1991 No. 151

MILK

Milk (Amendment) Regulations (Northern Ireland) 1991

Made	*11th April 1991*
Coming into operation	*20th May 1991*

The Department of Agriculture, in exercise of the powers conferred on it by Articles 4(1), (2) and (3), 6(1) and (2) and 9(1) of the Milk (Northern Ireland) Order 1983(**a**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Milk (Amendment) Regulations (Northern Ireland) 1991 and shall come into operation on 20th May 1991.

(2) In these Regulations—

(*a*) "the Milk Regulations" means the Milk Regulations (Northern Ireland) 1987(**b**); and

(*b*) expressions which are also used in the Milk Regulations shall have the same meaning as in those Regulations.

Amendment to the Milk Regulations

2. The Milk Regulations shall be amended as provided in regulations 3 to 6.

3. In regulation 19—

(*a*) for paragraph (6)(*b*)(iii) there shall be substituted:—

"(iii) the appropriate durability indication as prescribed by the Thirteenth Schedule."; and

(*b*) paragraphs (7) and (8) shall be omitted.

(**a**) S.I. 1983/148 (N.I. 2)
(**b**) S.R. 1987 No. 229 as amended by S.R. 1988 No. 436 and S.R. 1990 No. 13

4. In regulation 29—

(*a*) for paragraph (4)(*c*)(iii) there shall be substituted:—

"(iii) the appropriate durability indication as prescribed by the Thirteenth Schedule."; and

(*b*) paragraphs (5) to (7) shall be omitted.

5. After regulation 33 there shall be inserted—

"*Prohibitions related to durability indications*

33A. A holder of an untreated milk licence, a milk licence or a distributor's licence shall not—

(*a*) sell to the ultimate consumer any milk after the date shown in a "use by" date relating to the milk; or

(*b*) unless he was originally responsible for so marking the milk, alter, or permit the alteration of, the indication of minimum durability or, as the case may be, the "use by" date relating to any milk.".

6. After the Twelfth Schedule there shall be added the Schedule set out in the Schedule to these Regulations.

Transitional provisions

7. It shall be sufficient compliance with the requirements of the Thirteenth Schedule to the Milk Regulations if—

(*a*) in the case of untreated milk sold before 20th August 1991, it was filled in a retail container on which was marked an indication of the minimum durability of the milk which complied with regulation 19(6)(*b*)(iii), (7) and (8); and

(*b*) in the case of milk which has been pasteurised, ultra-heat treated or sterilised and sold before 20th August 1991, it was filled in retail containers on which was marked an indication of the minimum durability of the milk which complied with regulation 29(4)(*c*)(iii) and (5) to (7),

of the Milk Regulations as they had effect immediately before the coming into operation of these Regulations.

Sealed with the Official Seal of the Department of Agriculture on 11th April 1991.

(L.S.) *P. T. Toal*

Assistant Secretary