

SCHEDULE 6

Regulation 32

Restrictions on the placing on the market of raw milk and raw cream intended for direct human consumption

1. No person shall place on the market raw milk, or raw cream, intended for direct human consumption.
2. Any person who contravenes paragraph 1 is guilty of an offence.
3. In any proceedings for an offence in respect of a contravention of paragraph 1, it shall be a defence for the accused to prove that the raw milk or raw cream in respect of which the offence is alleged to have been committed was intended for export—
 - (a) to England and that the milk or cream complies with the provisions of the Food Hygiene (England) Regulations 2005⁽¹⁾;
 - (b) to Wales and that the milk or cream complies with Regulation 853/2004 and any national rules applicable in relation to Wales made by the National Assembly for Wales pursuant to Article 10.8(a) of Regulation 853/2004;
 - (c) to Northern Ireland and that the milk or cream complies with the provisions of the Food Hygiene Regulations (Northern Ireland) 2005⁽²⁾;
 - (d) to a member State other than the United Kingdom and that the milk or cream complies with Regulation 853/2004 and any national rules applicable in relation to that member State made pursuant to Article 10.8(a) of Regulation 853/2004; or
 - (e) to a third country in accordance with Article 12 of Regulation 178/2002 as read with Article 11 of Regulation 852/2004.

(1) S.I.2005/2059.

(2) S.R. (N.I.) 2005 No. 356.