



THE FOOD (EMERGENCY PROVISIONS) ACT 1986

THE FOOD (EMERGENCY PROVISIONS) (AMNESIC SHELLFISH
POISONING) ORDER 2003

Coming into operation
Approved by Tynwald

1st March 2003
18th March 2003

Whereas in the opinion of the Department of Local Government and the Environment the presence in the area of sea within the British fishery limits designated by this Order of shellfish containing the toxin which causes amnesic shellfish poisoning is likely to create a hazard to human health through human consumption of food, and in consequence food which is or may be in the future in that area is or may be or become unsuitable for human consumption:

In exercise of the powers conferred on the Department of Local Government and the Environment by section 1(1) of the Food (Emergency Provisions) Act 1986¹ and of all other enabling powers, and after consultation with the Department of Agriculture, Fisheries and Forestry, the following Order is hereby made:—

1. Citation, commencement and interpretation

(1) This Order may be cited as the Food (Emergency Provisions) (Amnesic Shellfish Poisoning) Order 2003 and shall come into operation at 0001 hours on the 1st March 2003.

(2) In this Order —

"the designated area" means the area designated by article 2;

"scallop" means —

(a) a scallop of the class of *pecten maximus*, or

(b) a Queen scallop of the class of *chlamys opercularis*.

2. Designation of area

The area of sea within the British fishery limits specified in the Schedule is designated for the purpose of this Order.

3. Emergency prohibitions

(1) No person shall fish for or take any scallop in the designated area.

(2) No person shall move any scallops out of the designated area.

(3) No person shall —

(a) use any scallops taken out of the designated area after the commencement of this Order in the preparation or processing for supply of food and anything from which food could be derived;

(b) land any scallops which were in waters in the designated area after the commencement of this Order;

¹ 1986 c.33

Price 50p Price Band A

- (c) supply, or have in his possession for supply, any scallops which were in the waters in the designated area after the commencement of this Order;
- (d) supply, or have in possession for supply, any food or anything from which food could be derived, in the preparation or processing of which scallops taken out of the designated area after the commencement of this Order were used; or
- (e) feed to any creature a feeding stuff in the preparation or processing of which scallops taken out of the designated area after the commencement of this Order were used.

Article 2.

SCHEDULE
DESIGNATED AREA

That part of the territorial sea adjacent to the coast of the Isle of Man bounded by the following co-ordinates:

Northern boundary – 54 degrees 10 minutes North,

Southern boundary – 54 degrees 05, minutes North,

Eastern boundary – western coast of the Isle of Man,

Western Boundary – 004 degrees 51 minutes West,
being the Port Erin Marine Laboratory 5-mile statistical square K11.

MADE 28th February, 2003

Pamela M Crowe
Minister for Local Government and the Environment

EXPLANATORY NOTE
(This note is not part of the Order)

This Order designates an area of sea within which are found scallops containing the toxin which causes amnesic shellfish poisoning, and prohibits the taking of scallops in that area and various other activities designed to prevent the human consumption of such scallops.

Contravention of those prohibitions in the Isle of Man or Manx waters is an offence under section 1(3) of the Food (Emergency Provisions) Act 1986 carrying, on conviction on information, an unlimited fine and/or custody for up to 2 years.