

1989 No. 1959

**FOOD**

**COMPOSITION AND LABELLING**

**The Condensed Milk and Dried Milk (Amendment)  
Regulations 1989**

<i>Made - - - -</i>	<i>25th October 1989</i>
<i>Laid before Parliament</i>	<i>3rd November 1989</i>
<i>Coming into force</i>	<i>24th November 1989</i>

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Health and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by sections 4, 7, 118 and 119 of the Food Act 1984(a) and now vested in them(b) and of all other powers enabling them in that behalf, hereby make the following Regulations, after consultation in accordance with section 118(6) of the said Act with such organisations as appear to them to be representative of interests substantially affected by the Regulations:-

**Title and commencement**

1. These Regulations may be cited as the Condensed Milk and Dried Milk (Amendment) Regulations 1989 and shall come into force on 24th November 1989.

**Amendment of the Condensed Milk and Dried Milk Regulations 1977**

2. The Condensed Milk and Dried Milk Regulations 1977(c) are hereby further amended by inserting after regulation 9 thereof the following regulation:

**“Sampling**

**9A.** In relation to the sampling for analysis of condensed milk products and dried milk products-

- (a) the powers of a sampling officer or of an officer of the Minister's department under section 78 or 83 respectively of the Food Act 1984 to procure samples, and
- (b) the duty of a sampling officer or of an officer of the Minister's department under section 80 or 83 respectively of and Part I of Schedule 7 to that Act to deal with samples,

shall be exercised and performed in accordance with the methods described in the Annex to First Commission Directive 87/524/EEC(d).”.

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(a) 1984 c.30; section 132(1) contains a definition of “the Ministers” relevant to the exercise of the statutory powers under which these Regulations are made.  
(b) In the case of the Secretary of State for Health by virtue of S.I. 1988/1843.  
(c) S.I. 1977/928, amended by S.I. 1982/1066, 1727, 1985/67, 1986/2299.  
(d) OJ No. L306, 28.10.87, p.24.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 16th October 1989.



*John Selwyn Gummer*  
Minister of Agriculture, Fisheries and Food

16th October 1989

*Kenneth Clarke*  
Secretary of State for Health

25th October 1989

*Peter Walker*  
Secretary of State for Wales

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#### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations, which apply to England and Wales only, come into force on 24th November 1989. They amend the Condensed Milk and Dried Milk Regulations 1977 by introducing a provision that the methods of sampling for analysis of condensed milk products (including evaporated milk) and dried milk products shall be those described in the Annex to First Commission Directive 87/524/EEC (Regulation 2), which sets out (unlike the Food Act 1984) the equipment required to be used and the manner of its use.

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