y-Gullen Farm Llandenny Usk Gwent, NP5 1DB
H T Davies & Partners	Machen Farm Lower Machen Newport Gwent, NP1 8UW
O P & K M Williams & Partners	Pins Farm Machen Lower Machen Nr Newport Gwent, NP1 8UW
N D Prossor & Partners	Sluice House Farm Peterstone Westloog Rumney Cardiff South Glamorgan, CF3 8TN
T W Roberts	Malthouse Farm Llanedeyrn Nr Cardiff South Glamorgan, CF3 8YG
J J & A D Turner	Church Farm St Brides Wentlooge Newport Gwent NP1 9SQ
JR Bowen T/A M G Bowen and Son	Great House Farm Bishton Newport Gwent
B G James	Courtfield Undy Nr Magor Gwent
A H Colley	Great House Farm Undy Magor Gwent
A H Harris	Pensidan Farm Bassaleg Newport Gwent
E Morgan	Brooklands Farm Llantarnam Cwmbran Gwent
D and R Trigg	Tynewydd Farm Trelewis Treharris Mid Glamorgan
W J P Jenkins	Twyn Gwyn Farm Mammoel Blackwood Gwent
K J Ruffall	Arches Farm Caerwent Newport Gwent
T P David	Fair Orchard St Brides Newport Gwent
V J Lewis	Duffryn Farm Llwyna Lane Llantrissant Usk Gwent
F H Williams	The Croft Goytre Pontypool Gwent
H W Evans & Son	Pentre Farm Llansoy Usk Gwent
J D R & J Corbett	Ifton Hill Farm Port Skewett Chepstow Gwent
Llanbradach Fawr Partnership	Llanbradach Caerphilly Mid Glamorgan
C Alford	Hall Farm Llanddewi Rydderch Abergavenny Gwent
J Griffiths	Park House Rhiwderin Newport Gwent

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Name	Address
E Griffiths	Pantyrfa Farm Henllys Cwmbran Gwent
R H Webster	24A Gelli Crescent Risca Newport Gwent
R G Lewis	Hendre Denny Uchaf Caerphilly Mid Glamorgan
C D Turner	Pantygwreiddyn Farm Hollybush Blackwood Gwent
W M Evans and J M Stead	Craig-Yr-Hufan Farm Senghenydd Caerphilly Mid Glamorgan
R E Ballard	The Poplars Redwick Magor Newport Gwent
Mrs J A Richardson	Plant Hire Cefn Llogell Fach Coedkernew Newport Gwent
E J Fox	35 Penalltra Road Ystrad Mynach Hengoed Mid Glamorgan
R Evans	Hafodtrysclawd Farm Argoed Blackwood Gwent
Islwyn Borough Council	Technical and Services Dept Civic Centre Blackwood Road Pontllanfraith Gwent
Mrs G M Collingbourne	Collstar Farm Malthouse Lane Llantarnam Cwmbran Gwent
Messrs J & R G Morris	Penheolmeirch Llanbedr Ystradwy Crickhowell Powys
M Mathews	Colliers Cottage Nelson Treharris Mid Glamorgan
R H F Heeps	Pentre-Wylan Farm Llantilio Crossenny Abergavenny Gwent
I A & D Watkins and Son	Great House Farm Triley Abergavenny Gwent
A R D Morgan	21 New Barn Flemingston Barry South Glamorgan
J D Joseph	The Grove Farm South Cornelly Pyle Near Bridgend Mid Glamorgan
Mrs M D Bevan	Worthybrook Farm Wonaston Monmouth Gwent NP5 4DW
M/S H R and D E Heaven	Church Farm Caldicot Newport Gwent NP6 4HT
M/S L R, I D, M S Morgan	Dunley Farm Trelleck Monmouth Gwent NP5 4PX
Mr T G Cracknell	No 4 Holding Hayesgate Lane Mathern Chepstow Gwent NP6 6LJ
Mr M C Anstey	Innage Farm Mathern Chepstow Gwent NP6 6JA

Name	Address
M/S D and N Jones and Son	Coalpits Farm Shirenewton Chepstow Gwent NP6 6LS
Mr G A and Mrs E Lane	Stone House Farm Newchurch West Chepstow Gwent NP6 6DA
Mrs M L Davies	Cross Farm Pantysaison Tintern Chepstow Gwent NP6 7TP
Mr P J Lewis	Croes Robert Farm Trelleck Monmouth Gwent NP5 4PJ
Mr W A Price	The Gwent Lands Llanmartin Newport Gwent NP6 2ID
Mr R F Richards	The Gardens Catash Langston Newport Gwent
M/S C G and L T Price	New House Farm Wolvesnewton Chepstow Gwent NP6 6NZ
Mrs M B Gibbons	Cilvaynog Llanvair Discoed Chepstow Gwent NP6 6RD
Mr R N G Morgan	Llanpill Farm Llansoy Usk Gwent NP5 1DO
M/S J F and P A Lalley	Twyn Hedrance Farm Earlswood Chepstow Gwent NP6 6RD
Mrs A M Williams	Cock-y-North Farm Henllys Cwmbran Gwent NP44 6HT
M/S T Pritchard and Sons	Park Farm Caerleon Newport Gwent NP6 1PB
M/S L Powell and Son	Gorse Farm St Arvans Chepstow Gwent
Mrs D A Smith	Laurel Cottage Earlswood Chepstow Gwent NP6 6AR
M/S J and S Robinson	Marlborough Farm Grosmont Abergavenny Gwent
Mr V G G Marende	Hayesgate Farm Chepstow Gwent NP6 6LR
P A Evans and Sons	Brickyard Farm Llangwm Usk Gwent NP 5 1HD
Mr J L T Thomas	Llys Pentwyn Uchaf Blackwood Gwent
Mrs L M O'Dwyer	Rose Cottage Usk Road Shirenewton Gwent
Mr D J Deer	Trelenny Farm Mathern Chepstow
Mrs I E Shervington	Country Fresh Eggs Ty-Mawr Farm St Brides Wentlooge Gwent NP1 9SF
Mr R H Shewell	Livox Farm House St Arvans Chepstow Gwent NP6 6HD
D Thomas	Bailey Llwyd Manordeilo Llangadog
B G Hicks (Senior)	Tyny Fynnon Farm Rhiwderin Near Newport Gwent

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Name	Address
K A Mitchell	Penbwch Esaf Penycoedcae Pontypridd Mid Glamorgan
T P Nolan	Swn-y-Mor Farm Peterstone Wentloog Gwent
D T Roberts and Son	Cwrt Y Carne Farm Gorseinon West Glamorgan
Mrs West	Hillside Kilgwrrwg New Church Nr Chepstow Gwent
W G Davies	Woodville Undy Magor Gwent
P J Watkins	Maerdy Farm Grosmont Abergavenny Gwent
A E Evans	Red House Farm Goldcliffe Newport Gwent
H Stokes and Company	Cefnmaes Taliaris Llandeilo Dyfed
Messrs H & N K Thomas	Lower Lodge Manordeilo Llandeilo Dyfed
Mr J Duffy	Gilwern Farm Ponthir Newport Gwent

PART II

APPLICATION OF CONTROLS IN RELATION TO SHEEP AND GOATS AND CERTAIN THINGS DERIVED THEREFROM

Name	Address
Llanbradach Fawr Partnership	Llanbradach Caerphilly Mid Glamorgan
J Griffiths	Park House Rhiwderin Newport Gwent
E Griffiths	Pantyrfa Farm Henllys Cwmbran Gwent
R H Griffiths	Castle-y-Bwth Farm Henllys Cwmbran Gwent
J R Bowen T/A M G Bowen and Son	Great House Farm Bishton Newport Gwent
D and R Trigg	Tynwydd Farm Trelewis Treharris Mid Glamorgan
V J Lewis	Dyffryn Farm Llantrisant Usk Gwent
E Thorne and Son	Gyla Farm Tonyrefail Porth Mid Glamorgan

EXPLANATORY NOTE

(This note is not part of the Order)

This Order consolidates with amendments the Food Protection (Emergency Prohibitions) (Contamination of Feeding Stuff) (Wales) (No. 3) Order 1989, as amended. It contains emergency prohibitions restricting various activities in order to prevent human consumption of food rendered unsuitable for that purpose in consequence of the escape of lead into imported animal feeding stuff.

The Order designates certain farms, holdings agricultural and other premises in Wales within which certain activities are prohibited (articles 3, 4 and 7 and the Schedule). Movement of cattle, sheep and goats and food from any of these areas is controlled (articles 5 and 7) and certain other restrictions extend throughout the United Kingdom (articles 6 and 7). Provision is made for certain exceptions to the restrictions in the Order (article 8).

This Order makes the following changes of substance:—

- (a) further farms, holdings and premises (shown in italics in the Schedule) are designated and certain other farms, holdings, and premises are removed from the designated area (article 3 and the Schedule);
- (b) the prohibition in the designated area on preparing or processing for supply food derived from cattle is limited to cattle that were in the designated area on or after 8th November 1989 (article 4(b));
- (c) makes further exceptions to the restrictions in articles 6(a) and (b) and 7(1) of the Order (article 8(3), (5) and (6)).

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.