
STATUTORY INSTRUMENTS

1995 No. 1372

The Dairy Products (Hygiene) (Scotland) Regulations 1995

PART VII

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

Dairy farms

14. Any production holding which is both licensed as a dairy farm immediately before the coming into force of these Regulations pursuant to the Milk and Dairies (Scotland) Regulations 1990⁽¹⁾ and is in operation as such on the date before the date these Regulations come into force, shall be deemed to be premises licensed under and subject to the provisions of these Regulations as a production holding.

Temporary derogations under Directive 92/47

15.—(1) Notwithstanding the requirements of regulation 6(3) and until 31st December 1997, the food authority shall approve a dairy establishment which does not comply with any or all of the requirements of Schedule 2, and which is listed in the Annex to Commission Decision [94/695/EC](#) establishing the list of Community establishments for which temporary and limited derogations are granted from Community health rules on the production and placing on the market of raw milk, heat-treated milk and milk-based products⁽²⁾, in accordance with Article 2 of Council Directive 92/47.

(2) Dairy products produced in a dairy establishment approved in accordance with paragraph (1) above shall not—

- (a) bear a health mark, or
- (b) be intended for export to another EEA State.

(3) In this regulation, “dairy establishment” includes a part of a dairy establishment, and “dairy products” mean dairy products in respect of which a derogation has been granted in accordance with Article 2 of Council Directive 92/47.

(1) S.I.1990/2507 to which there are amendments not relevant to these Regulations.

(2) OJ No.L282, 29.10.94, p.1.