
 STATUTORY INSTRUMENTS

1986 No. 788 (S. 71)

FOOD

**The Milk (Special Designations) (Scotland) Amendment
Order 1986**

<i>Made - - - -</i>	<i>30th April 1986</i>
<i>Laid before Parliament</i>	<i>9th May 1986</i>
<i>Coming into Operation</i>	<i>1st June 1986</i>

The Secretary of State, in exercise of the powers conferred on him by sections 3 and 6 of the Milk and Dairies (Amendment) Act 1922(a), and by sections 10 and 11 of the Milk (Special Designations) Act 1949(b), and now vested in him (c), and of all other powers enabling him in that behalf, hereby makes the following order:-

Citation and commencement

1. This order may be cited as the Milk (Special Designations) (Scotland) Amendment Order 1986 and shall come into operation on 1st June 1986.

Amendment of the Milk (Special Designations) (Scotland) Order 1980

2.—(1) The Milk (Special Designations) (Scotland) Order 1980(d) shall be amended in accordance with the following provisions of this article.

(2) In article 18 (milk from England, Wales and Northern Ireland), for paragraph (2) there shall be substituted the following paragraph:-

“(2) Where milk is brought into Scotland from Northern Ireland -

(a) a Northern Irish licence (that is to say a licence granted under legislation having effect for the time being in Northern Ireland) authorising the sale of that milk under a designation corresponding to a special designation prescribed by this order shall have effect as if it had been granted under this order, and

(b) so far as any conditions prescribed in this order for a licence authorising the use of that special designation would relate to anything to be done before that milk enters Scotland, they shall be deemed to be satisfied if the corresponding conditions attaching to that Northern Irish licence are complied with.”.

(a) 1922 c.54; section 3 was substituted by the Milk Act 1934 (c.51), section 10 and S.R. & O. 1939/782, amended by the Milk (Special Designations) Act 1949 (c.34), section 11(3) and disappplied in relation to permitted imported milk by S.I. 1983/1545.

(b) 1949 c.34.

(c) By the Reorganisation of Offices (Scotland) Act 1928 (c.34), section 1 and the Reorganisation of Offices (Scotland) Act 1939 (c.20), section 1.

(d) S.I. 1980/1866, amended by S.I. 1983/939, 1527.

- (3) In Schedule 3 (conditions of licences to use special designations) -
- (a) in Part I -
- (i) for paragraph 6 there shall be substituted the following paragraph:-
 “6. Immediately after the milk is cooled, the holder of the licence shall, on the premises where the milk was pasteurised, put it into retail containers or unventilated bulk containers as required, each of which shall be marked or labelled in accordance with the Milk Labelling (Scotland) Regulations 1983(a).”;
- (ii) for paragraph 12 there shall be substituted the following paragraph:-
 “12. Every retail container shall be marked or labelled in accordance with the Milk Labelling (Scotland) Regulations 1983.”;
- (b) In Part II, for paragraph 2(2) there shall be substituted the following paragraph:-
 “(2) Every such bottle shall be marked or labelled in accordance with the Milk Labelling (Scotland) Regulations 1983.”;
- (c) In Part III, for paragraph 6(3) there shall be substituted the following paragraph:-
 “(3) Every retail container shall be marked or labelled in accordance with the Milk Labelling (Scotland) Regulations 1983.”.
- (4) In Schedule 5 (testing of samples of heat treated milk) -
- (a) (i) in Part II, paragraph 4(i), and
 (ii) in Part III, paragraph 3(c),
 the words “either B.S.625:1959 or” shall be deleted;
- (b) in Part II, paragraph 5 for sub-paragraphs (3) and (4) there shall be substituted the following sub-paragraph:-
 “(3) New glassware shall be cleaned and free from contamination from substances which may interfere with the test.”.
- (5) For Schedule 8 (permitted boiler feed water treatment compounds) there shall be substituted the following Schedule:-

“SCHEDULE 8

PERMITTED BOILER FEED WATER TREATMENT COMPOUNDS

Potassium alginate
 Sodium alginate
 Potassium carbonate
 Sodium carbonate
 Sodium hydroxide
 Sodium dihydrogen orthophosphate
*di*Sodium hydrogen orthophosphate
*tri*Sodium orthophosphate
*penta*Sodium triphosphate

(a) S.I. 1983/938, amended by S.I. 1985/1068.

Sodium polyphosphates
*tetra*Sodium diphosphate
Sodium silicate
Sodium metasilicate
Sodium sulphate
Magnesium sulphate
Neutral or alkaline sodium sulphite
Unmodified starch
Sodium aluminate
Polyoxyethylene glycol (minimum molecular weight 1,000).”.

Revocation

3. The Milk (Special Designations) (Scotland) Amendment Order 1983(a) is revoked.

Gray of Contin,
Minister of State,
Scottish Office.

New St. Andrew's House,
Edinburgh.
30th April 1986.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order amends the Milk (Special Designations) (Scotland) Order 1980. The principal amendment is the removal of the restrictions on the importation into Scotland of pasteurised milk produced in Northern Ireland. Such milk is now subject to controls similar to those which apply to milk originating in England and Wales (article 2(2)).

This order also removes a duplication of provision in relation to the labelling of heat treated milk (article 2(3) and article 3) and makes certain other minor amendments concerning the apparatus used in the testing of heat treated milk and the nomenclature of certain permitted boiler feed water treatment compounds (article 2(4) and (5)).

(a) S.I. 1983/939.

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