1988 No. 1805

FOOD

MILK AND DAIRIES

The Milk (Special Designation) (Amendment) Regulations 1988

Made - - - -	*20th October 1988*
Laid before Parliament	*26th October 1988*
Coming into force	*16th November 1988*

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Social Services and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred on them by sections 38, 74(3) and 118 of the Food Act 1984(a) and of all other powers enabling them in that behalf, after consultation in accordance with section 118(6) of that Act with such organisations as appear to them to be representative of interests substantially affected by the Regulations, hereby make the following Regulations:–

Title and commencement

1. These Regulations may be cited as the Milk (Special Designation) (Amendment) Regulations 1988, and shall come into force on 16th November 1988.

2. The Milk (Special Designation) Regulations 1986(b) shall be amended as follows:–

(a) by inserting in regulation 2 thereof after the definition of "brucellosis" the following definition:–

> ""bulk milk" means milk which is not pre-packed;";

(b) by inserting in regulation 12(1)(b)(i) thereof after the words "from a producer" the words "or bulk milk which has already been heat treated for the purposes of transportation,";

(c) by adding after paragraph 4 of Schedule 1 thereto the following paragraph:-

> **"5.**—(1) Where bulk milk which has, for the purposes of transportation, been heat treated in another heat treatment establishment is to be subjected to further heat treatment in accordance with these Regulations, the additional conditions specified in the following sub-paragraphs shall apply.
>
> (2) Milk shall not be accepted for further heat treatment unless it has a temperature not exceeding 6°C on admission to the heat treatment establishment and is retained at such a temperature until that further treatment.
>
> (3) Milk, which has been heat treated in another Member State of the European Economic Community shall not be accepted for further heat treatment unless it is accompanied by a certificate prescribed by the Importation of Milk Regulations 1988(c).

(a) 1984 c. 30.
(b) S.I. 1986/723.
(c) S.I. 1988/1803.

(4) The holder of the licence shall check and record the temperature of the milk on admission to the heat treatment establishment and immediately before further heat treatment.

(5) For purposes of identifying sources of supply which consistently exceed a colony count of 100,000 per ml, in order to exclude such milk from further heat treatment in accordance with these Regulations, the holder of the licence shall–

(a) before further heat treatment take a sample of the milk in accordance with Part I of Schedule 3;

(b) submit it to the test for enumeration of microorganisms by poured plate technique for colony count in British Standard 4285: Section 2.1: 1984 (ISBN 0 580 14091 1);

(c) record the result.

(6) The holder of the licence shall retain for a period of not less than three months–

(a) from the date of further heat treatment, the certificate referred to in sub-paragraph (3) above;

(b) the records made in compliance with sub-paragraphs (4) and (5) above.".

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 19th October 1988.

L.S.

John MacGregor
Minister of Agriculture, Fisheries and Food

Kenneth Clarke
Secretary of State for Health
20th October 1988 for the Secretary of State for Social Services

Peter Walker
14th October 1988 Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations apply to England and Wales only and come into force on 16th November 1988. They amend the Milk (Special Designation) Regulations 1986 by making provision for the further heat treatment of bulk milk, including any such milk imported under the Importation of Milk Regulations 1988, which has already been heat treated for the purposes of transportation in another heat treatment establishment.

Copies of the British Standard referred to in these Regulations can be obtained by post from the British Standards Institute at Milton Keynes or from any of the Institute's sales outlets.

45p net

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