
STATUTORY INSTRUMENTS

1996 No. 1434

The Welfare Food Regulations 1996

PART IV

SUPPLIERS OF MILK

Special reimbursement

17.—(1) A supplier may apply to the Secretary of State for a determination of a special percentage by which the supplier's approved price will be reduced in accordance with this regulation.

(2) A supplier who applies to the Secretary of State for a special percentage under paragraph (1) shall submit to him an application in writing which shall include the information and declaration specified in Part I of Schedule 4.

(3) Where the Secretary of State is satisfied that—

(a) the supplier's welfare milk supply during a period of 52 consecutive weeks in the 60 weeks immediately preceding the date of the application was more than 7.5 per cent. of his total retail milk supply for that period; or

(b) the supplier—

(i) at the time of his application had not carried on a retail trade in milk for 52 weeks or more but had carried on such trade for a period of at least 13 consecutive weeks ending immediately preceding the date of his application, and

(ii) had a welfare milk supply during that period of at least 13 consecutive weeks which was more than 7.5 per cent. of his total retail milk supply for that period,

he shall determine the special percentage by which the supplier's approved price will be reduced for the purpose of reimbursement under paragraph (6) in accordance with Part II of Schedule 4, and shall notify him of it in writing.

(4) A determination made under paragraph (3) shall have effect for a period of one year from the date specified in the determination.

(5) A supplier may not apply to vary a special percentage given in a determination under paragraph (3).

(6) Where the Secretary of State has determined a special percentage for a supplier under paragraph (3) and during the year specified in the determination the supplier submits to him a milk token together with a claim in writing which includes the information and declaration specified in Schedule 4, the Secretary of State shall reimburse the supplier with an amount equal to the approved price of the milk which the supplier has supplied against the milk token or for which he has made an allowance in accordance with regulation 14(2), less the special percentage.