

1968 No. 391 (S.37)

## AGRICULTURE

## AGRICULTURAL MARKETING

**The Scottish Milk Marketing Scheme (Amendment)  
Approval Order 1968**

<i>Made</i>	- - -	14th March 1968
<i>Coming into Operation</i>		1st April 1968

Whereas the Scottish Milk Marketing Board (hereinafter referred to as "the Board") submitted to the Secretary of State in accordance with the provisions of section 2 of and Schedule 1 to the Agricultural Marketing Act 1958(a), an amendment to the Scottish Milk Marketing Scheme 1933, as amended, approved by the Scottish Milk Marketing Scheme (Approval) Order 1933(b), as amended (c):

And Whereas no objections were made to the amendment so submitted:

And Whereas the amendment so submitted is set out in the Schedule to this Order:

Now therefore, in exercise of the powers conferred on him by the said section 2 and Schedule 1, the Secretary of State hereby orders as follows:—

1.—(1) This Order may be cited as the Scottish Milk Marketing Scheme (Amendment) Approval Order 1968 and shall come into operation on 1st April 1968.

(2) The Interpretation Act 1889(d) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

2. The amendment to the Scottish Milk Marketing Scheme 1933, as amended, set out in the Schedule to this Order is hereby approved.

*William Ross,*

One of Her Majesty's Principal  
Secretaries of State.

St. Andrew's House,  
Edinburgh, 1.

14th March 1968.

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(a) 1958 c. 47.

(b) S.R. & O. 1933/479 (Rev. I, p. 263: 1933, p. 51).

(c) The relevant amending orders are S.I. 1956/650, 1965/2193 (1956 I, p. 103; 1965 III, p. 6413).

(d) 1889 c. 63.

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**SCHEDULE****AMENDMENT TO THE SCOTTISH MILK MARKETING SCHEME 1933*****Section 16 (Prohibition of Sale except to or through the Board and the Board's Obligation to accept Milk)***

In subsection (2) delete the proviso and substitute therefor:—

(c) in any case where the milk tendered by a registered producer during any period of sixty-four consecutive days has failed on seven occasions during that period to satisfy such tests relating to hygienic quality as may have been determined by the Board, within the twenty-one days immediately following the expiry of said period, give written notice to the producer that his milk will not be accepted by the Board (i) for a period of three days reckoned from twenty-four hours after the date of posting the said notice and (ii) for any immediately succeeding period during which his milk does not satisfy the said tests, and may refuse to accept his milk accordingly:

Provided, however, that, before exercising the power of refusal in subsection (2)(b) hereof, the Board shall notify the registered producer in writing of the action they propose to take thereunder, and if so requested by the registered producer within seven days of the service of such notification shall give him an opportunity of showing cause why such action should not be taken.

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**EXPLANATORY NOTE**

*(This Note is not part of the Order.)*

This Order approves an amendment to the Scottish Milk Marketing Scheme.

The amendment empowers the Board to refuse milk tendered by a registered producer whose milk has failed on seven occasions during a period of sixty-four consecutive days to comply with hygienic standards.