SCOTTISH STATUTORY INSTRUMENTS

2007 No. 460

The Import and Export Restrictions (Foot-and-Mouth Disease) (Scotland) (No. 4) Regulations 2007

Export of milk

10.—(1) No person shall dispatch milk produced or prepared in the restricted area.

(2) The prohibition in paragraph (1) does not apply to milk produced in the restricted area which has been subjected to a treatment in accordance with–

(a) Part A of Annex IX to Council Directive 2003/85/EC on Community measures for the control of foot-and-mouth disease(**1**) (milk intended for human consumption); or

(b) Part B of Annex IX to Directive 2003/85/EC, if the milk is not intended for human consumption or is intended for feeding to animals of species susceptible to foot-and-mouth disease.

(3) The prohibition in paragraph (1) does not apply to milk prepared in an approved establishment in the restricted area if–

(a) all milk used in the establishment has been treated in accordance with paragraph (2), or has been obtained from animals reared and milked outside the restricted area;

(b) the establishment is operated under strict veterinary control;

(c) the milk is clearly identified;

(d) the milk is transported and stored separately from milk and dairy products which are not eligible for export; and

(e) raw milk from outside the restricted area is carried to the establishment in vehicles which–

(i) are cleansed and disinfected prior to carriage; and

(ii) have no contact during carriage with any holding in the restricted area on which an animal of a species susceptible to foot-and-mouth disease is kept.

(4) Milk exported to another member State must be accompanied by an official certificate which bears the words–

"Milk conforming to Commission Decision 2007/554/EC of 9th August 2007 concerning certain protection measures against foot-and-mouth disease in the United Kingdom".

(5) Paragraph (4) does not apply to milk which–

(a) complies with paragraph (2);

(b) has been processed in an establishment operating HACCP and an auditable standard operating procedure that ensures that standards for treatment are met and recorded; and

(c) is on export accompanied by a commercial document endorsed in accordance with regulation 16 which states that the milk has been treated in accordance with paragraph (2).

(**1**) O.J. No. L 306, 22.11.2003, p.1 as last amended by Directive 2006/104/EC.

(6) Paragraph (4) does not apply to milk treated in accordance with paragraph (2) and stored in hermetically sealed containers in such manner as to ensure that they are shelf stable, if the treatment applied is stated in the commercial document accompanying the export of such milk.