1991 No. 8

PUBLIC HEALTH

Food Protection (Emergency Prohibitions) Order (Northern Ireland) 1991

Made	*10th January 1991*
Coming into operation . .	*14th January 1991*

The Department of Agriculture, in exercise of the powers conferred on it by sections 1(1) and 24(3) of the Food and Environment Protection Act 1985(**a**) and of every other power enabling it in that behalf, being of the opinion in accordance with section 1(1) of that Act 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 derived from sheep in the areas described in the Schedule to the following Order, is, or may be, or may become, unsuitable for human consumption, hereby makes the following Order:—

Title, commencement and interpretation

1.—(1) This Order may be cited as the Food Protection (Emergency Prohibitions) Order (Northern Ireland) 1991 and shall come into operation on 14th January 1991.

(2) In this Order—

(*a*) ''consent'' means a consent given under section 2(1) of the Act;

(*b*) ''designated area'' means an area described in the Schedule;

(*c*) ''sheep'' means an animal of the genus *Ovis* of whatever age or sex;

(*d*) ''the Act'' means the Food and Environment Protection Act 1985;

(*e*) ''the Department'' means the Department of Agriculture.

(3) The Interpretation Act (Northern Ireland) 1954(**b**) shall apply to this Order as it applies to a Measure of the Northern Ireland Assembly.

Designated circumstances

2. In the opinion of the Department, food which is or may be in the future derived from sheep in the areas described in the Schedule is, or may be, or may become unsuitable for human consumption in consequence of the elevated levels of radioactivity found in those areas following the escape on or after 26th April 1986 of radioactive substances from a nuclear powered reactor situated at Chernobyl in the Ukraine, USSR.

(**a**) 1985 c. 48 as amended by the Food Safety Act 1990 (c. 16). *See also* section 25(2) 1985 c. 48
(**b**) 1954 c. 33 (N.I.)

Designated areas

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

Activities prohibited in a designated area

4. A person shall not, in a designated area, slaughter any sheep for human consumption or for use in the preparation of feedingstuffs from which food could be derived.

Prohibitions on movement

5.—(1) A person shall not move any sheep from a farm, holding or agricultural premises situated in a designated area.

(2) A person shall not move into a designated area any sheep which has previously been removed from that area, or from an area which is at the time of removal designated by an order under section 1 of the Act which refers to the escape of substances described in Article 2, in accordance with a consent which was subject to the condition that the sheep to which it applied should be marked with a green, blue or apricot paint mark.

Activities prohibited throughout the United Kingdom

6.—(1) Subject to paragraph (2) a person shall not, in the United Kingdom—

(*a*) slaughter for human consumption or for use in the preparation of feedingstuffs from which food could be derived any sheep that was in a designated area at any time after 14th September 1987; or

(*b*) supply, or have in his possession for supply, any meat derived from a sheep, or any food which contains any such meat, if that sheep was in a designated area at any time after 14th September 1987.

(2) Paragraph (1) shall not apply—

(*a*) in the case of any sheep which was moved from a designated area in accordance with a consent which did not require that sheep to be marked with a paint mark and did not require it to be returned to that area;

(*b*) in the case of any sheep—

(i) which was moved from a designated area in accordance with a consent which was subject to the condition that the sheep to which it applied should be marked with a paint mark; and

(ii) which has been examined and marked with an ear tag by a person authorised in that behalf by the Department;

(*c*) in the case of any sheep—

(i) which was moved from a designated area in accordance with a consent; and

(ii) which was marked with a blue paint mark in accordance with that consent,

on or after 1st April of the year following the year in which it was so marked;

(*d*) in the case of any sheep—

(i) which was moved from a designated area in accordance with a consent; and

(ii) which was marked with an apricot paint mark in accordance with that consent;

on or after 1st August of the year in which it was so marked;

(*e*) in the case of any sheep—

(i) which was moved from a designated area in accordance with a consent; and

(ii) which was marked with a green paint mark in accordance with that consent,

on or after 1st December of the year in which it was so marked.

Revocations

7. The Food Protection (Emergency Prohibitions) Order (Northern Ireland) 1987(**a**), the Food Protection (Emergency Prohibitions) (Amendment No. 2) Order (Northern Ireland) 1988(**b**) and the Food Protection (Emergency Prohibitions) (Amendment No. 4) Order (Northern Ireland) 1990(**c**) are hereby revoked.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 10th January 1991.

(L.S.) *D. A. J. Hirrell*
Assistant Secretary

(a) S.R. 1987 No. 367
(b) S.R. 1988 No. 194
(c) S.R. 1990 No. 354