
SCOTTISH STATUTORY INSTRUMENTS

2001 No. 429

The Import and Export Restrictions (Foot-and-Mouth Disease) (Scotland) (No. 3) 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 [1989/662/EEC](#) and, as regards pathogens, to Directive [1990/425/EEC](#))^{M1} 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 the 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 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 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 on behalf of the Scottish Ministers 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.
- (6) Paragraph (4) shall not apply to milk which conforms to the requirements of paragraph (2) and has been heat treated in hermetically sealed containers so as to ensure that it is shelf stable, if the milk is accompanied by a commercial document stating the heat treatment applied.

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Import and Export Restrictions (Foot-and-Mouth Disease) (Scotland) (No. 3) Regulations 2001. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)*

Marginal Citations

M1 O.J. No. L 62, 15.3.93, p.49, as last amended by Commission Decision 1999/724/EC (O.J. No. L 290, 12.11.1999, p. 32)

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Changes and effects yet to be applied to :

- [Regulations revoked by S.S.I. 2002/109 Sch.](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- [reg. 5\(3\)-\(5\) inserted by S.S.I. 2001/483 reg. 2\(5\)](#)
- [reg. 5\(3\) substituted for reg. 5\(3\)-\(4\) by S.S.I. 2002/35 reg. 2\(5\)](#)
- [reg. 7\(7\) inserted by S.S.I. 2002/35 reg. 2\(7\)\(c\)](#)
- [reg. 10\(2\)\(d\) and word inserted by S.S.I. 2002/35 reg. 2\(9\)\(c\)](#)