
WELSH STATUTORY INSTRUMENTS

2001 No. 3705

The Import and Export Restrictions (Foot-And-Mouth Disease) (Wales) (No. 12) Regulations 2001

Dispatch of milk

- 8.—(1) No person shall dispatch milk.
- (2) The prohibition in paragraph (1) shall not apply to milk which has been subjected to at least—
- (a) an initial pasteurisation in accordance with the norms defined in paragraph 3(b) of Chapter 1 in Annex I to Council Directive [92/118/EEC](#) (laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A(I) to Directive [89/662/EEC](#) and, as regards pathogens, to Directive [90/425/EEC](#)(1)) followed by a second heat treatment by high temperature pasteurisation, UHT, sterilisation so as to produce a negative reaction to the peroxidase test or by a drying process which includes a heat treatment with an equivalent effect to one of the above; or
 - (b) an initial pasteurisation in accordance with the norms defined in paragraph 3(b) of Chapter 1 in Annex I to Council Directive [92/118/EEC](#), combined with treatment by which the pH is lowered below 6 and held there for at least one hour.
- (3) The prohibition in paragraph (1) shall not apply in relation to milk prepared in approved establishments under the following conditions—
- (a) all milk used in the establishment must either conform to the conditions of paragraph (2) or be obtained from animals reared and milked outside the restricted area;
 - (b) the establishment must be operated under strict veterinary control;
 - (c) the milk must be clearly identified and transported and stored separately from milk and milk products which are not destined for dispatch; and
 - (d) transport of raw milk from outside the restricted area to the establishment must be carried out in vehicles which were cleansed and disinfected prior to operation and had no subsequent contact with holdings in the restricted area keeping animals of species susceptible to foot-and-mouth disease.
- (4) Milk consigned to another member State shall be accompanied by an official certificate prepared by the National Assembly, the Secretary of State or the Minister and signed by a person appointed as an officer of the kind specified in the certificate which bears the following words—
- “Milk conforming to Commission Decision [2001/172/EC](#) of 1st March 2001 concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom”.
- (5) Paragraph (4) shall not apply to milk which conforms to the requirements of paragraph (2) if such compliance is stated in the commercial document accompanying the consignment, endorsed in accordance with regulation 14, and the milk has been processed in an establishment operating HACCP and an auditable standard operating procedure which ensures that standards for treatment are met and recorded.

(1) OJNo. L62, 15.3.1993, p. 49 as last amended by Council Directive [2001/7/EC](#) (OJ No. L2, 5.1.2001, p. 27).

(6) Paragraph (4) shall not apply to milk which conforms with the requirements of paragraph (2) (a) or (b) and which has been treated in hermetically sealed containers so as to ensure they are shelf stable if the heat treatment applied is stated in the commercial document accompanying the consignment.