

---

WELSH STATUTORY INSTRUMENTS

---

**2008 No. 137**

**The Condensed Milk and Dried Milk  
(Wales) (Amendment) Regulations 2008**

**Amendment of the Condensed Milk and Dried Milk (Wales) Regulations 2003**

**4.** In the Notes to Schedule 1 (partly or wholly dehydrated preserved milk products and their reserved descriptions) —

(a) For Note 1 substitute the following —

“**1.** Authorised additions and raw materials:

- (a) Any designated product may contain any substance permitted pursuant to Council Directive [89/107/EEC](#) on the approximation of laws of Member States concerning food additives authorised for use in foodstuffs intended for human consumption<sup>(1)</sup> and vitamins and minerals in accordance with the requirements of Regulation [\(EC\) No. 1925/2006](#) of the European Parliament and of the Council on the addition of vitamins and minerals and of certain other substances to foods<sup>(2)</sup>.
- (b) Authorised raw materials for protein adjustment purposes referred to in Note 4 are as follows:
  - (i) Milk retentate, which is the product obtained by concentrating milk protein by ultra filtration of milk, partly skimmed milk or skimmed milk;
  - (ii) Milk permeate, which is the product obtained by removing milk proteins and milk fat from milk, partly skimmed milk or skimmed milk by ultra filtration; and
  - (iii) Lactose, which is a natural constituent of milk normally obtained from whey with an anhydrous lactose content of not less than 99.0% m/m on a dry basis. It may be anhydrous or contain one molecule of water of crystallisation or be a mixture of both forms.”

(b) In Note 3, for the first indent substitute the following —

“**3.** Without prejudice to Regulation [\(EC\) No. 853/2004](#) of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin<sup>(3)</sup>, the preservation of the designated products shall be achieved—”.

(c) For Note 4 substitute the following —

“**4.** Without prejudice to the compositional requirements set out in the table above, the protein content of milk may be adjusted to a minimum content of 34% by weight (expressed on fat-free dry matter) by the addition and/or withdrawal of milk constituents in such a way as not to alter the ratio of whey protein to casein in the milk being adjusted.”.

---

(1) OJ No. L40, 11.2.1989, p.27. This Directive was last amended by Regulation [\(EC\) No. 1882/2003](#) of the European Parliament and of the Council (OJ No. L284, 31.10.2003, p.1).

(2) OJ No. L404, 30.12.2006, p.26.

(3) OJ No. L139, 30.4.2004, p.55. The corrected version was set out in a corrigendum (OJ No. L226, 25.6.2004, p.22). The Regulation was last amended by Council Regulation [\(EC\) No. 1791/2006](#) (OJ No. L363, 20.12.2006, p.1).

(d) As Note 5 add the following —

“5. The levels of dry matter, moisture content, fat, sucrose, lactic acid and lactates and phosphatase activity in the designated products shall be determined in accordance with the methods set out in Directive 79/1067.”.