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WELSH STATUTORY INSTRUMENTS

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**2007 No. 2385**

**The Import and Export Restrictions (Foot-And-Mouth Disease) (No 2) (Wales) Regulations 2007**

**Dispatch of dairy products**

- 9.—(1) No person may dispatch dairy products.
- (2) The prohibition in paragraph (1) does not apply to dairy products—
- (a) produced before 15 July 2007;
  - (b) prepared from milk complying with the provisions in regulation 8(2) or (3); or
  - (c) for export to a third country where import conditions permit such products to be subject to treatment other than laid down in regulation 8(2) which ensures the inactivation of the foot-and-mouth disease virus.
- (3) The prohibition in paragraph (1) does not apply to dairy products intended for human consumption—
- (a) produced from milk of a controlled pH less than 7.0 and subject to a heat treatment at a temperature of at least 72°C for at least 15 seconds, on the understanding that such treatment is not necessary for finished products, the ingredients of which comply with the respective animal health conditions laid down in these Regulations; or
  - (b) produced from raw milk of bovine, ovine or caprine animals which have been resident for at least 30 days on a holding situated, within the restricted area, in the centre of a circle of at least 10 km radius where no outbreak of foot-and-mouth disease has occurred during the 30 days prior to the date of production of the raw milk, and which are subject to a maturation or ripening process of at least 90 days during which the pH is lowered below 6.0 throughout the substance, and the rind of which has been treated with 0.2% citric acid immediately prior to wrapping or packaging.
- (4) The prohibition in paragraph (1) does not apply to—
- (a) dairy products prepared in an approved establishment situated in the restricted area provided that—
    - (i) all milk used in the establishment either conforms to the conditions of regulation 8(2) or is obtained from animals outside the restricted area;
    - (ii) all dairy products used in the final product must either conform to the conditions of paragraph (2)(a) or (b) or (3) of this regulation or are made from milk obtained from animals outside the restricted area;
    - (iii) the establishment must be under strict veterinary control; and
    - (iv) the dairy products are clearly identified and transported and stored separately from milk and dairy products which are not eligible for dispatch; or
  - (b) dairy products prepared in parts of the United Kingdom outside the restricted area using milk obtained before 15 July 2007 from the restricted area provided that the milk products are clearly identified and transported and stored separately from dairy products not eligible for dispatch.

(5) Dairy products consigned to another Member State must be accompanied by an official certificate which bears the following words—

“Dairy products conforming to Commission Decision [2007/554/EC](#) of 9 August 2007 concerning certain protection measures against foot-and-mouth disease in the United Kingdom”.

(6) Paragraph (5) does not apply to milk products which comply with the requirements of paragraphs (2)(a) or (b), (3) or (4) if such compliance is stated in the commercial document accompanying the consignment, endorsed in accordance with regulation 14, and the dairy products have been processed in an establishment operating HACCP and an auditable standard operating procedure which ensures that standards for treatment are met and recorded.

(7) Paragraph (5) does not apply to dairy products which conform to the requirements of paragraphs (2)(a) or (b), (3) or (4), which have been treated in hermetically sealed containers so as to ensure that they are shelf stable if the heat treatment applied is stated in the commercial document accompanying the consignment.