
STATUTORY INSTRUMENTS

1992 No. 3142

AGRICULTURE

**The Milk Marketing Schemes (Amendment)
(Standardisation) Regulations 1992**

<i>Made</i>	- - - -	<i>9th December 1992</i>
<i>Laid before Parliament</i>		<i>10th December 1992</i>
<i>Coming into force</i>	- -	<i>1st January 1993</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to the common agricultural policy of the European Economic Community, acting jointly, in exercise of the powers conferred on them by the said section 2(2) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Title, commencement and extent

1.—(1) These Regulations may be cited as the Milk Marketing Schemes (Amendment) (Standardisation) Regulations 1992 and shall come into force on 1st January 1993.

(2) These Regulations shall not extend to Northern Ireland.

Interpretation

2. In these Regulations—

“the Aberdeen and District Milk Marketing Scheme” means the Scheme set out in the Schedule to the Aberdeen and District Milk Marketing Scheme 1984 Approval Order 1984⁽³⁾;

“the Milk Marketing Scheme 1933” means the Scheme set out in the Schedule to the Milk Marketing Scheme (Approval) Order 1933⁽⁴⁾;

“the North of Scotland Milk Marketing Scheme” means the Scheme set out in the Schedule to the North of Scotland Milk Marketing Scheme Approval Order 1934⁽⁵⁾;

(1) S.I. 1972/1811.

(2) 1972 c. 68.

(3) S.I. 1984/464, amended by S.I. 1987/740, 1988/182 and 1991/1735.

(4) S.R. & O. 1933/789, as amended by S.R. & O. 1936/767, 1937/228 and 744, 1939/324 and S.I. 1950/1029, 1955/946, 1969/1812, 1977/900, 1979/249, 1981/323, 1981/864, 1984/1330, 1986/83, 1987/735 and 1988/132.

(5) S.R. & O. 1934/703, amended by S.I. 1950/2058, 1957/2025, 1961/549, 1978/583, 1979/319, 1981/447 and 864, 1982/970, 1988/182 and 1991/1735.

“the Scottish Milk Marketing Scheme” means the Scheme set out in Schedule 1 to the Scottish Milk Marketing Scheme (Consolidation) Approval Order 1989(6).

Amendment of the Milk Marketing Scheme 1933

3. The Milk Marketing Scheme 1933 shall be further amended by substituting in paragraph 3(2) for the definition of “Milk” the following definition—

““Milk” means cows' milk, produced in England and Wales, within the exclusive right provided for in Article 25.1 of Council Regulation No.804/68 (as amended)(7), as read with Article 6.6 of Council Regulation (EEC) No.1411/71 (as amended)(8).”

Amendment of the Scottish Milk Marketing Scheme

4. The Scottish Milk Marketing Scheme shall be further amended by substituting in section 2(1)(9) for the definition of “milk” the following definition—

““milk” means cows' milk, produced in the area of the Scheme, within the exclusive right provided for in Article 25.1 of Council Regulation (EEC) No.804/68 (as amended), as read with Article 6.6 of Council Regulation (EEC) No.1411/71 (as amended).”

Amendment of the Aberdeen and District Milk Marketing Scheme

5. The Aberdeen and District Milk Marketing Scheme shall be further amended by substituting in section 2(10) for the definition of “milk” the following definition—

““milk” means cows' milk within the exclusive right provided for in Article 25.1 of Council Regulation (EEC) No.804/68 (as amended), as read with Article 6.6 of Council Regulation (EEC) No.1411/71 (as amended).”

Amendment of the North of Scotland Milk Marketing Scheme

6. The North of Scotland Milk Marketing Scheme shall be further amended by substituting in section 2(1)(11) for the definition of “Milk” the following definition—

““Milk” means cows' milk, produced in the area of the Scheme, within the exclusive right provided for in Article 25.1 of Council Regulation (EEC) No.804/68 (as amended), as read with Article 6.6 of Council Regulation (EEC) No.1411/71 (as amended).”

(6) [S.I. 1989/1806](#), amended by [S.I. 1991/1735](#).

(7) OJ No.L148, 28.6.68, p.13 (OJ/SE 1968 (I), p.176); relevant amending instrument is Council Regulation (EEC) No.1421/78, OJ No.L171, 28.6.78, p.12.

(8) OJ No.L148, 3.7.71, p.4 (OJ/SE 1971 (II), p.412); relevant amending instruments are Council Regulation (EEC) No.566/76, OJ No.L67, 15.3.76, p.23 (corrigendum OJ No.L107, 24.4.76, p.22); Commission Regulation (EEC) No.222/88, OJ No.L28, 1.2.88, p.1; Council Regulation (EEC) No.2138/92, OJ No.L214, 30.7.92, p.6.

(9) Section 2(1) was amended by [S.I. 1991/1735](#).

(10) Section 2 was amended by [S.I. 1991/1735](#).

(11) Section 2(1) was substituted by [S.I. 1957/2025](#) and amended by [S.I. 1981/447](#), [1982/970](#) and [1991/1735](#).

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 7th December 1992.

L.S.

John Selwyn Gummer
Minister of Agriculture, Fisheries and Food

9th December 1992

David Hunt
Secretary of State for Wales

8th December 1992

Hector Monro
Parliamentary Under-Secretary of State, Scottish
Office

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations come into force on 1st January 1993 and further amend the Milk Marketing Scheme 1933 (which applies to England and Wales) and the three Milk Marketing Schemes that apply to Scotland.

The Regulations give effect within Great Britain to Article 1.2(c) of Council Regulation (EEC) No.2138/92 (OJ No.L214, 30.7.92, p.6) amending Council Regulation (EEC) No.1411/71 laying down additional rules on the common market organisation in milk and milk products for drinking milk. This added a new Article 6.6 to that regulation 1411/71, as amended, (OJ No.L148, 3.7.71, p.4) (OJ/SE 1971 (II), p.412) providing that for the purpose of Article 25.1 of Council Regulation (EEC) No.804/68, as amended, concerning the granting of certain special rights to milk producer organisations in the United Kingdom (OJ No.L148, 28.6.68, p.13) (OJ/SE 1968 (I), p.176), standardised whole milk shall be regarded as unprocessed milk. The amendments to the milk marketing schemes provide that such milk is within those rights.

The amendments to legislation required to give effect to the other provisions of Council Regulation (EEC) No.2138/92 are made by the Milk and Dairies (Standardisation and Importation) Regulations 1992 (S.I. [1992/3143](#)).