
STATUTORY INSTRUMENTS

1994 No. 1446

FOOD

**The Milk and Dairies and Milk (Special Designation)
(Charges) (Amendment) Regulations 1994**

<i>Made</i>	- - - -	<i>31st May 1994</i>
<i>Laid before Parliament</i>		<i>3rd June 1994</i>
<i>Coming into force</i>	- -	<i>24th June 1994</i>

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Health and the Secretary of State for Wales, acting jointly, in relation to England and Wales in exercise of the powers conferred by sections 6(4) and 45 of the Food Safety Act 1990⁽¹⁾, and of all other powers enabling them in that behalf, hereby make the following Regulations, after consultation in accordance with section 48 of the said Act with such organisations as appear to them to be representative of interests substantially affected by the Regulations:—

Title, commencement and extent

1.—(1) These Regulations may be cited as the Milk and Dairies and Milk (Special Designation) (Charges) (Amendment) Regulations 1994 and shall come into force on 24th June 1994.

(2) These Regulations extend to England and Wales.

Amendment of the Milk and Dairies and Milk (Special Designation) (Charges) Regulations 1990

2. The Milk and Dairies and Milk (Special Designation) (Charges) Regulations 1990⁽²⁾ (“the Milk Charges Regulations”) shall be further amended in accordance with the following provisions of these Regulations.

Amendment of regulation 2

3. In regulation 2(1) of the Milk Charges Regulations the definition of “the Board” shall be deleted.

(1) 1990 c. 16. “The Ministers” is defined in section 4(1) of the Act.

(2) S.I.1990/1584, amended by S.I. 1990/2486, 1991/2900, 1992/2763.

Amendment of regulation 3

4. Regulation 3 (liability to charges) of the Milk Charges Regulations shall be amended as follows:—

- (a) in paragraph (1) for the words “paragraphs (2) and (3) hereof” there shall be substituted the words “paragraph (2) below”;
- (b) paragraph (2) shall be deleted;
- (c) for paragraph (3) there shall be substituted the following paragraph—
 - “(2) Notwithstanding paragraph (1) above, no charge shall be due in respect of—
 - (a) any dairy farm visit for the purpose of ascertaining whether there is a particular threat to public health, or for the purpose of taking measures to reduce such a threat,
 - (b) any sampling dairy farm visit in connection with an untreated milk producer’s licence granted in accordance with the Milk (Special Designation) Regulations 1989 solely for the sale of milk under the conditions described in paragraph A4(1)(c) of Schedule 2 to those Regulations (farmhouse catering), or
 - (c) any sampling dairy farm visit in connection with a consent granted under regulation 2B of the Milk (Special Designation) Regulations 1989 to sell milk without the use of a special designation.”.

Amendment of regulation 4

5. For regulation 4 (recovery of charges) there shall be substituted the following regulation:—

“4. The registered dairy farmer shall pay to the Minister on demand the charge payable under regulation 3.”.

Replacement of Schedule

6. For the Schedule to the Milk Charges Regulations there shall be substituted the new Schedule set out in the Schedule to these Regulations.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on

L.S.

26th May 1994.

Gillian Shephard
Minister of Agriculture, Fisheries and Food

Signed by authority of the Secretary of State for Health:

27th May 1994

Cumberlege
Parliamentary Under-Secretary of State,
Department of Health

Signed by authority of the Secretary of State for Wales:

31st May 1994

Wyn Roberts
Minister of State, Welsh Office

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Regulation 4

NEW SCHEDULE TO THE MILK AND DAIRIES AND MILK (SPECIAL DESIGNATION) (CHARGES) REGULATIONS 1990

“SCHEDULE

Regulation 3

Matter	Charge £
1. General dairy farm visit	94
2. Sampling dairy farm visit	63”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply to England and Wales, further amend the Milk and Dairies and Milk (Special Designation) (Charges) Regulations 1990, as amended, (“the Milk Charges Regulations”). The Milk Charges Regulations are amended so as to provide for payment to the Minister on demand of charges for dairy farm visits which are currently recoverable on her behalf by the Milk Marketing Board (regulations 3 and 5).

The Regulations also—

- (a) abolish the lower rate of charge specified by the Milk Charges Regulations and restrict the exemption from charging (other than in relation to public health) to sampling dairy farm visits (regulation 4);
- (b) increase the charge for a general dairy farm visit to £94 (regulation 6).

The charge for a sampling dairy farm visit remains unchanged at £63.

A compliance cost assessment has been prepared in relation to these Regulations and deposited in the libraries of both Houses of Parliament. Copies may be obtained from:
Milk and Milk Products Division,
Ministry of Agriculture, Fisheries and Food,
Room 519 Whitehall Place (East Block),
London SW1A 2HH.