1985 No. 316

MILK

Milk (Amendment) Regulations (Northern Ireland) 1985

Made	*12th November 1985*
Coming into operation . . .	*1st April 1986*

The Department of Agriculture, in exercise of the powers conferred on it by Articles 3(2), 4(1), 4(2), 6(1), 7 and 9(1) of the Milk (Northern Ireland) Order 1983(**a**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Milk (Amendment) Regulations (Northern Ireland) 1985 and shall come into operation on 1st April 1986.

Amendment to the Milk Regulations (Northern Ireland) 1981

2. The Milk Regulations (Northern Ireland) 1981(**b**) shall be amended as follows:—

(1) In Regulation 2 after the definition of "Skimmed milk" there shall be inserted the following definition:

""Ultimate consumer" means any person who buys otherwise than—

(*a*) for the purpose of resale;

(*b*) for the purposes of a catering business;

(*c*) for the purposes of a manufacturing business."

(2) In paragraph (1) of Regulation 19 after the words "retail containers" there shall be inserted the words "of a capacity not exceeding 2 litres".

(3) In paragraph (1) of Regulation 31 the words "and untreated milk licences" shall be deleted.

(4) In paragraph (2) of Regulation 31 the words "Untreated milk and" shall be deleted.

(5) After Regulation 31 there shall be inserted:—

"Sale of untreated milk

31A.—(1) The holder of an untreated milk licence shall not sell untreated milk otherwise than to an ultimate consumer or to the holder of a distributor's licence and shall not use any shop for the sale of that milk unless it is situated on the premises where the milk is produced.

(2) Notwithstanding paragraph (1) the holder of an untreated milk licence may, with the written consent of the Department, sell untreated milk by wholesale to another holder of an untreated milk licence.

(3) The holder of a distributor's licence shall not sell untreated milk otherwise than to an ultimate consumer and shall not use any shop for the sale of that milk.

(**a**) S.I. 1983/148 (N.I. 2)
(**b**) S.R. 1981 No. 234 as amended by S.R. 1983 No. 337

(4) Untreated milk shall only be sold in the retail containers in which it has been packaged in accordance with Regulation 19 with the bottle caps or other fastenings unbroken."

Sealed with the Official Seal of the Department of Agriculture on 12th November 1985.

(L.S.) *S. R. Armstrong*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Milk Regulations (Northern Ireland) 1981 by requiring the sale of untreated milk to comply with the following conditions:—

(*a*) it must not be sold in a shop (other than the producer's farm shop);

(*b*) it must be sold to the ultimate consumer (unless the sale is from the untreated milk licence holder to the holder of a distributor's licence or, with the consent of the Department, to another holder of an untreated milk licence);

(*c*) it must be packaged in a retail container of a capacity not exceeding 2 litres; and

(*d*) it must be sold in that retail container with the bottle cap or other fastening unbroken.