

SCHEDULE 1

Regulation 3(2)(a)

GENERAL REQUIREMENTS IN CONNECTION WITH THE HEAT TREATMENT OF SEMI-SKIMMED MILK AND SKIMMED MILK

1. Every milk processor shall take such measures as are adequate to ensure that any semi-skimmed milk or skimmed milk which has been heat treated by pasteurisation, sterilisation or the ultra high temperature method shall be kept apart from all other milk at all times except when it is in separate sealed containers.

2.—(1) Without prejudice to the generality of sub-paragraph (2) below, every milk processor shall keep accurate records of—

- (a) the quantities of bulk milk purchased by him and of the names and addresses of the persons from whom it was purchased;
- (b) the quantities of bulk milk delivered to him, other than by way of sale, and of the names and addresses of the persons by whom such deliveries were made;

(2) Every milk purveyor shall keep accurate records of—

- (a) the quantities of bulk milk purchased and sold by him, as the case may be, and of the names and addresses of the persons from whom it was so purchased and to whom it was so sold;
- (b) the quantities of semi-skimmed and skimmed milk purchased and sold by him, as the case may be, and of the names and addresses of the persons from whom it was so purchased and to whom it was so sold otherwise than by retail;

(3) Every milk processor and every milk purveyor shall—

- (a) retain the records referred to in sub-paragraphs (1) and (2) above for a period of twelve months from the date of the transaction to which the record relates;
- (b) permit any person duly authorised by the local authority—
 - (i) to inspect the arrangements and processes for the handling, treatment, storage and distribution of the semi-skimmed milk and skimmed milk at any place at which the milk is in the possession of the milk processor or milk purveyor, as the case may be;
 - (ii) to take samples of the milk at any such place; and
 - (iii) to inspect any records which the milk processor or the milk purveyor, as the case may be, is required to keep by these Regulations.

3. Milk which has been heat treated in another Member State of the European Economic Community shall not be accepted for further heat treatment unless it is accompanied by a certificate prescribed by the Importation of Milk Regulations 1988.

4. Milk which is transferred from one container to another prior to heat treatment shall be so treated as soon as practicable after the first container has been opened.

5. Raw milk shall not be accepted for heat treatment unless—

- (a) over the preceding two months not less than two samples have been taken each month of the producer's raw milk, the samples have been submitted to a plate count test the results of which have been recorded and the geometric average of those results is not more than 100,000 per ml; or
- (b) the milk processor has purchased the milk as bulk milk which complies with the requirements of sub-paragraph (a) above and with a written warranty to that effect.

6. Raw milk which is not heat treated within 36 hours of its admission to the heat treatment establishment shall not be subjected to heat treatment unless—

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- (a) the milk processor has in the handling and storage of the milk taken steps to ensure that a sample of that milk taken and submitted to a plate count test achieves a result of not more than 200,000 per ml; and
- (b) a sample is taken of that milk, the sample submitted to a plate count test and the result is recorded.

7. In any proceedings for a breach of paragraph 5 or 6 above, evidence of a sample taken in accordance with Part I of Schedule 3 or of a plate count test carried out as prescribed in Part IV of that Schedule shall be preferred to evidence of a sample taken or of a plate count test carried out, respectively, by any other method.

8. The milk processor shall retain for a period of not less than three months—
- (a) from the date of further heat treatment any certificate referred to in paragraph 3 above;
 - (b) any warranty referred to in paragraph 5(b) above;
 - (c) any records made in compliance with paragraphs 5(a) and 6(b) above.