STATUTORY INSTRUMENTS

1983 No. 1526 (S. 140)

FOOD

The Milk and Dairies (Semi-skimmed and Skimmed Milk) (Heat Treatment and Labelling) (Scotland) Amendment (No. 2) Regulations 1983

Made - - - -	*17th October* 1983
Laid before Parliament	*26th October* 1983
Coming into Operation	*16th November* 1983

In exercise of the powers conferred on me by sections 4, 7, 26 and 56 of the Food and Drugs (Scotland) Act 1956**(a)** and of all powers enabling me in that behalf, and having in accordance with section 56(6) of the said Act consulted with such organisations as appear to me to be representative of interests substantially affected by these regulations, I hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Milk and Dairies (Semi-skimmed and Skimmed Milk) (Heat Treatment and Labelling) (Scotland) Amendment (No. 2) Regulations 1983 and shall come into operation on 16th November 1983.

Amendment of the Milk and Dairies (Semi-skimmed and Skimmed Milk) (Heat Treatment and Labelling) (Scotland) Regulations 1974

2. The Milk and Dairies (Semi-skimmed and Skimmed Milk) (Heat Treatment and Labelling) (Scotland) Regulations 1974**(b)** shall be amended as follows:—

(*a*) For regulation 3 there shall be substituted the following:—

"**3.**—(1) Except where milk is sold to a milk processor for heat treatment, no person shall sell any semi-skimmed or skimmed milk unless the requirements specified in paragraph 2 of this regulation are satisfied.

(2) The requirements to be satisfied are the general requirements of Schedule 1 to these regulations in connection with the heat treatment of

---

(a) 1956 c. 30; section 4 was amended by the European Communities Act 1972 (c. 68), Schedule 4, paragraph 3(1), section 26(3) was amended by the Local Government (Scotland) Act 1973 (c. 65), Schedule 27, Part II, paragraph 123(*a*) and the Local Government and Planning (Scotland) Act 1982 (c. 43), Schedule 4, Part I, and section 56 was amended by the Weights and Measures Act 1963 (c. 31), Schedule 9, Part II, the European Communities Act 1972, Schedule 4, paragraph 3(2), and the Criminal Justice Act 1982 (c. 48), Schedule 15, paragraph 8.

(b) S.I. 1974/1356, amended by S.I. 1983/940.

semi-skimmed and skimmed milk and the special requirements of Parts I, II and III of Schedule 2 to these regulations in connection with such heat treatment by pasteurisation, sterilisation or the ultra high temperature method respectively:

Provided that—

(*a*) Where semi-skimmed or skimmed milk is brought into Scotland from England or Wales, the requirements of Schedules 1 and 2 to these regulations in relation to that milk shall, so far as they would relate to anything to be done before the milk enters Scotland, be deemed to be satisfied in Scotland if the corresponding requirements of legislation having effect for the time being in England and Wales in relation to the heat treatment of that milk are satisfied;

(*b*) Where semi-skimmed or skimmed milk is brought into Scotland from Northern Ireland, the requirements of Schedule 1 and Parts II or III of Schedule 2 to these regulations in relation to that milk shall, so far as they would relate to anything to be done before the milk enters Scotland, be deemed to be satisfied in Scotland if the corresponding requirements of legislation having effect for the time being in Northern Ireland in relation to the heat treatment of that milk are satisfied.";

(*b*) In Schedule 4 Part II, paragraph 4(*i*) and Part III paragraph 2(*c*) (which specify apparatus for sample tests) for the words "B.S. 625, 150/16" in each place where they occur there shall be substituted the words "either B.S. 625: 1959 or B.S. 3218: 1982 150/16".

George Younger,
One of Her Majesty's
Principal Secretaries of State.

New St. Andrew's House,
Edinburgh.
17th October 1983.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These regulations amend the Milk and Dairies (Semi-skimmed and Skimmed Milk) (Heat Treatment and Labelling) (Scotland) Regulations 1974 by disapplying, in the case of semi-skimmed and skimmed milk sterilised or ultra heat treated in Northern Ireland in accordance with Northern Irish legislation and then brought into Scotland, the restriction on sale (in the absence of compliance with the specific heat treatment requirements of Schedules 1 and 2 to those regulations) laid down by regulation 3 of those regulations, and by providing for an alternative test tube specification in respect of sample tests.

SI 1983/1526
ISBN 0-11-037526-2

