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SCHEDULES

SCHEDULE 7

SAMPLING

PART II

SPECIAL PROVISIONS AS TO SAMPLING OF MILK

- 11 Where a sample of milk is procured from a purveyor of milk, he shall, if required to do so by the person by whom or on whose behalf the sample was procured, state the name and address of the seller or consignor from whom he received the milk.
- 12 (1) Within 60 hours after the sample was procured from the purveyor, he may serve on the authority by whose officer it was procured, or, if it was not procured by an officer of any authority, on the food and drugs authority within whose area it was procured, a notice—
- (a) stating the name and address of the seller or consignor from whom he received the milk and the time and place of delivery to himself of milk from a corresponding milking; and
- (b) requesting the authority to take immediate steps to procure, as soon as practicable, a sample of milk from a corresponding milking in the course of transit or delivery to himself from the seller or consignor.
- (2) If such a sample has been so procured since the sample in question was procured, or had been so procured within 24 hours prior to that sample being procured, it is not necessary for the authority to procure another sample in accordance with the notice.
- (3) The purveyor has no right to require that such a sample shall be procured if the milk from which the sample procured from him was taken was a mixture of milk produced on more than one dairy farm.
- 13 If a purveyor has served on the authority such a notice as is mentioned above, and the authority have, in a case not falling within paragraph 12(2) or (3), omitted to procure a sample of milk from the seller or consignor in accordance with the foregoing provisions, no proceedings under this Act shall be taken against the purveyor in respect of the sample procured from him.
- 14 Any sample so procured in the course of transit or delivery shall be submitted for analysis to the analyst to whom the sample procured from the purveyor is or was submitted.
- 15 If proceedings are taken against the purveyor, a copy of the certificate of the result of the analysis of every sample so procured in the course of transit or delivery shall be given to him, and every such certificate and copy shall, subject to section 97, be admissible as evidence on any question whether the milk sold by the purveyor was sold in the same state as it was when he purchased it.

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- 16 The authority by whose officer, or within whose area, the first mentioned sample was procured may, instead of, or in addition to, taking proceedings against the purveyor, take proceedings against the seller or consignor.
- 17 (1) If a sample of milk of cows in any dairy is procured in course of transit or delivery from that dairy, the dairyman may, within 60 hours after the sample was procured, serve on the authority by whose officer the sample was procured a notice requesting them to take immediate steps to procure as soon as practicable a sample of milk from a corresponding milking of the cows and, thereupon, paragraphs 12 to 15 .shall, so far as applicable, apply with any necessary modifications.
- (2) The person procuring the sample shall be empowered to take any such steps at the dairy as may be necessary to satisfy him that the sample is a fair sample of the milk of the cows when properly and fully milked.