
 STATUTORY INSTRUMENTS

1986 No. 790 (S. 73)

FOOD

**The Milk-based Drinks (Scotland) Amendment Regulations
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 4, 13 and 56 of the Food and Drugs (Scotland) Act 1956(a), and of all other powers enabling him in that behalf, after consultation in accordance with section 56(6) of that Act with such organisations as appear to him to be representative of interests substantially affected by the regulations, hereby makes the following regulations:-

Citation and commencement

1. These regulations may be cited as the Milk-based Drinks (Scotland) Amendment Regulations 1986 and shall come into operation on 1st June 1986.

Amendment of the Milk-based Drinks (Scotland) Regulations 1983

2.—(1) The Milk-based Drinks (Scotland) Regulations 1983(b) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 8 (milk-based drink from England, Wales and Northern Ireland) -

- (a) in paragraph (1) after the word "Wales" in both places where it occurs there shall be inserted the words "or Northern Ireland"; and
- (b) paragraph (2) shall be deleted.

(3) In Schedule 2 (general requirements in connection with the heat treatment of milk-based drinks) for paragraph 1 there shall be substituted the following paragraph:-

"1. Only milk which has been produced in the United Kingdom shall be used in connection with the heat treatment of milk-based drinks."

(4) In Schedule 4 -

(a) 1956 c.30; section 4 was amended by the European Communities Act 1972 (c.68), Schedule 4, paragraph 3(1); section 56 was amended by the Weights and Measures Act 1963 (c.31), Schedule 9, Part II, the European Communities Act 1972, Schedule 4, paragraph 3(2), the Criminal Justice Act 1982 (c.48), Schedule 15, paragraph 8, the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c.73), section 41 and S.I. 1984/526.

(b) S.I. 1983/1514, amended by S.I. 1985/1068; regulation 7 was disappplied to permitted imported milk by S.I. 1983/1545.

- (a) in Part II (coliform test for pasteurised milk-based drink) in paragraph 2(a) the words "or B.S.625:1959" and "or 625:1959, 35/8" shall be deleted; and
- (b) in Part III (phosphatase test for pasteurised milk-based drink), in paragraph 2(i) the words "or 625:1959" shall be deleted.
- (5) For Schedule 5 (permitted boiler feed water treatment compounds) there shall be substituted the following Schedule:-

"SCHEDULE 5

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
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)."

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 Regulations.)

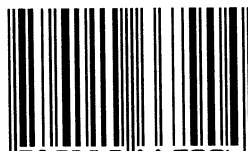
These regulations amend the Milk-based Drinks (Scotland) Regulations 1983.

The principal amendment is the removal of the restrictions on the importation into Scotland of milk-based drinks produced in Northern Ireland. Such drinks are now subject to controls similar to those which apply to milk-based drinks originating in England and Wales (regulation 2(2) and (3)).

Regulation 2 of these regulations also -

- (a) removes a requirement that only milk which has not previously been subject to a form of heat or other treatment shall be used in the production of milk-based drinks (paragraph (3)); and
- (b) makes minor amendments concerning the apparatus used in the testing of milk-based drinks and in the nomenclature of permitted boiler feed water treatment compounds (paragraphs (4) and (5) respectively).

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