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STATUTORY INSTRUMENTS

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**1990 No. 1949**

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

**The Food Protection (Emergency  
Prohibitions) Amendment (No. 4) Order 1990**

<i>Made</i>	- - - -	<i>26th September 1990</i>
<i>Laid before Parliament</i>		<i>28th September 1990</i>
<i>Coming into force</i>	- -	<i>1st October 1990</i>

Whereas the Secretary of State is of the opinion, as mentioned in section 1(1) of the Food and Environment Protection Act 1985<sup>(1)</sup>, that there exist or may exist circumstances which are likely to create a hazard to human health through human consumption of food and that in consequence food which is, or may be in the future, in the areas described in the Schedule to the Food Protection (Emergency Prohibitions) Order 1989<sup>(2)</sup> or which is, 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, in exercise of the powers conferred on him by sections 1(1) and (2), and 24(1) and (3) of the said Act<sup>(3)</sup>, and of all other powers enabling him in that behalf, he hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Food Protection (Emergency Prohibitions) Amendment (No. 4) Order 1990 and shall come into force on 1st October 1990.

**Partial revocation and amendment**

2. The Food Protection (Emergency Prohibitions) Order 1989 is revoked to the extent that it imposes prohibitions on—

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(1) 1985 c. 48; section 1 was amended by section 51 of the Food Safety Act 1990 (c. 16).

(2) S.I.1989/3; the relevant amending instrument is 1990/1535..

(3) Section 1(2) defines “designating authority” and section 24(1) contains a definition of “the Ministers” relevant to the exercise of the statutory powers under which this Order is made.

- (a) the slaughter of any sheep which–
    - (i) was moved from any place in accordance with a consent given under section 2(1) of the Food and Environment Protection Act 1985 on or after 1st October 1990 which consent was subject to the condition that the sheep to which it applies should be marked with a blue mark; and
    - (ii) has been examined and marked with an ear-tag by a person authorised in that behalf by one of the Ministers; and
  - (b) the supply or having in possession for supply of meat, or food containing meat, derived from any sheep described in paragraph (a) of this article,
- and accordingly that Order is amended in accordance with the following provisions of this Order.

**3.** In article 5, for paragraph (2) there shall be substituted the following paragraph:–

“(2) Paragraph (1) above shall not apply in the case of–

- (a) any sheep which was moved from any place in accordance with a consent given under section 2(1) of the said Act which consent did not require that the sheep to which it applies should be marked;
- (b) any sheep which was moved from any place in accordance with a consent given under section 2(1) of the said Act which consent was subject to the condition that the sheep to which it applies should be marked with a red mark;
- (c) any sheep which was moved from any place in accordance with a consent given on or before 14th January 1990 under section 2(1) of the said Act which consent was subject to the condition that the sheep to which it applies should be marked with a blue mark;
- (d) any sheep which was moved from any place in accordance with a consent given on or before 29th July 1990 under section 2(1) of the said Act which consent was subject to the condition that the sheep to which it applies should be marked with an apricot mark;
- (e) any sheep which was moved from any place in accordance with a consent given on or before 30th September 1990 under section 2(1) of the said Act which consent was subject to the condition that the sheep to which it applies should be marked with a green mark;
- (f) any sheep which was moved from any place in accordance with a consent given on or after 1st October 1990 under section 2(1) of the said Act which consent was subject to the condition that the sheep to which it applies should be marked with a blue mark.”.

**4.** In article 6, for paragraph (2), there shall be substituted the following paragraph:–

“(2) Paragraph (1) above shall not apply in the case of–

- (a) any sheep which was moved from any place in accordance with a consent given under section 2(1) of the said Act which consent did not require that the sheep to which it applies should be marked;
- (b) any sheep which was moved from any place in accordance with a consent given on or before 14th January 1990 under section 2(1) of the said Act which consent was subject to the condition that the sheep to which it applies should be marked with a blue mark;
- (c) any sheep which was moved from any place in accordance with a consent given on or before 29th July 1990 under section 2(1) of the said Act which consent was subject to the condition that the sheep to which it applies should be marked with an apricot mark;

(d) any sheep which—

- (i) was moved from any place in accordance with a consent given under section 2(1) of the said Act which consent was subject to the condition that the sheep to which it applies should be marked with a red mark;
- (ii) was moved from any place in accordance with a consent given on or before 30th September 1990 which consent was subject to the condition that the sheep to which it applies should be marked with a green mark; or
- (iii) was moved from any place in accordance with a consent given on or after 1st October 1990 under section 2(1) of the said Act which consent not subject to the condition that the sheep to which it applies should be marked with a blue mark,

and which in any case has been examined and marked with an ear-tag by a person authorised in that behalf by one of the Ministers.”.

St. Andrew’s House,  
Edinburgh  
26th September 1990

*N E Sharp*  
Assistant Secretary, Scottish Office

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

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## EXPLANATORY NOTE

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

The Food Protection (Emergency Prohibitions) Order 1989 contains emergency prohibitions restricting various activities in order to prevent human consumption of food rendered unsuitable for that purpose in consequence of the escape in April 1986 of radioactive substances from a nuclear reactor situated at Chernobyl in the Ukraine, USSR.

This Order excepts from the prohibition on slaughter throughout the United Kingdom any sheep, and from the prohibition on supply throughout the United Kingdom any meat derived from such a sheep, identified by an apricot paint mark and which has been moved in accordance with a consent given under section 2(1) of the Food and Environment Protection Act 1985 on or before 29th July 1990.

This Order also excepts from the prohibition on slaughter throughout the United Kingdom any sheep, and from the prohibition on the supply throughout the United Kingdom any meat derived from such a sheep, identified by a blue paint mark and which has been moved in accordance with a consent given under section 2(1) of the said Act on or after 1st October 1990, and which has been examined and marked by an ear-tag by a person authorised in that behalf by the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland or Wales or the Department of Agriculture for Northern Ireland.