1991 No. 526

MILK AND DAIRIES

Marketing of Milk Products (Amendment) Regulations (Northern Ireland) 1991

Made	*9th December 1991*
Coming into operation . .	*1st January 1992*

The Department of Agriculture, in exercise of the powers conferred on it by sections 1(6), 2(1), 3(1), 5(1) and (3), 7(1), 9(1), 10(1) and 15(1) of the Marketing of Milk Products Act (Northern Ireland) 1958(**a**) as read with the Fees &c. (Northern Ireland) Order 1988(**b**) and the Department of Agriculture (Fees) Order (Northern Ireland) 1991(**c**) and of every other power enabling it in that behalf, with the approval of the Department of Finance and Personnel(**d**) insofar as they relate to licence fees and with the concurrence of the Department of Health and Social Services(**e**) insofar as they relate to buttermilk and dairy ice-cream, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Marketing of Milk Products (Amendment) Regulations (Northern Ireland) 1991 and shall come into operation on 1st January 1992.

Amendments to the Marketing of Milk Products Regulations (Northern Ireland) 1966

2. The Marketing of Milk Products Regulations (Northern Ireland) 1966(**f**) shall be amended as follows:—

(*a*) in regulation 2 after the definition of ''received'' there shall be inserted—

''the symbol ''°C'' means degree Celsius;

''wholemilk'' means the milk produced by the natural secretion of one or more cows the butterfat content of which has not been altered and which is not less than 3.0%;

(**a**) 1958 c. 31 (N.I.); section 5 was amended by section 18(1) of the Agriculture (Miscellaneous Provisions) Act (Northern Ireland) 1965 (1965 c. 3 (N.I.)) and section 13 of the Agriculture (Miscellaneous Provisions) Act (Northern Ireland) 1967 (1967 c. 15 (N.I.)); section 7 was substituted by section 14 of 1967 c. 15 (N.I.) and amended by S.I. 1984/702 (N.I. 2) Articles 23 and 24 and Schedule and S.I. 1991/762 (N.I. 7) Article 51(1) and Schedule 2, paragraph 2

(**b**) S.I. 1988/929 (N.I. 8)

(**c**) S.R. 1991 No. 40

(**d**) Formerly the Department of Finance. *See* S.I. 1982/338 (N.I. 6) Art. 3

(**e**) S.R. & O. (N.I.) 1964 No. 205 Art. 5(1) and Schedule 2 Part I

(**f**) S.R. & O. (N.I.) 1966 No. 204 as amended by S.R. 1980 No. 436, S.R. 1981 No. 233 and S.R. 1983 No. 336

"wholemilk equivalent" means milk products in terms of the amount of wholemilk from which they are derived.";

(*b*) for regulation 3(2) there shall be substituted—

"(2) The fee payable in respect of the issue or renewal of a licence solely for the manufacture of dairy ice-cream shall be £100.

(3) The fee payable in respect of the issue or renewal of any other licence shall be £250 except that where the throughput of wholemilk and wholemilk equivalent by a licence-holder in the 12 months prior to the renewal of a licence is 15 million litres or more, the fee shall be £1,000.";

(*c*) in regulation 11(3)(*a*) and regulation 41(4)(*a*) for the words "210° Fahrenheit (99° Centigrade)" there shall be substituted "99°C";

(*d*) in regulation 11(3)(*b*) for the words "200° Fahrenheit (93.5° Centigrade)" there shall be substituted "93.5°C";

(*e*) in regulation 11(3)(*c*) for the words "180° Fahrenheit (82° Centigrade)" there shall be substituted "82°C";

(*f*) in regulation 11(4) for the words "75° Fahrenheit (24° Centigrade)" there shall be substituted "24°C" and for the words "165° Fahrenheit (74° Centigrade)" there shall be substituted "74°C";

(*g*) in regulation 14(2)(*c*), regulation 17(1), regulation 31(2), regulation 40, Schedule 4 Part 1 paragraph 1, Schedule 5 Part 1 paragraphs 1, 2 and 3 and Schedule 6 paragraph 1 for the words "45° Fahrenheit (7° Centigrade)" there shall be substituted "7°C";

(*h*) in regulation 32(7) for the words "half a gallon" there shall be substituted the words "2 litres";

(*i*) in regulation 37(7)(*a*) for the words "two gallons" there shall be substituted the words "10 litres";

(*j*) in regulation 37(7)(*c*) for the words "100 gallons" there shall be substituted the words "500 litres";

(*k*) in Schedule 4 Part 1 paragraphs 1(1)(*a*), 1(1)(*b*) and 1(2)(*b*), Schedule 5 Part 1 paragraphs 2 and 3 and Schedule 5 Part 3 paragraph 5(2) for the words "161° Fahrenheit (71.5° Centigrade)" there shall be substituted "71.7°C";

(*l*) in Schedule 4 Part 1 paragraphs 1(1)(*a*), 1(1)(*b*) and 1(2)(*b*), Schedule 5 Part 1 paragraphs 2 and 3, Schedule 5 Part 3 paragraph 5(2) and Schedule 6 paragraphs 1(*a*), 1(*b*)(i) and 1(*c*) for the words "185° Fahrenheit (85° Centigrade)" there shall be substituted "85°C";

(*m*) in Schedule 4 Part 1 paragraph 1(2)(*c*), Schedule 5 Part 3 paragraph 5(3) and Schedule 6 paragraph 2(2) for the words "1° Fahrenheit or ½° Centigrade" there shall be substituted "1°C";

(*n*) in Schedule 4 Parts 2, 3 and 4 the words "or 2°F" wherever they occur shall be omitted;

(*o*) in Schedule 5 Part 2 and Schedule 6 paragraph 3 for the words "190° Fahrenheit (88° Centigrade)" there shall be substituted "88°C";