

This Statutory Instrument has been made in consequence of a defect in S.I. 2004/2040 and is being issued free of charge to all known recipients of that Statutory Instrument.

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

2004 No. 2123

PUBLIC HEALTH, ENGLAND

CONTAMINATION OF FOOD

The Food Protection (Emergency Prohibitions) (Scallops) (Irish Sea) (Amendment) Order 2004

<i>Made</i> - - - -	<i>12th August 2004</i>
<i>Laid before Parliament</i>	<i>13th August 2004</i>
<i>Coming into force</i>	<i>14th August 2004</i>

The Secretary of State, in exercise of the powers conferred on him by sections 1(1) and (2) and 24(3) of the Food and Environment Protection Act 1985(a) being of the opinion 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 derived or may be in the future derived from scallops in the area described in the Schedule set out in the following Order is, or may be, or may become, unsuitable for human consumption, makes the following Order:

Title and commencement

1. This Order may be cited as the Food Protection (Emergency Prohibitions) (Scallops) (Irish Sea) (Amendment) Order 2004 and shall come into force on 14th August 2004.

Amendment

2.—(1) The Food Protection (Emergency Prohibitions) (Scallops) (Irish Sea) Order 2004(b) shall be amended in accordance with paragraphs (2) and (3).

(2) For article 4 (activities prohibited in the designated area) there shall be substituted the following article —

(a) 1985 c. 48; section 1(2) defines “designating authority”; section 1(1) and (2) was amended by section 51(1) and (2)(a) and (b) of the Food Safety Act 1990 (1990 c. 16); section 1(2) was further amended by the Scotland Act (Modification of Functions) Order 1999 (S.I. 1999/1756) and by paragraph 6 of Schedule 5 to the Food Standards Act 1999 (1999 c. 28).
(b) S.I. 2004/2040.

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

(3) For the Schedule there shall be substituted the following Schedule —

Signed by authority of the Secretary of State for Health

12th August 2004

Stephen Ladyman
Parliamentary Under Secretary of State
Department of Health

“SCHEDULE
DESIGNATED AREA

That area of the sea enclosed by a line starting at a point where the southern boundary of the Scottish Zone crosses 4°30' West longitude; then in a generally north-easterly direction along that boundary of the Scottish Zone to the point where it crosses 4° West longitude; then south to a point at 54°30' North latitude 4° West longitude; then west to 54°30' North latitude 4°30' West longitude; then north to the point of beginning.”

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Food Protection (Emergency Prohibitions) (Scallops) (Irish Sea) Order 2004 (S.I. 2004/2040) to —

- (a) prohibit both fishing for and taking scallops (article 2(2)); and
- (b) revise the description of the designated area (article 2(3)).

No Regulatory Impact Assessment has been prepared in respect of this Order.

£3.00

© Crown copyright 2004

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty's
Stationery Office and Queen's Printer of Acts of Parliament.

E1139 8/2004 141139T 19585

ISBN 0-11-049700-7



9 780110 497006