



Food Act 1984

1984 CHAPTER 30

PART II

MILK, DAIRIES AND CREAM SUBSTITUTES

Milk and dairies

36 Adulteration.

- (1) A person is guilty of an offence—
 - (a) who adds any water or colouring matter, or any dried or condensed milk or liquid reconstituted from it, to milk intended for sale for human consumption;
 - (b) who sells, or offers or exposes for sale, or has in his possession for the purpose of sale, for human consumption, any milk to which any addition has been made in contravention of paragraph (a);
 - (c) who sells, or offers or exposes for sale, under the designation of milk, any liquid in the making of which any dried or condensed milk has been used.
- (2) For the purposes of paragraph (b) of subsection (1), a person shall be deemed to retain the possession of milk which is deposited in any place for collection until it is actually collected.
- (3) Nothing in subsection (2) shall be taken as prejudicing the defence available under section 81(4) to a person charged with an offence in respect of a sample of milk taken after the milk has left his possession.
- (4) The treatment of milk by the application of steam shall not be treated for the purposes of this section as the making of an addition of water to that milk in contravention of the foregoing provisions of this section if—
 - (a) Milk (Special Designation) Regulations under section 38 are in force prescribing a special designation in relation to milk subjected to that treatment; and

Changes to legislation: *There are currently no known outstanding effects for the Food Act 1984, Section 36. (See end of Document for details)*

- (b) that treatment is carried out in accordance with the conditions prescribed by those regulations as the conditions subject to which licences authorising the use of that special designation are granted; and
- (c) those conditions include a condition that both the percentage of the milk consisting of milk fat and the percentage of the milk consisting of milk solids other than milk fat are the same after that treatment as before it.

Changes to legislation:

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