

SCHEDULE 6

Regulation 34

Restrictions on the sale of raw milk intended for direct human consumption

1. Any person who sells raw milk intended for direct human consumption in contravention of paragraph 5 commits an offence.

2.—(1) Any person, other than the occupier of a production holding or a distributor, who sells raw cows' milk intended for direct human consumption commits an offence.

(2) The occupier of a production holding who sells raw cows' milk intended for direct human consumption in contravention of paragraph 3 commits an offence.

(3) A distributor who sells raw cows' milk intended for direct human consumption in contravention of paragraph 4 commits an offence.

3. The occupier of a production holding may only sell raw cows' milk intended for direct human consumption —

(a) at or from the farm premises where the animals from which the milk has been obtained are maintained; and

(b) to —

(i) the final consumer for consumption other than at those farm premises,

(ii) a temporary guest or visitor to those farm premises as or as part of a meal or refreshment, or

(iii) a distributor.

4. A distributor may only sell raw cows' milk intended for direct human consumption —

(a) which the distributor has bought pursuant to sub-paragraph (b)(iii) of paragraph 3;

(b) in the containers in which the distributor receives the milk, with the fastenings of the containers unbroken;

(c) from a vehicle which is lawfully used as a shop premises; and

(d) direct to the final consumer.

5. The raw milk must meet the following standards:

Plate count at 30°C (cfu per ml)	≤ 20,000
Coliforms (cfu per ml)	< 100

6. In the case where farm premises are being used for the sale of raw cows' milk intended for direct human consumption pursuant to sub-paragraph (a) of paragraph 3, the Agency shall carry out such sampling, analysis and examination of the milk as it considers necessary to ensure that it meets the standards specified in paragraph 5.

7. In any case where the Agency carries out sampling, analysis and examination of raw cows' milk in accordance with paragraph 6, there shall be due to the Agency from the occupier of the production holding who is selling the milk a fee of £63, which is payable by the occupier to the Agency on demand.

8. In this Schedule —

“distributor” means a person who sells raw cows' milk that has been produced on a production holding of which he is not the occupier;

Status: This is the original version (as it was originally made).

“farm premises” means a farm occupied by the occupier of a production holding as a single farm and includes the production holding and any other building situated on that farm and occupied by the same occupier;

“occupier” means any person carrying on the business of producing or handling raw cows’ milk or his duly authorised representative;

“production holding” means premises at which milk-producing cows are kept; and

“shop premises” means premises from which any food is sold to the final consumer.