# 1987 No. 367

# PUBLIC HEALTH

## Food Protection (Emergency Prohibitions) Order (Northern Ireland) 1987

*Made . . . . . 14th September 1987*
*Coming into operation . . 15th September 1987*

Whereas the Department of Agriculture is of the opinion, in accordance with section 1(1)(*a*) of the Food and Environment Protection Act 1985(**a**), 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 said Department is of the opinion, in accordance with 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 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 said Department, in exercise of the powers conferred on it by sections 1(1) and 24(3) of the said Act, and of every other power enabling it 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) Order (Northern Ireland) 1987 and shall come into operation on 15th September 1987.

(2) In this order—

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

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

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

(*d*) ''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.

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(**a**) 1985 c. 48
(**b**) 1954 c. 33 (N.I.)

*Designated incident*

**2.** In the opinion of the Department, food which is or may be in the future in a designated area or which is or may be in the future derived from anything in such an area, is, or may be, or may become, unsuitable for human consumption in consequence of the escape on or after 26th April 1986 of radioactive substances from a nuclear powered reactor situated at Chernobyl in the Ukraine, USSR.

*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.

*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) Subject to paragraph (3), a person shall not move into a designated area any sheep which has been removed from that area or from any other area designated by an order under section 1 of the Act which refers to the escape of substances described in Article 2.

(3) Paragraph (2) shall not apply in the case of any sheep which was moved from any place in accordance with a consent given under section 2(1) of the Act which was subject to the condition that the sheep to which it applies should be marked with a red 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 any sheep that was in a designated area at the time of coming into operation of this order; 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 the time of coming into operation of this order.

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

(*a*) any sheep which was moved in accordance with a consent given under section 2(1) of the Act which did not require that the sheep to which it applies should be marked in a manner specified therein; or

(*b*) any sheep which—

(i) was moved from any place in accordance with a consent given under the said section 2(1) which was subject to the condition that the sheep to which it applies should be marked with a green mark or a red mark; and

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