MILK AND DAIRIES

1958 No. 2229 (S. 123)

The Milk and Dairies (Channel Islands and South Devon Milk) (Scotland) Regulations, 1958

Made - - - -	*23rd December*, 1958
Laid before Parliament	*1st January*, 1959
Coming into Operation	*2nd January*, 1959

In exercise of the powers conferred upon me by subsection (2) of section 16 and by section 56 of the Food and Drugs (Scotland) Act, 1956(a), and of all other powers enabling me in that behalf and after consultation with such organisations as appear to me to be representative of interests substantially affected by these regulations, I hereby make the following regulations:—

1. These regulations may be cited as the Milk and Dairies (Channel Islands and South Devon Milk) (Scotland) Regulations, 1958, and shall come into operation on the 2nd day of January, 1959;

2.—(1) In these regulations:—

"the Act" means the Food and Drugs (Scotland) Act, 1956;

"bulk container" has the same meaning as in the Milk (Special Designations) (Scotland) Order, 1951(b);

"local authority" means the council of a county or of a large burgh;

"retail container" has the same meaning as in the Milk (Special Designations) (Scotland) Order, 1951;

"special designation" has the meaning assigned to it in section 3 of the Milk and Dairies (Amendment) Act, 1922(c), as enacted in section 10 of the Milk Act, 1934(d).

(2) The Interpretation Act, 1889(e), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3. The provisions of these regulations shall be enforced and executed in any area by the local authority of that area.

4. No person shall sell, for human consumption or for use in the preparation of food for human consumption, milk under any of the descriptions "Channel Islands", "Jersey", "Guernsey" or "South Devon" (being in each case a description which in the opinion of the Secretary of State ascribes to the milk a higher quality than the minimum quality prescribed for milk under the Sale of Milk Regulations 1901(f)) if,—

(*a*) in the case of the descriptions "Jersey", "Guernsey" or "South Devon", it is not the product of animals registered or eligible for registration with the Jersey, Guernsey and South Devon Herd Book Societies respectively; or

(a) 4 & 5 Eliz. 2. c. 30. (b) S.I. 1951/644 (1951 I, p. 1316) (c) 12 & 13 Geo. 5. c. 54.
(d) 24 & 25 Geo. 5. c. 51. (e) 52 & 53 Vict. c. 63.
(f) S.R. & O. 1901/657 (Rev. VIII, p. 6: 1901 p. 1).

(*b*) in the case of the description " Channel Islands ", it is not the product of animals registered or eligible for registration with the Jersey, Guernsey and South Devon Herd Book Societies or any of them ; and

(*c*) in the case of any of those descriptions if the milk contains less than four per centum by weight of milk fat.

5. No person shall sell milk under any such description which does not conform to the requirements of the special designations of " Certified ", " Tuberculin Tested " or " Pasteurised " authorised by a licence granted in accordance with the provisions of the Milk (Special Designations) (Scotland) Order, 1951.

6. Where any milk which is to be sold under any such description as aforesaid is contained in a retail container or an unventilated bulk container, the container shall be labelled with a label bearing in legible letters that description, provided that in the case where the retail container is a bottle the description may be borne on the cap.

7. Any person who contravenes or fails to comply with any provision of these regulations shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding six months, or to both such fine and such imprisonment.

Dated this 23rd day of December, 1958.

John S. Maclay,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

EXPLANATORY NOTE

(This Note is not part of the Regulations but is intended to indicate their general purport.)

These Regulations require that milk sold for human consumption as Channel Islands, Jersey, Guernsey or South Devon milk, must contain not less than 4 per cent. by weight of butter fat. They also provide that such milk shall conform to the requirements of the Milk (Special Designations) (Scotland) Order, 1951, and be appropriately labelled.