

1989 No. 376

FOOD

**The Milk and Dairies and Milk (Special Designation)
(Charges) (Amendment) Regulations 1989**

<i>Made - - - -</i>	<i>8th March 1989</i>
<i>Laid before Parliament</i>	<i>10th March 1989</i>
<i>Coming into force</i>	<i>1st April 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 on them by sections 33, 38 and 118 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 that 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 Milk and Dairies and Milk (Special Designation) (Charges) (Amendment) Regulations 1989, and shall come into force on 1st April 1989.

Interpretation

2. In these Regulations the expression “the principal Regulations” means the Milk and Dairies and Milk (Special Designation) (Charges) Regulations 1987(c).

Amendment of the principal Regulations

3. The principal Regulations shall be amended as follows:—

- (a) by inserting in regulation 2(1) thereof after the definition of “dairy farm visit” the following definition:—
 - “ “follow-up visit” means a dairy farm visit arising out of the findings of a previous dairy farm visit for which a charge has been made under these Regulations;”;
- (b) by substituting for paragraph (b) of regulation 3(3) thereof the following paragraph:—
 - “(b) which is—
 - (i) a follow-up visit other than for the sole purpose of taking samples of milk or of water or both or, where there are several such follow-up visits, the first such follow-up visit, or
 - (ii) a follow-up visit for the sole purpose of taking samples of milk or of water or both;”;
- (c) by substituting the following Schedule for the Schedule thereto:—

(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. 1987/212.

<i>Matter</i>	<i>Charge</i>
	£
1. Dairy farm visit other than a dairy farm visit for the sole purpose of taking samples of milk or of water or both.	
(a) higher rate of charge	78.00
(b) lower rate of charge	60.00
2. Dairy farm visit for the sole purpose of taking samples of milk or of water or both.	26.00
	”

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 6th March 1989.

(L.S.)

John MacGregor
Minister of Agriculture, Fisheries and Food

6th March 1989

Kenneth Clarke
Secretary of State for Health

6th March 1989

Peter Walker
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Milk and Dairies and Milk (Special Designation) (Charges) Regulations 1987 (“the principal Regulations”).

The exemption from charges for follow-up visits, provided by regulation 3(3)(b) of the principal Regulations, has been restricted. In the case of follow-up visits other than for the sole purpose of taking samples of milk or of water or both, only the first such visit is exempt from charges. Follow-up visits for the sole purpose of taking samples of milk or of water or both remain exempt from charges (regulation 3(b)).

Charges for visits for the purpose of ascertaining whether the Milk and Dairies (General) Regulations 1959 (S.I. 1959/277, relevant amending instruments are S.I. 1973/1064, 1977/171, 1979/1567) and the Milk (Special Designation) Regulations 1988 (S.I. 1988/2204) are being complied with, have been reduced; the higher rate of charge from £90 to £78, and the lower rate of charge from £80 to £60. The charge for a visit solely for the purpose of taking a sample of milk or of water or both has been increased from £22 to £26 (regulation 3(c)).

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