

SCHEDULE 4

Regulation 29

KEEPING AND RETENTION OF RECORDS

Records to be kept by purchasers

1. In respect of each quota year, a purchaser shall keep, and retain for the relevant period, records comprising—

- (a) details of each producer making deliveries to that purchaser, including—
 - (i) the name and address of each producer;
 - (ii) the wholesale quota available to each producer at the beginning and end of each quota year;
 - (iii) the representative fat content (butterfat base) of the milk delivered by each producer; and
 - (iv) the total quota available for the purchaser group concerned and weighted butterfat of that quota;
- (b) details, in terms of each delivery and each month, of the quantities of milk or milk equivalent which each producer has delivered to that producer;
- (c) details of the cumulative total of the quantities delivered to that producer each month by all producers;
- (d) details of the average fat content of deliveries per month of each producer;
- (e) details of the weighted average fat content of the cumulative total referred to in paragraph (c);
- (f) a list of purchasers and other undertakings which deliver treated or processed milk or milk products to that purchaser;
- (g) details, in terms of each such purchaser or undertaking and each month, of the quantities delivered to that purchaser by such purchaser or undertaking;
- (h) details of the use to which milk and milk equivalent collected from that purchaser has been put;
- (i) records of individual deliveries and accompanying collection documents identifying each delivery by producer, purchaser or other undertaking; and
- (j) all books, registers, accounts, correspondence, commercial data, vouchers and supporting documents relating to the business activities of that purchaser.

Records to be kept by producers

2.—(1) In respect of each quota year, a direct seller shall keep, and retain for the relevant period, records comprising—

- (a) details of the quota held by that direct seller, including any permanent and temporary transfers of quota if appropriate;
- (b) that direct seller's herd records (comprising number and breed of cows and calved heifers in dairy herd with details of numbers in milk and numbers dry);
- (c) daily records of milk produced;
- (d) details recorded as a result of that direct seller's participation in the National Milk Recording Scheme or other recording scheme;
- (e) details of quantities of milk processed, methods of processing and quantities and type of milk products produced;

Status: This is the original version (as it was originally made).

- (f) details of quantities of wholemilk used in the production of milk products (with conversion rates applied);
 - (g) details of quantities and types of milk and milk products which are produced and used on that direct seller's holding for stockfeeding and human consumption;
 - (h) details of quantities and types of milk products which are disposed of (other than under paragraph (g)) or wasted on the holding;
 - (i) details of quantities and types of milk and milk products sold direct to the consumer or transferred free of charge from that direct sellers holding (including milk and milk products sold on the holding of that direct seller);
 - (j) details of quantities and types of milk and milk products purchased, exchanged or otherwise received by that direct seller, and records relating to their disposal; and
 - (k) details of stocks of milk and milk products held by that direct seller on a monthly basis.
- (2) Where a direct seller delivers milk or milk products to a purchaser, that direct seller shall, in respect of each quota year, also keep, and retain for the relevant period, records comprising–
- (a) details of quantities and types of milk and milk products delivered wholesale by that direct seller and the name and address of any purchaser involved;
 - (b) the payment slips issued in respect of any such purchaser; and
 - (c) where there is a discrepancy between a payment slip of the purchaser and the relevant tanker receipt, that tanker receipt.
- 3.** A producer, other than a direct seller, who makes wholesale deliveries to a purchaser shall, in respect of each quota year, keep, and retain for the relevant period, records comprising–
- (a) details of the quota held by that producer, showing permanent and temporary transfers of quotas if appropriate;
 - (b) that producer's herd records (comprising number and breed of cows and calved heifers in dairy herd with details of numbers in milk and number dry);
 - (c) daily records of milk produced;
 - (d) details of quantities and types of milk and milk products delivered wholesale by that producer, and the name and address of any purchaser involved;
 - (e) the payment slips issued in respect of any such purchaser;
 - (f) where there is a discrepancy between a payment slip of a purchaser and the relevant tanker receipt, that tanker receipt;
 - (g) details recorded as a result of that producer's participation in the National Milk Recording Scheme or other recording scheme;
 - (h) details of quantities and types of milk and milk products produced and used on that producers holding for stockfeeding and human consumption;
 - (i) details of quantities and types of milk and milk products which are disposed of (other than under paragraph (h)) or wasted on the holding;
 - (j) details of quantities and types of milk and milk products transferred free of charge from that producers holding;
 - (k) details of quantities and types of milk and milk products purchased, swapped or otherwise received, and records relating to their disposal; and
 - (l) details of stocks of milk produced on that producers holding and any resulting milk products.

Records to be kept by any person undertaking butterfat testing in a laboratory

4. Any person undertaking butterfat testing for a purchaser in a laboratory shall keep, and retain for the relevant period, records comprising details of all samples of milk analysed, showing—

- (a) the time and date the sample was taken on the holding;
- (b) the time and date of that persons receipt of the sample;
- (c) the time and date of the analysis;
- (d) the identity of the purchaser concerned;
- (e) the identity of the producer concerned (by name or reference number);
- (f) the butterfat content of each sample recorded to two decimal places;
- (g) the method of analysis used; and
- (h) the results of any repeat analyses undertaken.

Records to be kept by hauliers

5. Any haulier collecting milk or milk products on behalf of a purchaser shall keep, and retain for the relevant period, records comprising details of all quantities of milk or milk products so collected, showing—

- (a) the time and date of collection from each producer;
- (b) the time and date of sampling of the milk or milk products of each producer;
- (c) the identity of the producer concerned;
- (d) the volume of milk collected (including a copy of the tanker receipt in the cases referred to in sub-paragraphs 2(2)(c) and 3(f));
- (e) the identity of the purchaser concerned;
- (f) the volume of milk delivered, and the name and address of each reception site;
- (g) the sources of all the milk carried on each tanker; and
- (h) details of any malfunction in any equipment used by that haulier.

Records to be kept by processors

6. Any processor in receipt of milk or milk products for processing or treating shall keep, and retain for the relevant period, records comprising details of all quantities of milk and milk products received, showing—

- (a) the time and date of their delivery;
- (b) their volume or weight per delivery (including copies of tanker receipts and weighbridge tickets in the cases referred to in sub-paragraphs 2(2)(c) and 3(f));
- (c) the name and address of the haulier concerned;
- (d) the name and address of their seller or donor;
- (e) the quantities of milk processed, types of processing undertaken, and quantities and types of milk products produced;
- (f) the quantities of milk used in the production of milk products (if not ascertainable from the information provided under paragraph (e));
- (g) the calculated stocks of milk and milk products held by that processor at the end of each month and details of actual stocks physically held as at 31st March each year; and
- (h) the quantities of milk or milk products sold or otherwise disposed of, with the date of supply or disposal, and the names and addresses of the buyers or recipients concerned.

Status: This is the original version (as it was originally made).

Records to be kept by persons buying, selling or supplying milk or milk products obtained directly from a producer or purchaser

7. Any person buying, selling or supplying milk products obtained directly from a producer or purchaser shall keep, and retain for the relevant period, records comprising details of all quantities of milk or milk products received, showing—

- (a) the time and date of their receipt;
- (b) their volume or weight per delivery (including copies of tanker receipts or invoices in the cases referred to in paragraphs 2(2)(c) and 3(f));
- (c) the name and address of the haulier concerned;
- (d) the name and address of their seller or donor;
- (e) the quantities of milk or milk products sold or supplied, with the date of sale or supply, and the names and addresses of the buyers or recipients concerned; and
- (f) the quantities of milk or milk products returned to the producer or purchaser unsold or unused, and the date of that return.

Interpretation

8. In this Schedule, in relation to any records—

- (a) “the relevant period” means the remainder of the year of record and a period of at least three calendar years thereafter; and
- (b) “the remainder of the year” means, following the making of the records, the remainder of the year in which they were made.