
 STATUTORY INSTRUMENTS

1982 No. 1702

FOOD

MILK AND DAIRIES

The Milk (Presentation) Regulations 1982

<i>Made - - - -</i>	29th November 1982
<i>Laid before Parliament</i>	9th December 1982
<i>Coming into Operation</i>	1st January 1983

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Social Services and the Secretary of State for Wales, being Ministers designated (a) for the purposes of section 2(2) of the European Communities Act 1972 (b) in relation to the presentation and packaging of food intended for sale for human consumption, acting jointly, in exercise of the powers conferred on them by the said section 2(2), and of all other powers enabling them in that behalf, hereby make the following regulations:—

Title and commencement

1. These regulations may be cited as the Milk (Presentation) Regulations 1982 and shall come into operation on 1st January 1983.

Amendment of the Milk and Dairies (Semi-skimmed and Skimmed Milk) (Heat Treatment and Labelling) Regulations 1973

2.—(1) The Milk and Dairies (Semi-skimmed and Skimmed Milk) (Heat Treatment and Labelling) Regulations 1973 (c) (in this regulation called “the 1973 regulations”) shall be further amended in accordance with the following paragraphs of this regulation.

(2) In regulation 2(1) of the 1973 regulations after the definition of “the Minister” there shall be inserted the following definition:—

‘ “presentation”, in relation to semi-skimmed milk or skimmed milk, includes the appearance or packaging of the semi-skimmed milk or skimmed milk, the way in which the semi-skimmed milk or skimmed milk is arranged when it is exposed for sale and the setting in which the semi-skimmed milk or skimmed milk is displayed with a view to sale, but does not include any form of labelling or advertising;’.

(3) After regulation 4 of the 1973 regulations there shall be inserted the following regulation:—

(a) S.I. 1981/833.

(b) 1972 c.68.

(c) S.I. 1973/1064, amended by S.I. 1982/1358.

“Presentation of semi-skimmed milk and skimmed milk

4A. No person shall sell to the ultimate consumer (as defined in Schedule 4 to these regulations) any semi-skimmed milk or skimmed milk whose presentation is such that a purchaser is likely to be misled to a material degree as to the nature, substance or quality of the semi-skimmed milk or skimmed milk.”.

Amendment of the Milk (Special Designation) Regulations 1977

3.—(1) The Milk (Special Designation) Regulations 1977 (a) (in this regulation called “the 1977 regulations”) shall be further amended in accordance with the following paragraphs of this regulation.

(2) In regulation 2(1) of the 1977 regulations after the definition of “pre-packed” there shall be inserted the following definition:—

‘ “presentation”, in relation to milk, includes the appearance or packaging of the milk, the way in which the milk is arranged when it is exposed for sale and the setting in which the milk is displayed with a view to sale, but does not include any form of labelling or advertising;’

(3) In Parts I, II, III and IV of Schedule 2 to the 1977 regulations there shall be inserted as conditions C6, 7, A6 and A6 respectively the following condition:—

“On a sale to the ultimate consumer (as defined in Part V of this Schedule) the presentation of the milk shall not be such that a purchaser is likely to be misled to a material degree as to the nature, substance or quality of the milk.”.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 22nd November 1982.



Peter Walker,
Minister of Agriculture, Fisheries and Food.

Norman Fowler,
Secretary of State for Social Services.

29th November 1982.

Nicholas Edwards,
Secretary of State for Wales.

24th November 1982.

(a) S.I. 1977/1033; relevant amending instruments are S.I. 1980/1863, 1982/1359.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations amend the Milk and Dairies (Semi-skimmed and Skimmed Milk) (Heat Treatment and Labelling) Regulations 1973 and the Milk (Special Designation) Regulations 1977, both of which apply to England and Wales only. The regulations prohibit from 1st January 1983 the misleading presentation of milk, semi-skimmed milk and skimmed milk in implementation of Council Directive No. 79/112/EEC (OJ No. L33, 8.2.79, p.1) on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer.

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