

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4268 of 26 May, 2016

LEGAL NOTICE NO. 114 OF 2016.

FOOD AND DRUGS ACT

MILK (AMENDMENT) REGULATIONS 2016

In exercise of the powers conferred on it by sections 23 and 58A, the Government, for the purpose of introducing new labelling requirements for milk in the line of other EU member states, has made the following Regulations—

Short title and commencement.

1. These Regulations may be cited as the Milk (Amendment) Regulations 2016 and come into operation on the day of publication.

Amendments to regulation 2.

2. Regulation 2 of the Milk Regulations, 1988 is amended by—

- (a) inserting the following definition after the definition of “container”—

““drinking milk” means whole milk, semi-skimmed milk, skimmed milk or such other milk in which the fat content of that other milk is clearly indicated with one decimal and easily readable on the package in form of ‘...% fat’;”

- (b) substituting “ not less than 3.50%(m/m)” for “ not less than 3.0%” in the definition of “non-standardised whole milk”;

- (c) substituting “ not more than .50%(m/m)” for “ not more than .30%” in the definition of “skimmed milk”; and

- (d) substituting the following definition for the definition of “standardised whole milk”—

““standardised whole milk” means milk with a fat content of at least 3.50%(m/m) or above as may be fixed by the Government in the guideline for any particular year or any part of that year;”.

Insertion of new regulation 3A.

3. The Milk Regulation is amended by inserting the following regulations after regulation 3–

“Drinking milk.

3A. Drinking milk shall–

- (a) have a mass of not less than 1 028 grams per litre for milk containing 3,5% (m/m) of fat at a temperature of 20 C or the equivalent weight per litre for milk having a different fat content; and
- (b) contain a minimum of 2,9% (m/m) of protein for milk containing 3,5 % (m/m) of fat or an equivalent concentration in the case of milk having a different fat content.

Modification or alteration in the milk.

3B.(1) Without prejudice to the requirement of non-standarised whole milk, only the following modifications shall be allowed–

- (a) in order to meet the fat contents laid down for drinking milk, modification of the natural fat content by the removal or addition of cream or the addition of whole milk, semi-skimmed milk or skimmed milk;
- (b) enrichment of milk with milk proteins, mineral salts or vitamins; and
- (c) reduction of the lactose content by conversion to glucose and galactose.

(2) Modifications in the composition of milk referred to in paragraphs (b) and (c) of sub-regulation (1) shall be allowed only if they are indelibly indicated on the packing of the product so that it can be easily seen and read.

(3) Where proteins are added, the protein content of the enriched milk must be 3.8 % (m/m) or more.”.

Amendments to regulation 5.

4. Regulation 5(1)(ii) of the Milk Regulations, 1988 is amended by–

- (a) substituting a semi-colon (;) for the full-stop(.) at the end of paragraph (d); and
- (b) inserting the following paragraph after paragraph (d)-
 - “(e) drinking milk within the meaning of regulation 2 and that complies with the requirements of regulations 3A and 3B.”.

Amendment to regulation 7(1).

5. Regulation 7(1) of the Milk Regulations, 1988 is amended by substituting the following sub-regulation for sub-regulation (1)–

- “(1) No person shall make any alteration or modification in the composition of milk intended for sale for human consumption unless that person complies with regulation 3B.”.

Amendment to regulation 8.

6. Regulation 8 of the Milk Regulations, 1988 is amended by–

- (a) inserting a semi-colon (;) at the end of paragraph (b); and
- (b) inserting the following paragraph after paragraph (b)-
 - “(ba) any other milk for human consumption which does not –
 - (i) fall not within the meaning of “drinking milk” in regulation 2; and
 - (ii) comply with the requirements of regulations 3A and 3B;”;

Amendment to Schedule 2.

7. Schedule 2 of the Milk Regulations, 1988 is amended in paragraph 2(1) by substituting the following sub-paragraph for sub-paragraph (b)–

“(b) the expression ‘Pasteurised’, ‘Sterilised’, ‘Ultra Heat Treated or ‘U.R.T’ as is appropriate if the milk in which the fat content is clearly indicated with one decimal and easily readable on the package in form of ‘...% fat’.

Dated 26th May 2016.

DR J CORTES,
for the Government.

EXPLANATORY MEMORANDUM

These Regulations amend the Milk Regulations, 1988 in order to introduce new labelling requirements for milk in the line of other EU member states in Gibraltar.

**Printed by the Gibraltar Chronicle Printing Limited
Unit 3, New Harbours
Government Printers for Gibraltar,
Copies may be purchased at 6, Convent Place, Price £0.40**