

1989 No. 1975 (S.137)

FOOD

COMPOSITION AND LABELLING

**The Condensed Milk and Dried Milk (Scotland)
Amendment Regulations 1989**

<i>Made</i>	- - - -	<i>25th October 1989</i>
<i>Laid before Parliament</i>		<i>6th November 1989</i>
<i>Coming into force</i>		<i>27th November 1989</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 4, 56 and 56A of the Food and Drugs (Scotland) Act 1956(a) and of all other powers enabling him in that behalf, and after consultation in accordance with section 56(6) of the said Act with such organisations as appear to him to be representative of interests substantially affected by the Regulations, hereby makes the following Regulations:

Title and commencement

1. These Regulations may be cited as the Condensed Milk and Dried Milk (Scotland) Amendment Regulations 1989 and shall come into force on 27th November 1989.

Amendment of the Condensed Milk and Dried Milk (Scotland) Regulations 1977

2. The Condensed Milk and Dried Milk (Scotland) Regulations 1977(b) are hereby further amended by adding after regulation 9 thereof the following regulation:-

"Sampling

9A. In relation to the sampling for analysis of condensed milk products and dried milk products-

(a) the powers of a sampling officer or of an officer of the Secretary of State's department under sections 28 or 32 respectively of the Food and Drugs (Scotland) Act 1956 to procure samples; and

(b) the duty of a sampling officer or of an officer of the Secretary of State's department under sections 30 or 32 respectively of that Act to deal with samples

shall be exercised and performed in accordance with the methods described in the Annex to First Commission Directive 87/524/EEC(c).".

(a) 1956 c.30; section 4(1) 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, Parts I and II, by the Criminal Justice Act 1982 (c.48), Schedule 15, paragraph 8 and by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c.73), section 41 and is to be read with section 289GA(2) of Criminal Procedure (Scotland) Act 1975 (c.21) (inserted by section 66 of the Criminal Justice (Scotland) Act 1987 (c.41)); section 56A was added by the European Communities Act 1972, Schedule 4, paragraph 3(2).
(b) S.I. 1977/1027; the relevant amending instruments are S.I. 1982/1209, 1985/1068, 1987/26.
(c) O.J. No. L306, 28.10.87, p.24.

St. Andrew's House, Edinburgh
25th October 1989

Sanderson of Bowden
Minister of State,
Scottish Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply to Scotland only, amend the Condensed Milk and Dried Milk (Scotland) Regulations 1977 by introducing a provision that the methods of sampling for analysis of condensed milk products (including evaporated milk) and dried milk products shall be those described in the Annex to First Commission Directive 87/524/EEC, which sets out (unlike the Food and Drugs (Scotland) Act 1956) the equipment required to be used and the manner of its use, (regulation 2).

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