

1977 No. 171**FOOD AND DRUGS****MILK AND DAIRIES****The Milk and Dairies (General) (Amendment) Regulations 1977**

Made - - - - - 3rd February 1977

Laid before Parliament 14th February 1977

Coming into Operation 7th March 1977

The Minister of Agriculture, Fisheries and Food and the Secretary of State for Social Services, acting jointly, in exercise of the powers conferred on them by sections 29, 30, 87 and 123 of the Food and Drugs Act 1955(a), as read with the Secretary of State for Social Services Order 1968(b), and of all other powers enabling them in that behalf, hereby make the following regulations after consultation with such organisations as appear to them to be representative of interests substantially affected by the regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Milk and Dairies (General) (Amendment) Regulations 1977, and shall come into operation on 7th March 1977.

(2) The Interpretation Act 1889(c) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Amendment of principal regulations

2. The Milk and Dairies (General) Regulations 1959(d), as amended(e), shall be further amended by substituting for paragraph (2) of regulation 30 thereof (which limits the filling and closing of milk bottles and cartons to registered premises and restricts the subsequent opening of milk bottles) the following paragraph:—

“(2) Except in the case of a bottle or carton in which cream is imported and is intended to be delivered to consumers, every person shall cause every bottle or carton in which he intends to deliver milk to consumers to be filled and closed on registered premises; and, except—

(a) in pursuance of any statutory authority in that behalf, or

(a) 4 & 5 Eliz. 2. c. 16.

(b) S.I. 1968/1699 (1968 III, p. 4585).

(c) 1889 c. 63.

(d) S.I. 1959/277 (1959 I, p. 1351).

(e) There is no amendment which relates expressly to the subject matter of these regulations.

(b) where the milk is being sold as, or as part of, a meal or refreshments, no person shall either open the bottle or carton or tamper with any cap or other device for closing it after it has left such premises or, in the case of a bottle or carton in which cream is imported and is intended to be delivered to consumers, after it has been imported, and in either case before the bottle or carton is delivered to the consumer.”.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 1st February 1977.

(L.S.)

John Silkin,
Minister of Agriculture, Fisheries and Food.

David Ennals,
Secretary of State for Social Services.

3rd February 1977.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These amending Regulations come into operation on 7th March 1977.
The Regulations—

- (a) exempt bottles and cartons in which cream is imported and is intended to be delivered to consumers, from the re-enacted requirement that milk bottles and cartons shall be filled and closed on premises registered under the Milk and Dairies (General) Regulations 1959;
- (b) prohibit, subject to specified exemptions, the opening of bottles and cartons and the tampering with caps and closing devices, after the bottles and cartons have left registered premises or (in cases exempted as mentioned in sub-paragraph (a) above) have been imported, and in each case before their delivery to the consumer.

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