

## 1986 No. 119

## MILK

**Importation of Milk (Amendment) (No. 2) Regulations (Northern Ireland) 1986**

*Made* . . . . . 2nd May 1986

*Coming into operation* . . . . . 1st June 1986

The Department of Agriculture, in exercise of the powers conferred on it by section 1 of the Importation of Milk Act 1983(a) and every other power enabling it in that behalf, hereby makes the following regulations:—

*Citation and commencement*

1. These Regulations may be cited as the Importation of Milk (Amendment) (No. 2) Regulations (Northern Ireland) 1986 and shall come into operation on 1st June 1986.

*Interpretation*

2.—(1) In these regulations “the principal regulations” means the Importation of Milk Regulations (Northern Ireland) 1983(b).

(2) The Interpretation Act (Northern Ireland) 1954(c) shall apply to these regulations as it applies to a Measure of the Northern Ireland Assembly.

*Amendment of the principal regulations*

3. In regulation 2(2) of the principal regulations after the definition of “place of entry” there shall be inserted the following definition:—

“ “processing” includes the heat treatment of milk or the manufacture of products;”.

4. Regulation 7 of the principal regulations shall be amended as follows:—

- (a) in paragraph (1) the words “in retail containers” shall be deleted;
- (b) in paragraph (1)(b) the words “pasteurisation or” shall be inserted before the word “sterilisation”;
- (c) for paragraph (1)(c) there shall be substituted:—  
“(c) if in retail containers, has been packaged and labelled;”.

5. Schedule 3 to the principal regulations shall be amended as follows:—

- (a) in paragraph 1(1), after the words “regulation 7” there shall be added the words “provided that no processing or packaging of that milk is carried out in Northern Ireland”;
- (b) in paragraph 1(1)(d)(ii) after the words “shall be substituted” where they first occur, there shall be inserted the words “, in sub-paragraph (b) the words “and address of the person” shall be substituted for the words “or licence number of the licence holder” ”;

(a) 1983 c. 37

(b) S.R. 1983 No. 338 as amended by S.R. 1986 No. 21

(c) 1954 c. 33 (N.I.)

- (c) after paragraph 1(1) there shall be inserted the following sub-paragraph:—
- “(2) Where any processing or packaging of permitted imported milk and milk brought to Northern Ireland from Great Britain in accordance with regulation 7 is carried out in Northern Ireland:
- (a) section 7(2) of the Marketing of Milk Products Act (Northern Ireland) 1958 shall be modified in respect of such milk by substituting “paragraph (c)” for “paragraphs (a) and (c)”;
  - (b) regulation 7 of the Milk Regulations (Northern Ireland) 1981 shall be modified in respect of such milk as follows:
    - (i) in paragraphs (b), (e) and (h) the words “which has been produced by the holders of milk licences or untreated milk licences and” where they appear, shall be deleted;
    - (ii) in paragraphs (c), (d), (f), (g), (i) and (j) after the words “whole milk” where they occur the words “if so derived in Northern Ireland” shall be inserted and the words “produced by the holders of milk licences or untreated milk licences” where they appear, shall be deleted;
    - (iii) in paragraphs (k), (l) and (m) the words “produced by the holders of milk licences or untreated milk licences” and the words “and which has been derived from whole milk produced by the holders of milk licences or untreated milk licences” where they occur shall be deleted and after the word “adjusted” where it occurs there shall be inserted the words “and if so adjusted in Northern Ireland carried out”.
  - (d) sub-paragraph (2) of paragraph 1 shall be renumbered sub-paragraph (3).

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 2nd May 1986.

(L.S.)

*S. R. Armstrong*

Assistant Secretary

## EXPLANATORY NOTE

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

These Regulations further amend the Importation of Milk Regulations (Northern Ireland) 1983 by—

- (a) removing the requirement in regulation 7(1) that milk, cream or milk based drink from Great Britain may only be sold in Northern Ireland if it is brought into Northern Ireland in retail containers (Regulation 4(a));
- (b) providing for pasteurised milk, cream or milk based drink brought from Great Britain to be sold in Northern Ireland provided it has been produced, heat-treated, stored and transported in Great Britain in accordance with legislation in force in Great Britain. Where such milk brought to Northern Ireland is packed in retail containers it is subject to the same labelling provisions and the same storage, handling and transport requirements as domestically produced milk; (Regulations 4(b) and 5(a) and (b)); and
- (c) providing that where any processing or packaging of permitted imported milk and milk brought to Northern Ireland from Great Britain, is carried out in Northern Ireland such milk is subject to the requirements of the Milk Regulations (Northern Ireland) 1981 and the Marketing of Milk Products Act (Northern Ireland) 1958 as modified by these regulations (Regulation 5(c)).