
 STATUTORY INSTRUMENTS

1983 No. 1527 (S.141)

FOOD

**The Milk (Special Designations) (Scotland) Amendment (No. 2)
Order 1983**

Made - - - 17th October 1983

Laid before Parliament 26th October 1983

Coming into Operation 16th November 1983

In exercise of the powers conferred on me by sections 3 and 6 of the Milk and Dairies (Amendment) Act 1922(a) and by sections 10 and 11 of the Milk (Special Designations) Act 1949(b), and now vested in me(c), and of all other powers enabling me in that behalf, I hereby make the following order:—

Citation and commencement

1. This order may be cited as the Milk (Special Designations) (Scotland) Amendment (No. 2) Order 1983 and shall come into operation on 16th November 1983.

Amendment of the Milk (Special Designation) (Scotland) Order 1980

2. The Milk (Special Designation) (Scotland) Order 1980(d) shall be amended as follows:—

(a) For article 18 there shall be substituted the following:—

“18.—(1) Where milk is brought into Scotland from England and Wales —

(a) a licence granted under legislation having effect for the time being in England and Wales authorising the use, in relation to that milk, of a designation corresponding to a special designation prescribed by these regulations shall have effect as if it had been granted under these regulations, and

(b) so far as any conditions prescribed in these regulations for a licence authorising the use of that special designation would relate to anything to be done before the milk enters Scotland, they shall be deemed to be satisfied if the corresponding conditions of a licence as specified in sub-paragraph (a) above are complied with.

(a) 1922 c.54; section 3 was substituted by the Milk Act 1934 (c.51), section 10.

(b) 1949 c.34.

(c) By the Re-organisation of Offices (Scotland) Act 1928 (c.34) and the Re-organisation of Offices (Scotland) Act 1939 (c.20).

(d) S.I. 1980/1866, was amended by S.I. 1983/939.

(2) Where milk is brought into Scotland from Northern Ireland after heat treatment in Northern Ireland corresponding to sterilisation (as described in paragraphs A.1 and A.2(1) of Part II of Schedule 3 to these regulations) or to treatment by the ultra high temperature method (as described in paragraph A.1 of Part III of Schedule 3 to these regulations) —

- (a) a Northern Irish licence (that is to say a licence operating under legislation having effect for the time being in Northern Ireland) relating to the sale of that milk shall have effect as if it were a licence authorising the use of the special designation 'Sterilised' or 'Ultra Heat Treated' (as the case may be) in accordance with these regulations, and
 - (b) so far as any conditions prescribed in these regulations for a licence authorising the use of either of those special designations would relate to anything to be done before the milk enters Scotland, they shall be deemed to be satisfied if the corresponding conditions of that Northern Irish licence or requirements of that legislation under which that Northern Irish licence operates are complied with.”;
- (b) In Schedule 5 Part II, paragraph 4(i) and Part III, paragraph 3(c), (which specify apparatus for sample tests), for the words “B.S. 625, 150/16”, in each place where they occur, there shall be substituted the words “either B.S. 625:1959 or B.S. 3218:1982, 150/16”.

New St Andrew's House,
Edinburgh,
17th October 1983.

George Younger,
One of Her Majesty's
Principal Secretaries of State.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order amends the Milk (Special Designation) (Scotland) Order 1980 by recognising Northern Irish licences as equivalent to licences granted under the 1980 Order to use the special designations 'Sterilised' and 'Ultra Heat Treated' and by providing for an alternative test tube specification in respect of sample tests.

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