1983 No. 336

MILK AND DAIRIES

Marketing of Milk Products (Amendment) Regulations (Northern Ireland) 1983

Made . . . . . 26th October 1983

Coming into operation . . . 16th November 1983

The Department of Agriculture, in exercise of the powers conferred on it by Sections 5(1), 7, 10, 11 and 15(1) of the Marketing of Milk Products Act (Northern Ireland) 1958(**a**) and of every other power enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Marketing of Milk Products (Amendment) Regulations (Northern Ireland) 1983 and shall come into operation on 16th November 1983.

Amendment of the Marketing of Milk Products Regulations (Northern Ireland) 1966

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

(1) **In regulation 2** after the definition of "the Ministry" there shall be inserted:—

""catering establishment" means a restaurant, canteen, club, public house, school, hospital or other establishment (including a vehicle or a fixed or mobile stall) where, in the course of a business, food is prepared for delivery to the ultimate consumer for immediate consumption;".

(2) **In regulation 11 paragraphs (2A) and (3A)** after the words "ultra-heat treated" there shall be inserted the words "and sterilised".

(3) **For Part 8 there shall be substituted:—**

"PART 8

MANUFACTURE OF PASTEURISED, ULTRA-HEAT TREATED AND STERILISED CREAM

Method of manufacture

23.—(1) Pasteurised cream shall be manufactured on registered premises and in accordance with the provisions of Part 2 of Schedule 4.

(2) Ultra-heat treated cream shall be manufactured on registered premises and in accordance with the provisions of Part 3 of Schedule 4.

(3) Sterilised cream shall be manufactured on registered premises and in accordance with the provisions of Part 4 of Schedule 4.

(**a**) 1958 c. 31 (N.I.) as amended by 1967 c. 15 (N.I.) ss. 13 and 14
(**b**) S.R. & O. (N.I.) 1966 No. 204 as amended by S.R. 1981 No. 233

Packing of cream

24.—(1) Reusable containers used for the dispatch of pasteurised cream from registered premises shall be cleansed before filling in accordance with regulation 41. Other containers used for the dispatch of pasteurised cream from registered premises shall be clean before filling.

(2) Containers used for the dispatch of pasteurised cream from registered premises shall be securely closed immediately after filling. Materials used for closing containers of pasteurised cream shall be clean.

(3) Ultra-heat treated cream shall be aseptically packed on the premises on which the ultra-heat treatment takes place in sterile containers in which it will reach consumers or catering establishments.

(4) Cream which is to be sold as sterilised cream shall be filled into clean containers and those containers shall be hermetically sealed.

(5) Each consignment of pasteurised cream, which is dispatched from registered premises in containers in which it will not reach consumers or catering establishments, shall be accompanied by a consignment note on which will be shown the following information:—

(*a*) the name and address of the premises on which the cream was manufactured;

(*b*) the date on which the cream in the consignment was manufactured;

(*c*) the date of dispatch of the consignment.

(6) Containers in which pasteurised or ultra-heat treated cream is packed for sale to consumers or catering establishments shall be clearly marked with:

(*a*) the name, or business name, and address of the licence holder responsible for packing the cream or the name, or business name, and address of the seller;

(*b*) the word "pasteurised" where the cream has been subjected to the process set out in Part 2 of Schedule 4, or the words "ultra-heat treated" or the letters "UHT" where the cream has been subjected to the process set out in Part 3 of Schedule 4.

Standard of quality of cream for sale for human consumption as cream

25.—(1) Pasteurised cream for sale for human consumption as cream shall be regarded as being of the required quality if samples contain no coliform bacteria in one gramme of the cream where such samples are taken, transported, kept and tested in accordance with the procedure set out in Schedule 8.

(2) Ultra-heat treated cream and sterilised cream shall be regarded as being of the required quality if samples of the cream contain not more than 100 bacteria in 0.1 gramme where such samples are taken, transported, kept and tested in accordance with the procedure set out in Schedule 8.

Storage of cream

26.—(1) Whilst on registered premises pasteurised cream intended for human consumption as cream shall be maintained at a temperature not exceeding 6°C.

(2) Whilst on registered premises ultra-heat treated cream and sterilised cream shall be stored in an area used solely for the storage of milk, milk products or other foodstuffs in sealed packages or in a room provided for in regulation 7(2)(*a*).

Records

27. The owner or occupier of registered premises shall keep accurate records of:

(*a*) the quantities of cream purchased by him, of milk purchased or produced by him for cream production and of cream sold and delivered by him; and

(*b*) the names and addresses of the persons:—

(i) from whom cream was purchased by him;

(ii) from whom milk was purchased by him for cream production; and

(iii) to whom cream was sold and delivered by him otherwise than by retail;

and retain each such record for a period of 12 months from the date of the transaction to which it relates.''.

(4) **For Part 2 of Schedule 4 there shall be substituted:—**

''PART 2

2. *Method of manufacturing pasteurised cream*

Pasteurised cream shall be manufactured as follows:

(*a*)(i) Where the cream is to be pasteurised separately from the remainder of the milk of which it forms part, the cream shall be separated from the milk and shall be heated;

(*aa*) to a temperature of not less than 63°C and retained at that temperature for not less than 30 minutes;

(*ab*) to a temperature of not less than 72°C and retained at that temperature for not less than 15 seconds; or

(*ac*) to such other temperature for such other period as has equivalent pasteurising effect to (*aa*) or (*ab*); or

(ii) where the cream is to be pasteurised together with the remainder of the milk of which it forms part, the milk shall be heated in accordance with (i)(*aa*), (*ab*) or (*ac*) following which the cream shall be separated in a hygienic manner.

(*b*) The cream shall be cooled as soon as practicable thereafter to a temperature of not more than 6°C.

(*c*) The temperatures referred to in (*a*)(i) shall be automatically controlled.

(*d*) Any appliance in which milk or cream is to be heated in accordance with (*a*)(i) or (ii) shall be provided with equipment which shall automatically divert the flow of the milk or cream which is not retained at the appropriate temperature required in (*a*)(i) and with a device which shall automatically record the operation of the flow diversion equipment.

(*e*) Indicating and recording thermometers shall be installed in suitable places in the pasteurising appliance to indicate and record the temperature to which the cream is heated or at which the milk or cream is retained. These thermometers shall be marked in graduations of not greater than 1°C or 2°F, adequately spaced to give clear readings.

(*f*) Records of the operation of the flow diversion equipment and of temperatures shall be correctly dated and shall be retained for a period of not less than two months.''.

(5) **For Part 3 of Schedule 4 there shall be substituted:—**

"PART 3

3. *Method of manufacturing ultra-heat treated cream*

Ultra-heat treated cream shall be manufactured as follows:

(*a*) The cream shall be separated from milk and shall be heated to and retained at a temperature of not less than 140°C for a period of at least two seconds or to such other temperature for such other period to give an equivalent sterilising effect.

(*b*) The appliance used shall be provided with a device which shall automatically divert or stop the flow of any cream which has not been heated to the appropriate temperature required in paragraph 3(*a*).

(*c*) The heat treatment may be carried out by one of the following methods:—

(i) by the direct injection of cream into steam or of steam into cream; or

(ii) by heat transfer to the cream without direct contact between the heating medium and the cream.

(*d*) When the direct injection method of heat treatment is being used the following requirements shall be observed:—

(i) the steam shall be produced from water which is clean, free from pollution and contains no additives other than the following permitted boiler feed water treatment compounds:—

Potassium Alginate
Sodium Alginate
Potassium Carbonate
Sodium Carbonate
Sodium Hydroxide
Monosodium Dihydrogen Orthophosphate
Disodium Monohydrogen Orthophosphate
Trisodium Orthophosphate
Sodium Tripolyphosphate
Sodium Hexametaphosphate
Tetrasodium Pyrophosphate
Sodium Silicate
Sodium Metasilicate
Sodium Sulphate
Magnesium Sulphate
Neutral or Alkaline Sodium Sulphite
Unmodified Starch
Sodium Aluminate
Polyoxyethylene Glycol (Minimum Molecular Weight 1,000);

(ii) the steam shall be produced in such manner as will ensure that no solid matter is carried over from the boiler. There shall be automatic and continuous control to ensure that any entrained water droplets carried over from the boiler shall be separated from the steam before it enters the cream heating appliance;

(iii) only steam produced in accordance with (i) and (ii) and the internal surfaces of the equipment shall be allowed to come into contact with the cream;

(iv) facilities shall be provided to enable samples of water to be taken directly from the boiler and samples of steam to be taken before it mixes with the cream;

(v) an amount of water equivalent to that added to the cream in the form of steam shall be extracted from the cream by a process of

evaporative cooling so that the percentage by weight of the total solids content of the cream shall be the same after treatment as before treatment;

(vi) the appliance used shall be provided with control apparatus which shall ensure compliance with the provision in (v). Before the appliance is initially used or after any operational change the control apparatus shall be calibrated in relation to the particular temperature to be used for treating the cream so as to determine the input and output temperatures of the cream. Records of the input and output temperatures, and the particular temperatures used for treating cream, shall be kept with such appliance;

(vii) indicating and recording thermometers marked with graduations of not greater than 1°C or 2°F adequately spaced to give clear readings shall be installed in suitable places in the appliance to indicate the ultra-heat treatment temperature, the input temperature and the output temperature and continuously record the ultra-heat treatment temperature and both the input and output temperatures or one of them and the difference between them. All such records shall be correctly dated and retained for a period of not less than 12 months;

(viii) in this Part the term "input temperature" means the temperature of the cream immediately before the application of the steam, the term "operational change" means any change in the site, layout or construction of equipment used, or any change in the steam supply or in the particular temperature used for treating the cream and "output temperature" means the temperature of the vapour or of the cream at the point of leaving the evaporative cooling expansion vessel.

(*e*) When the indirect heat transfer method of heat treatment is being used indicating and recording thermometers shall be installed in suitable places in the appliance to indicate and record the temperature at which the cream is heated and retained. The thermometer shall be marked in graduations of not greater than 1°C or 2°F adequately spaced to give clear readings and such records shall be correctly dated and retained for a period of not less than 12 months.".

(6) **After Part 3 of Schedule 4 there shall be added:—**

"PART 4

4. *Method of manufacturing sterilised cream*

Sterilised cream shall be manufactured as follows:

(*a*) The cream shall be separated from milk and heated:—

(i) in containers in which it will reach consumers to a temperature of not less than 108°C and retained at that temperature for not less than 45 minutes or retained at such other temperature for such other period to give an equivalent sterilising effect; and

(ii) the cream shall be cooled as soon as practicable thereafter.

(*b*) Indicating and recording thermometers shall be installed in suitable places in the heat treating appliance to indicate and record the temperature to which the cream is heated and retained. These thermometers shall be marked in graduations of not greater than 1°C or 2°F adequately spaced to give clear readings.

(*c*) Records of the recording thermometers shall be correctly dated and retained for a period of not less than 12 months.".