
STATUTORY INSTRUMENTS

1995 No. 1086

**FOOD
MILK AND DAIRIES**

The Dairy Products (Hygiene) Regulations 1995

<i>Made</i>	- - - -	<i>14th April 1995</i>
<i>Laid before Parliament</i>		<i>18th April 1995</i>
<i>Coming into force</i>		<i>9th May 1995</i>

THE DAIRY PRODUCTS (HYGIENE) REGULATIONS 1995

PART I

PRELIMINARY

1. Title and commencement
2. Interpretation
3. Exemptions

PART II

REGISTRATION AND USE OF PRODUCTION HOLDINGS

4. Registration
5. List of production holdings

PART II

APPROVAL AND USE OF DAIRY ESTABLISHMENTS

6. Approvals
7. List of dairy establishments

PART IV

CANCELLATION OF REGISTRATIONS AND REVOCATION OF APPROVALS

8. Cancellation revocation and appeal

Status: This is the original version (as it was originally made).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

PART V

CONDITIONS FOR THE HANDLING AND MARKETING OF DAIRY PRODUCTS

9. General conditions
10. Methods of analysis
11. Storage, transport, wrapping and labelling conditions
12. Restrictions on the sale of raw cows' milk as drinking milk

PART VI

CONDITIONS RELATING TO ALL DAIRY ESTABLISHMENTS

13. Duties of occupier or purchasers of raw milk for re-sale

PART VII

**TRANSITIONAL PROVISIONS RELATING TO
DAIRY FARMS AND DAIRY ESTABLISHMENTS**

14. Dairy Farms
15. Temporary derogations under Directive 92/47

PART VIII

ENFORCEMENT, SUPERVISION AND PENALTIES

16. Enforcement and supervision
17. Information to be provided by approving authorities
18. Offences and penalties
19. Authorisations to derogate
20. Application of various sections of the Act

PART IX

MISCELLANEOUS AND SUPPLEMENTARY

21. Dairy products from Scotland, Northern Ireland, the Isle of Man and the Channel Islands
22. Imports from third countries and EEA States
23. Revocations
24. Consequential amendments
Signature

**SCHEDULE 1 — CONDITIONS FOR REGISTRATION OF PRODUCTION
HOLDINGS**

PART 1

1. A. GENERAL CONDITIONS OF HYGIENE FOR PRODUCTION HOLDINGS
2. Production holdings shall have the capability to isolate effectively from...
3. Any creature, including any animal of the species referred to...
4. Pigs and poultry shall not be housed in premises where...
5. Access to premises in which animals are housed or milked...
6. Adequate measures shall be taken to control insects, rodents and...
7. Store-rooms and cleaning-rooms and the equipment in such rooms shall...

8. The holding bay for ewes and goats, where it exists,...
1. **B. GENERAL CONDITIONS OF HYGIENE APPLICABLE TO STAFF**
2. The occupier shall take all requisite measures to prevent persons...
3. Before the recruitment of any person for milking or handling...
PART II — CONDITIONS FOR HOUSING OF ANIMALS
1. The premises housing milking animals shall be designed, sited, constructed,...
2. The stalls or lying areas shall be kept dry, if...
3. Washing, cleaning and disinfection of the premises housing milking animals...
4. Where one or more rams of male goats are used...
PART III — CONDITIONS FOR MILKING AND THE HANDLING, COOLING AND STORAGE OF RAW MILK ON THE PRODUCTION HOLDING
1. **A. STRUCTURE OF THE PREMISES**
2. If a processing or treatment establishment is attached to a...
1. **B. EQUIPMENT**
2. Equipment, utensils and all their components used for milking shall...
3. After use, any utensils used for milking, mechanical milking equipment...
4. Bulk milk tanks when empty shall be left with an...
5. Where milking is done by hand, the pails containing the...
1. **C. OPEN-AIR MILKING AND MOVEABLE MILKING BAILS**
2. Where a moveable milking bail is used, it shall—
1. **D. FEEDSTUFFS**
- PART IV — CONDITIONS FOR MILKING AND FILTERING OPERATIONS**
1. Any work including feeding of animals, that might have adverse...
2. Before the milking is started the teats, udder, flank, hindquarters...
3. At the start of the milking of an individual animal,...
4. Animals with clinical udder diseases shall be milked last, or...
5. Teat dips or sprays for lactating animals other than those...
6. Where the milk is filtered, the filter used shall, depending...

SCHEDULE 2 — CONDITIONS FOR APPROVAL OF DAIRY ESTABLISHMENTS

PART 1 — GENERAL CONDITIONS OF HYGIENE FOR DAIRY ESTABLISHMENTS.

1. Dairy establishments shall have the following: (a) facilities for the...
2. (1) Dairy establishments shall have working areas of sufficient size...
3. (1) Subject to sub-paragraphs (2) and (3) of this paragraph,...
- PART II — SPECIAL CONDITIONS FOR APPROVAL**
1. **A. SPECIAL CONDITIONS FOR APPROVAL OF TREATMENT OR PROCESSING ESTABLISHMENTS**
2. The establishment shall possess equipment for the mechanical filling and...
3. The establishment shall possess equipment for the cooling and cold...
4. The establishment shall possess— (a) in the case of dairy...
5. The establishment shall possess containers for storing raw milk and...
6. The establishment shall possess centrifuges or any other suitable means...
7. (1) Subject to sub-paragraph (2) below, a treatment establishment shall...
8. A processing establishment shall possess equipment for heating, thermisation or...
9. The establishment shall possess equipment for the cooling, wrapping and...

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

10. The establishment shall possess equipment for drying and wrapping powdered...
 1. B. SPECIAL CONDITIONS FOR APPROVAL OF A COLLECTION CENTRE
 1. C. SPECIAL CONDITIONS FOR APPROVAL OF A STANDARDISATION CENTRE
- PART III — GENERAL CONDITIONS OF HYGIENE**
 1. A. GENERAL CONDITIONS OF HYGIENE APPLICABLE TO DAIRY ESTABLISHMENTS, INSTRUMENTS AND EQUIPMENT
 2. Instruments and equipment used for working on raw materials and...
 3. Rodenticides, insecticides, disinfectants and any other potentially toxic substance shall...
 4. Working areas, instruments and working equipment shall be used only...
 5. Potable water shall be used for all purposes save as...
 6. Equipment, containers and installations which come into contact with dairy...
 7. Other equipment, containers, instruments and installations which come into contact...
 8. As soon as possible after unloading or after each series...
 9. The treatment establishment shall in principle be cleaned according to...
 10. The occupier of a dairy establishment shall take appropriate measures...
 11. Where appropriate, rooms intended for production processes shall be divided...
 12. Disinfectants and similar substances used shall be those acceptable to...
 13. Where a dairy establishment produces foodstuffs containing dairy products, together...
 1. B. GENERAL CONDITIONS OF HYGIENE APPLICABLE TO STAFF
 2. Persons working directly with and handling raw materials or dairy...
 3. The occupier shall take all necessary measures to prevent persons...

SCHEDULE 3 — REQUIREMENTS FOR RAW MILK

PART I — ANIMAL HEALTH STANDARDS

1. Raw milk shall come from animals on a registered production...
2. In addition to the requirements specified in paragraph 1 above—...
3. When different animal species are kept together on a production...

PART II — RAW MILK STANDARDS

1. Raw milk at the time of its collection from a...
2. In addition to the requirements specified in paragraph 1 above—...
3. For the purposes of the tables set out in paragraph...
4. The occupier shall ensure that— (a) compliance with the standards...

PART III — CHECKS FOR ADDED WATER IN RAW MILK

1. Raw milk shall be subjected to regular checks and sampling...
2. Such checks shall include regular checks on the freezing point...

SCHEDULE 4 — REQUIREMENTS FOR DRINKING MILK

PART I — RAW MILK FOR DRINKING

1. Subject to paragraph 2 below, drinking milk which is raw...
2. Drinking milk which is— (a) raw ewes' or goats' milk;...
3. Where raw milk has not passed through a milk collection...

PART II — RAW MILK FOR HEAT-TREATMENT

1. (1) Raw milk, at the time of its acceptance at...

PART III — HEAT-TREATED DRINKING MILK

1. Heat-treated drinking milk shall not contain— (a) any pharmacologically active...
2. In addition to complying with paragraph 1 above, pasteurised milk...
3. In addition to complying with paragraph 1 above, sterilised and...
4. In addition to complying with paragraphs 1 and 3 above,...
5. In addition to complying with paragraphs 1 and 3 above,...
6. Pasteurised milk which has been subjected to high-temperature pasteurisation, UHT...
7. Pasteurised milk may be produced from raw milk which has...
8. The definition of the symbols specified in paragraph 3 of...

SCHEDULE 5 — REQUIREMENTS FOR MILK USED FOR THE MANUFACTURE OF MILK-BASED PRODUCTS

PART I — RAW MILK

1. Subject to paragraph 2 below, the occupier of the processing...
2. For technological reasons relating to the manufacture of certain milk-based...

PART II — THERMISED MILK

1. Thermised milk shall: (a) be obtained from raw milk and...

PART III — PASTEURISED MILK

1. Pasteurised milk shall: (a) be obtained by means of a...

PART IV — UHT MILK

1. UHT milk shall be obtained by applying heat to a...

SCHEDULE 6 — REQUIREMENTS FOR MILK-BASED PRODUCTS

PART I — MICROBIOLOGICAL CRITERIA

1. On removal from the processing establishment milk-based products shall not...
2. Sterilised or ultra heat-treated milk-based products which are in liquid...
3. Subject to paragraph 5 below, milk-based products shall meet the...
4. The definition of the symbols specified in paragraph 3 of...
5. Testing of the milk-based products referred to in table A...
6. Sampling programmes shall be drawn up by the occupier of...
7. In all cases where the standards in table A of...
8. In all cases where the standards in table B of...
9. Wherever the standard M in table B of paragraph 3...
10. If the strains referred to in paragraph 9 above are...

PART II — PASTEURISED CREAM

1. Pasteurised cream shall be heated— (a) to a temperature not...
2. The cream shall— (a) be cooled as soon as practicable...

PART III — STERILISED CREAM

1. Sterilised cream shall be heated— (a) to a temperature not...
2. The cream shall be cooled as soon as practicable after...
3. Sterilised cream shall meet the standard referred to in paragraph...

PART IV — ULTRA HEAT-TREATED CREAM

1. Ultra heat-treated cream shall be heated— (a) to a temperature...
2. The cream shall be cooled as soon as practicable after...
3. Ultra heat-treated cream shall meet the standard referred to in...

PART V — PASTEURISED ICE-CREAM

1. Pasteurised ice-cream shall be obtained by the mixture being heated—...
2. If the temperature of ice-cream has risen above minus 2.2°C...
3. In the case of a complete cold mix which is...
4. If a complete cold mix reconstituted with the addition of...

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

PART VI — STERILISED ICE-CREAM

1. Sterilised ice-cream shall be obtained by the mixture being heated...
2. After the mixture has been sterilised as specified in paragraph...
3. Paragraph 2 shall not apply to a mixture which has...
4. If the temperature of ice-cream has risen above minus 2.2°C...
5. In the case of a complete cold mix which is...
6. If a complete cold mix reconstituted with the addition of...

SCHEDULE 7 — STORAGE REQUIREMENTS

1. Immediately after milking, raw milk shall be placed in a...
2. (1) Where raw milk is— (a) collected daily from a...
3. Upon acceptance at a treatment establishment milk shall, unless heat-treated...
4. When the pasteurisation process is completed, pasteurised milk shall be...
5. Subject to paragraph 7 below, any dairy product not intended...
6. Where dairy products other than raw milk are stored under...
7. The maximum temperature at which pasteurised milk may be stored...

SCHEDULE 8 — TRANSPORT REQUIREMENTS

PART I — TEMPERATURE

1. The temperature of raw milk during transport to a treatment...
2. (1) Subject to sub-paragraph (2) and (3) below, the temperature...
3. Any vehicle or container used for transporting raw or pasteurised...

PART II — HYGIENE

1. Any vehicle used for transporting heat-treated drinking milk and milk...
2. Any tank, churn or other container used for transporting raw...
3. As soon as possible after each journey, or after each...
4. Any tank used to transport milk shall bear a clear...
5. Any tank used to transport dairy products may not be...
6. Dairy products shall be despatched in such a way that...

PART III — COMMERCIAL DOCUMENT

1. Heat-treated drinking milk and milk-based products shall be accompanied during...

SCHEDULE 9 — WRAPPING AND PACKAGING

1. Wrapping and packaging shall be strong enough to protect the...
2. The wrapping and packaging of dairy products shall take place...
3. Notwithstanding paragraph 2 above, the manufacture of dairy products and...
4. Bottling or filling of containers with heat-treated milk or liquid...
5. Wrapping or packaging may not be re-used for dairy products,...
6. Sealing shall be carried out in the dairy establishment in...

SCHEDULE 10 — LABELLING AND HEALTH MARKING

PART I — LABELLING

1. In addition to the health mark requirements specified in Part...
2. The particulars specified in paragraph 1 above need not appear...
3. Without prejudice to the provisions of the Food Labelling Regulations...

PART II — HEALTH MARK

1. Dairy products shall carry a health mark in an easily...
2. Marking shall be carried out during or immediately after manufacture...
3. Where a dairy product marked in accordance with paragraphs 1...
4. Subject to paragraph 5 below, the health mark shall consist...

5. In the case of bottles, packaging and containers referred to...
6. The health mark may be applied to the product, wrapping...
7. The health mark may also consist of an irremovable plate...

SCHEDULE 11 — METHODS OF ANALYSIS

1. The reference methods for the analysis and testing of dairy...
2. in relation to raw milk and heat-treated milk, the methods...
3. In relation to milk-based products, the test for enumeration of...
4. In relation to milk-based products, the test for enumeration of...
5. In relation to the following tests, the methods for the...
6. any other internationally accepted analysis and test method as referred...
7. In this Schedule— “IDF standard” means a standard of the...

SCHEDULE 12 — REVOCATIONS

SCHEDULE 13 — AMENDMENT OF THE FOOD LABELLING REGULATIONS 1984

1. In regulation 2(1)— (a) after the definition of “liqueur wine”...
2. In regulation 3(1), for the words “they shall not” there...
3. After regulation 31A there shall be inserted the following regulation—...
4. In regulation 24, in the definition of “prepacked for direct...
5. In regulation 33, after paragraph (2), there shall be inserted...
6. In regulation 35, in paragraphs (1) and (2), after the...

Explanatory Note