

# SWAZILAND DAIRY REGULATIONS, (2016)

## *SCHEDULES*

*This is a collection of supplementary material in an effort to achieve clarity and brevity in the main document i.e. the Regulations. For this reason these schedules are part of the main Regulations and therefore should be treated as such.*

### *Arrangement of Sections*

Schedule 1	-	Registration
Schedule 2	-	Management of food safety and suitability
Schedule 3	-	Structural requirement
Schedule 4	-	Operational hygiene
Schedule 5	-	Preparation and transport
Schedule 6	-	Product standards
Schedule 7	-	Trade description
Schedule 8	-	Identification, tracing system, integrity and transfer
Schedule 9	-	Documentation
Schedule 10	-	Approved auditors
Schedule 11	-	Classes, Standards and Quality for Milk and Milk Standards
Schedule 12	-	Sampling and Method Analysis

### *Schedule 1*

#### *Registration*

#### **1.**

##### **Plans and specifications for application for registration**

**(1)** Plans and specifications of an establishment and equipment for use in operations to prepare milk and milk products at an establishment must:

- (a) Accompany the application for registration of the establishment; or
- (b) Be made available to the Board on request.

(2) The plans and specifications must be sufficiently detailed to show whether the establishment and equipment would, if constructed in accordance with the plans and specifications, be suitable for the preparation (in accordance with the requirements of these Regulations) of the milk and milk products to be undertaken at the establishment.

## 2.

### Plans for establishments

(1) The plans must include:

- (a) A locality map showing the site; and
- (b) A site plan showing:
  - (i) The layout of the entire premises; and
  - (ii) Access roads and roads at the establishment; and
  - (iii) The water supply; and
  - (iv) Storm water and waste water drainage; and
  - (v) On site waste disposal (if any); and
  - (vi) The amenities; and
  - (vii) All features of the site and its location that are relevant to whether the premises would comply with the applicable requirements of these Regulations; and
  - (viii) Adjoining sites including location of adjacent establishments; and
  - (ix) The north compass point; and
  - (x) The scale used in the plan; and
- (c) A floor plan of all milk and milk product handling areas (including laboratories) showing all permanent fixtures and the layout of equipment (other than implements and utensils); and
- (d) A description of all equipment (other than implements and utensils) for use in the preparation of milk and milk products at the premises.

(2) The specifications must show details of:

- (a) Construction materials of the premises including fixtures; and
- (b) Construction materials of the equipment (other than implements and utensils) used in food handling areas; and
- (c) Surface finishes; and
- (d) Surfaces in contact with milk, milk products or ingredients; and
- (e) Essential services.

(3). (a) Proposals for plans and specifications relevant to an alteration or addition to an establishment and equipment for use in operations to prepare milk and milk products at the establishment must:

- (i) Accompany the proposal for the alteration or addition; or
- (ii) Be made available to the Board on request.

(b) The plans and specifications must be sufficiently detailed to show whether the establishment and equipment would if altered or extended in accordance with the plans and specifications, be suitable for the preparation (in accordance with the requirements of these Regulations) of milk and milk products to be undertaken at the establishment.

(4) The plans and specifications for an alteration or addition must contain such information specified in clauses 2(1) and (2) of this Schedule as is relevant to the alteration or addition.

(5) Approval to prepare milk and milk products in an unregistered establishment. The intention of this Part is to facilitate the processing of small volumes of milk and milk products from unregistered establishments for the purpose of testing the markets for new products while ensuring that fitness for human consumption is maintained..

(6) (a) A person who is or is to be the occupier may apply to the Board for approval to prepare milk and milk products of the kind specified in the application as food in an unregistered establishment.

(b) The application must:

- (i) Describe each process to be used in preparing the milk and milk products; and
- (ii) Identify the products to which it is intended to be produced
- (iii) Milk source.

(c) If the Board is satisfied that the applicant will comply with:

- (i) The requirements of these Regulations; and
- (ii) The applicable processing requirements;

The Board may give the applicant approval to prepare at the unregistered establishment milk and milk products of the kind specified in the approval as products specified.

(d) The approval takes effect:

- (i) On the day specified in the approval as being the day it takes effect; or
- (ii) If no such day is specified — when written notice of the approval is given to the applicant.

(e) The notice must specify:

- (i) The period within which the unregistered establishment must operate, being a period of not more than 12 months after the day on which the approval is granted; and
- (ii) The number of the products prepared at the establishment; and
- (iii) The identification number assigned by the Board to the establishment.
- (iv) The unregistered establishment must apply for registration to be a registered establishment before the end of the 12 month period given if they intend to continue after the lapse of their licence

(7) No more than one approval may be given for milk and milk products prepared in the unregistered establishment being milk and milk products of the kind specified in the application that are specified in the application.

(8) If the Board decides not to give approval the Board must give the applicant written notice of:

- (a) The decision; and
- (b) The reasons for the decision.

### **3.**

#### **Exemption from compliance with regulations**

(1) The Board may:

- (a) specify in the approval given under subclause 6(c) of this Schedule that one or more of the requirements of the provisions of Schedule 2 specified in the approval do not apply in relation to the establishment; and
- (b) By written notice vary or revoke the specification made under subsection 1 (a).

(2) If the approval has effect the requirements specified in the notice do not apply in relation to the establishment.

(3) The Board may:

- (a) Give approval under subclause 6 (c) of this Schedule subject to conditions specified in the notice of approval; and
- (b) By written notice given to the person whom the approval is given impose new conditions or vary or revoke the conditions.

(4) The conditions must be for the purpose of ensuring that, in relation to the milk and milk products to which the approval relates there is compliance with one or more of the objectives specified.

### **4.**

#### **Revocation of approval**

(1) The Board may, by written notice given to the person to whom the notice of the approval was given under subclause 6 (d) of this Schedule, revoke the approval if the Board has reasonable grounds to believe:

- (a) A circumstance specified in section 29 (1) (a) to (f) of Schedule 2 exists; or
- (b) The person to whom the approval is given ceases to be the occupier of the establishment.

(2) The revocation takes effect:

- (a) On the day specified in the written notice of the revocation given as being the day it takes effect; or
- (b) If no such day is specified — when the written notice of the revocation is given.

**5.**

**Termination of approval**

(1) The occupier may terminate the approval by giving the Board written notice of the termination.

(2) The termination takes effect:

(a) On the day specified in the written notice of the termination given as being the day it takes effect; or

(b) If no such day is specified — 7 days after the notice is given to the Board.

**6.**

**Effect of revocation or termination**

(1) On revocation or termination:

(a) The approval ceases to have effect; and

(b) The requirements, that under subclause 3.2 do not apply in relation to the establishment, apply.

## *Schedule 2*

### *Management of food safety and suitability*

7.

#### *General requirements*

(1) The commitment of the occupier to:

(a) Compliance with the requirements of these Regulations and applicable country requirements; must be documented.

(2) Minimum requirements for approved arrangements

An arrangement for the preparation of milk and milk products at an establishment that is required for the purposes of these Regulations must cover each step of the preparation of milk and milk products undertaken at the establishment and must:

(a) Contain a HACCP plan; and

(b) Document the controls used to ensure that the applicable requirements of these Regulations (other than a requirement of Schedule 3) are complied with; and

(c) Identify the applicable importing or exporting country requirements and document the controls used to ensure compliance with these requirements; and

(d) Document any other measures necessary to ensure there is a sound basis for giving any permit, licence or issuing any government permit for milk and milk products prepared at the establishment.

Subsection 1 (c) applies only to each importing or exporting country requirement for which compliance with these Regulations would not be sufficient to result in compliance with the importing or exporting country requirement.

(3) HACCP plan

(a) The HACCP plan must identify each of the steps in the preparation of the milk and milk products. A flow chart may be used.

(b) For each step the HACCP plan must identify the potential hazards that may reasonably be expected to occur.

(c) The HACCP plan must identify the means of control of each potential hazard.

(4) Despite subsection 3 hazards controlled by meeting the operational hygiene requirements of these Regulations need not be identified as part of the HACCP plan. Operational hygiene requirements referred to cleaning, pest controls, hazardous substances and the like must be included as part of the approved arrangement.

(5) For each significant hazard that is identified the HACCP plan must identify:

- (a) The critical control points; and
  - (b) The critical limits; and
  - (c) The procedures to be used to monitor the potential hazards to ensure compliance with each critical limit including:
    - (i) The frequency with which these procedures are to be performed; and
    - (ii) The people who are to carry out these procedures; and
  - (d) The corrective action to be taken if a critical limit is exceeded.
- (6) The action that is referred to in paragraph 3.5 (d) includes:
- (a) Action to address the fact that the critical limit is exceeded; and
  - (b) Action to ensure that the exceeding of the critical limit is not repeated; and
  - (c) An assessment of the effectiveness of the action taken.
- (7) The HACCP plan must identify procedures used to verify compliance with the HACCP plan and the frequency with which these procedures are to be performed.
- (8) The HACCP plan must provide for records to be made and documents to be kept to demonstrate compliance with the HACCP plan and its effectiveness.

**(8)**

***Significant hazard***

A significant hazard means a hazard that is of such a nature that its elimination, control or reduction to an acceptable level is essential to the production of safe food.

**(9)**

**Management practices**

The management practices, organisational structure, provision of resources and the provision of personnel and their competence (including knowledge, training, skills and experience) must:

- (a) Be documented; and
- (b) Be appropriate to ensure each of the following are met:
  - (i) The applicable requirements of these Regulations;
  - (ii) The applicable importing or exporting country requirements.

**(10)**

**Verification**

Whether the following are complied with must be frequently verified:

- (a) The applicable requirements of these Regulations; and
- (b) The importing or exporting county requirements identified in the approved arrangement.

**(11)**

**Written record**

A written record must be made of:

- (a) The methods, procedures, tests, monitoring and other evaluations used to verify compliance; and
- (b) The results of the verification.

**(12)**

**Corrective and preventative action**

**(a)** If a requirement of these Regulations or an importing or exporting country requirement identified in the approved arrangement is not complied with or is not likely to be complied with, action must be taken:

- (i) To address the fact why the requirement is not complied with or is not likely to be complied with; and
- (ii) To ensure that the failure to comply with the requirement, or the likelihood that it is not complied with, does not recur; and

b) The effectiveness of the action taken must be assessed based on the set and approved operating standards

- (c) A written record must be made of the action referred to in subsection 1 (a) that is taken and the assessment of its effectiveness.

**(13)**

**Internal audit and management review**

**(a)** A written record must be made of:

- (i) The internal audits and managements reviews conducted every Twelve (12) Months or when necessary; and
- (ii) The results of the audits and reviews.

**(b)** For an establishment employing less than three people subclause 7.1 is taken to be satisfied if a management review is conducted.

**(14)**

**Sampling and analysis**

**(a)** Sampling and the analysis of a sample made for the purposes of these Regulations must be made in accordance with the method for sampling and analysis specified in these Regulations.

**(b)** If a method of sampling and analysis is not specified in these Regulations the sampling and analysis must be made in accordance with:

- (i) An applicable method specified in the regulations; or
- (ii) An applicable method specified in a relevant standard published by any recognised or approved national, regional or international standard setting bodies such as Swaziland Standards Authority (SWASA); or



(iii) Any other validated science based method that is appropriate for the sample to be tested and that ensures the accuracy of the results obtained.

**(15)**

**Notifiable diseases**

If:

(a) The occupier is aware that the milk and milk products are derived from a cow that is affected by or is suspected of being affected or infected by a notifiable disease or controlled disease; the occupier must notify a competent Veterinary official without delay.

**(16)**

**Requirement to retain documents**

(a) Each document that is made by the occupier or that comes into the possession of the occupier; and is relevant to whether the occupier complies with:

(i) The requirements of the Act, these Regulations or the occupier's approved arrangement or a condition of that arrangement; and

(ii) The importing or exporting country requirements identified in the approved arrangement; must be retained for a period of not less than three years from the time the document is made by the occupier or comes into the occupier's possession (as the case may be).

(b) If an occupier, fails to comply with subclause 1 the occupier is guilty of an offence.

**(17)**

**Application for approval**

(a) The arrangement for which approval is sought must:

(i) Accompany the application; and

(ii) Be made available for evaluation by the Board.

**(18)**

**Assessment of application and Board's decision**

(a) For the purposes of assessing the application the Board must:

(i) Evaluate the arrangement in a desk audit; and

(ii) Conduct an inspection of the establishment, facilities, equipment and services to be used in the operations.

(b) The Board may in order to consider the application request of any of the following that the Board reasonably requires:

(i) Further information or documents of the kind specified by the Board;

(ii) A demonstration of the operations and procedures to be followed;

(iii) The applicant's consent to the use (at the applicant's expense) of an appropriately qualified person nominated by the Board in any inspection, evaluation or demonstration.

**(19)**

**When the Board is taken to have refused the application**

(a) If the Board has not made a decision on whether to approve the arrangement within 60 days after the day the application is received (not including any period between the Board making a written request under section 19(b) and the applicant meeting the request) the Board is taken to have refused the application.

(b) Subject to 20 (a) the Board may write a letter stating the grounds of refusal and a corrective action which the applicant can do so the application can be successful.

**(20)**

**When the Board may approve the arrangement**

(a) The Board may by written notice given to the applicant approve the arrangement if the Board is satisfied that the arrangement complies with subsection 2 of this Schedule; and compliance with the controls specified in the arrangement will ensure that:

- (i) The requirements of these Regulations will be complied with at the applicant's establishment; and
- (ii) The applicable importing or exporting country requirements will be complied with at the establishment; and
- (iii) There is a sound basis for giving any permit and issuing any government permit for milk and milk products prepared at the establishment

(b) The approval takes effect on the day specified in the approval as being the day it takes effect; or if no such day is specified — when written notice of the approval is given to the applicant.

**(21)**

**Notice of decision not to approve an arrangement**

(a) If the Board decides not to approve an arrangement, the Board must give the applicant written notice of the decision.

(b) The notice must set out:

- (i) The reasons for the decision; and
- (ii) The applicant's right to apply for reconsideration of the decision within a reasonable period of time.

**(22)**

**Approved arrangement may be subject to conditions**

(a) The Board may Approve an arrangement subject to conditions specified in the notice of approval; and By written notice given to the occupier impose new conditions or vary or revoke the conditions.

**(b)** The conditions must be for the purpose of ensuring that the matters specified or requested above is or are complied with.

**(c)** If there is a failure to comply with the arrangement or its conditions the Board may suspend or revoke the arrangement. A failure to comply may preclude the issue of any permit, or the issue of a government permit.

**(23)**

**Variation of approved arrangement**

**(a)** A record in writing must be made in writing of each variation of an approved arrangement.

**(b)** If an occupier, who must ensure the applicable requirements of this Schedule are complied with, fails to comply with subclause 1 the occupier is guilty of an offence.

**(24)**

**Variations requiring notification and approval before implementation**

**(a)** A proposed variation (or a proposed variation in combination with other variations) to an arrangement that has the potential to adversely affect:

(i) The likelihood of compliance with the requirements of these Regulations or an applicable importing or exporting country requirement; or

(ii) The fitness for human consumption or integrity of milk and milk products at the establishment; or

(iii) An accurate assessment being made as to whether: There is compliance with requirements of these Regulations or an applicable importing or exporting country requirement; or Milk and milk products at the establishment are fit for human consumption and their integrity is assured; must not be implemented unless:

(b) The occupier makes a written application to the Board for approval to vary the arrangement; and

(c) The Board gives the occupier a written notice approving the variation. Variations need to be recorded. Variations not covered by clause 18 are to be considered for approval by the auditor at the time of audit.

**(d)** A proposed variation of a provision of an approved arrangement (or a proposed variation in combination with other variations) that Identifies a person who may:

(i) Make a declaration

(ii) Complies or

(iii) Manufacture or possess an official marking device or manufacture, possess, apply, alter or interfere with an official mark or apply a resemblance; or

(b) Relates to any of the following:

(i) An alternative, procedure, standard or other requirement referred to these Regulations;

(ii) A control referred to these Regulations;

(iii) An alternative requirement or control referred to in these Regulations;

(iv) Compliance procedures must not be implemented unless:

(c) The occupier makes a written application to the Board for approval to vary the arrangement; and

(d) The Board gives the occupier a written notice approving the variation.

(3) If an occupier, who must ensure the applicable requirements of this Schedule are complied with, fails to comply with subsection 26 (1) (2) the occupier is guilty of an offence.

**(25)**

### **Variations required by the Board**

(1) The Board may give the occupier a written notice requiring the occupier to submit a variation of an approved arrangement if:

(a) Circumstances relating to the preparation of milk and milk products at the establishment change; or

(b) the Board is not satisfied that compliance with the controls specified in the approved arrangement for the preparation of milk and milk products ensures that the matters specified in these regulations are complied with; or

(c) An applicable importing or exporting country authority requirement changes.

(2) The notice must:

(a) Specify the variation required; and

(b) Specify the period within which the variation must be submitted to the Board.

(3) The Board may give the occupier a notice approving the variation submitted.

(4) An occupier who is given a notice must not fail to submit the variation specified in the notice within the period specified.

**(26)**

### **When an arrangement includes a variation**

(a) An approved arrangement includes a variation to the arrangement.

(b) If a variation is of a kind referred to in subclauses 26,27 of this Schedule, then the approved arrangement includes the variation only when the Board gives a notice approving the variation in accordance with paragraphs 26(1) (e) or 26.2 (d) or subclause 27.3 (as the case may be).

**27.**

### **Suspension and revocation**

Grounds for suspension or revocation

(1) The Board may give the occupier written notice suspending or revoking the approval of an arrangement if the registration of the establishment is revoked or the Board has reasonable grounds to believe that:

(a) A requirement of any of the following is not complied by the occupier:

(i) These Regulations;

- (ii) The occupier's approved arrangement or a condition of that arrangement (including an importing or exporting country requirement identified in that arrangement); or
  - (b) Compliance with the controls specified in the approved arrangement is unreliable or not effective in ensuring that the matters specified in subparagraphs (22) (1) (b) (i), (22) (1) (b) (ii) or (22) (1) (b) (iii) of this Schedule are met; or
  - (c) The occupier has, in an application or other document given to the Board or in a document or information that must under a requirement these Regulations or the occupier's approved arrangement or a condition of that arrangement be made or given, made a statement:
    - (i) that is false, misleading, or incomplete; or
    - (ii) For which there is no sound basis for making the statement; or
  - (d) The occupier fails to provide the assistance needed; or
  - (e) the occupier fails to make available to an authorized officer a document that, under a requirement of these Regulations or the occupier's approved arrangement or a condition of that arrangement, the occupier is required to retain; or
  - (f) A person designated in the approved arrangement as a person who may make a declaration referred to in Schedule 8 or Schedule 9 is not, or ceases to be, a fit and proper person.
- (2) The suspension or revocation of the approval of the arrangement may be:
- (a) In full; or
  - (b) In part, in respect of:
    - (i) One or more of the kinds of milk and milk products prepared at the establishment; or
    - (ii) One or more of the stages of preparation of the milk and milk products.
- (3) The suspension or revocation takes effect:
- (a) on the day specified in the written notice given under subclause 29 as being the day it takes effect; or
  - (b) If no such day is specified — when the written notice is given to the applicant.

## **28.**

### **Notice of suspension or revocation**

- (1) If the Board suspends or revokes the approval of an arrangement, the Board must give the occupier written notice of:
- (a) The reason for the suspension or revocation; and
  - (b) The occupier's right to apply for reconsideration of the decision to suspend or revoke; and
  - (c) If the approval is suspended — the period of the suspension.
- (2) A period of suspension must not exceed 12 months and may be extended only if the total period does not exceed 12 months.

**29.****Revocation of suspended arrangement**

- (a) The Board may revoke an approval of an arrangement that is suspended despite the fact that the period of suspension has not expired.
- (b) The Board may revoke an arrangement that is suspended on grounds that are the same as or similar to the grounds for the suspension.

**30.****Termination**

- (a) An occupier may terminate the occupier's approved arrangement:
- (i) In full; or
  - (ii) In part, in respect of:
    - (i) One or more of the milk and milk products prepared at the establishment; or
    - (ii) One or more of the stages of preparation of the milk and milk products; by giving the Board written notice of the termination.
- (b) The termination takes effect:
- (i) On the day specified in the written notice of the termination given as being the day it takes effect; or
  - (ii) If no such day is specified — 7 days after the notice is given to the Board.
- Board may require the occupier to take action
- (c) If the approval of an arrangement (or part of an arrangement) at an establishment:
- (i) is suspended or revoked; or
  - (ii) Is terminated; the Board may, by giving the occupier a notice, require the occupier to take action within the period specified in the notice in respect of any of the following:
    - (iii) Any official marks held by the occupier;
    - (iv) Any permits or government permits issued or given for milk and milk products prepared by the occupier; and
    - (v) Any milk and milk products at the occupier's establishment.
- (d) The action referred to above must be action to ensure compliance with one of more of the objectives as they apply in relation to the occupier.
- (e) The notice must state that a failure to take the action specified within the time specified is an offence as specified in this Schedule.
- (f) An authorized officer may amend or revoke the notice by giving a further written notice to the person to whom the notice is given.

**31.**

**Occupier must comply with notice**

(a) An occupier who is given a notice under section 31(3) of this Schedule must take the action specified in the notice within the period specified.

**32.**

**When an approved arrangement ceases to have effect**

(a) An approval of an arrangement (or a part of an arrangement) ceases to have effect if the approval of the arrangement (or that part of the arrangement) is revoked or terminated.

(b) An approval of an arrangement ceases to have effect if the person to whom the Board, under clause 14 of this Schedule, gave the approval of the arrangement ceases to be the occupier.

(c) An approval of an arrangement (or a part of an arrangement) ceases to have effect for the period of its suspension.

## ***Schedule 3***

### ***Structural requirement***

**33.**

#### ***General requirements***

Premises, equipment and vehicles

**34.**

#### **Provision of facilities and equipment**

(1) Establishments must have the premises, facilities, equipment and vehicles that are necessary to ensure the preparation of milk and milk products as food is conducted in accordance with the requirements of these Regulations.

**35.**

#### **Construction of premises**

(1) The premises and their construction must:

- (a) Facilitate the preparation of milk and milk products that are fit for human consumption; and
- (b) Be fit for the purpose for which they are used; and
- (c) Have sufficient capacity for the maximum quantity of milk and milk products prepared at the premises at any one time; and
- (d) Permit the premises to be effectively cleaned and, if necessary, sanitised if there is a risk they may cause contamination of milk and milk products; and
- (e) Permit the premises to be effectively accessed, inspected and monitored; and
- (f) Not permit the harbourage of pests; and
- (g) To the extent that is practicable:
  - (i) Exclude dirt, dust, fumes, smoke and other contaminants; and
  - (ii) Not permit the entry of pests; and
  - (iii) Minimise the accumulation of contaminating substances.

**36.**

#### **Construction must comply with plans and specifications**

(1) The construction of the premises and equipment must, in the case of registered establishments, comply with the plans and specifications in relation to which the Board registers the establishment.



(2) Alterations or additions for which a proposal is required must comply with the plans and specifications in relation to which approval for the proposal is given.

### 37.

#### **Immediate surrounds**

(1) Areas immediately surrounding buildings, roads and other areas serving premises used to prepare milk and milk products must:

- (a) be paved, graded, landscaped or otherwise treated so as to minimise the risk of dust, pests or contaminants entering food handling areas; and
- (b) Be adequately drained.

### 38.

#### **Floors**

(1) Floors must be constructed in a way that is appropriate for the preparation of milk and milk products at the premises.

(2) Floors (including stairs, platforms and the like) in food handling areas, areas used for cleaning and sanitising and areas for personal hygiene must:

- (a) be able to be effectively cleaned and, if necessary, sanitised if there is a risk they may cause contamination of milk and milk products; and
- (b) Be smooth and impervious; and
- (c) Allow for adequate drainage; and
- (d) Not permit the harbourage of pests; and
- (e) To the extent that is practicable:
  - (i) Exclude dirt, dust, fumes, smoke and other contaminants; and
  - (ii) Not permit the entry of pests; and
  - (iii) Minimise the accumulation of contaminating substances.

(3) Subclause 5.2 does not apply to areas for cleaning vehicles.

(4) The floors of areas for cleaning vehicles must:

- (a) Be able to be effectively cleaned; and
- (b) Have impervious surfaces; and
- (c) Be drained.

### 39.

#### **Walls and ceilings**

(1) Walls and ceilings must:

- (a) Be provided where they are necessary to protect milk and milk products and their ingredients from contamination; and

(b) Be constructed in a way that is appropriate for the activities conducted at the premises.

(2) Walls and ceilings in food handling areas and in areas used for cleaning and sanitising and for personal hygiene must:

- (a) be able to be effectively cleaned and, if necessary, sanitised if there is a risk they may cause contamination of milk and milk products; and
- (b) Be smooth and impervious; and
- (c) to the extent that is practicable:
  - (i) Exclude dirt, dust, fumes, smoke and other contaminants; and
  - (ii) Not permit the entry of pests; and
  - (iii) Minimise the accumulation of contaminating substances (including condensation).

(3) Subsection 2 does not apply to areas for cleaning vehicles.

(4) The walls and ceilings of areas for cleaning vehicles must:

- (a) Be able to be effectively cleaned; and
- (b) Have impervious surfaces.

#### 40.

##### **Fixtures, fittings and equipment — general requirement**

(1) The fixtures, fittings and equipment (including in refrigeration chambers and storage areas) must:

- (a) Facilitate the preparation of milk and milk products that are fit for human consumption; and
- (b) Be fit for the purpose for which they are used; and
- (c) Have sufficient capacity for the maximum quantity of milk and milk products prepared at any one time using the fixtures, fittings and equipment concerned.

#### 41.

##### **Construction of fixtures, fittings and equipment**

(1) The fixtures, fittings and equipment must be constructed so that:

- (a) They do not cause contamination of milk and milk products; and
  - (b) They are able to be easily and effectively cleaned and, if necessary, sanitised if there is a risk they may cause contamination of milk and milk products; and
  - (c) Adjacent floors, walls, ceilings and other surfaces are able to be easily and effectively cleaned; and
  - (d) They can be effectively accessed, inspected and monitored; and
  - (e) To the extent practicable they:
    - (i) Exclude dirt, dust, fumes, smoke and other contaminants; and

- (ii) Do not permit the entry or harbourage of pests; and
- (iii) Minimise the accumulation of contaminating substances.

**(42)**

### **Food contact surfaces**

Food contact surfaces of fixtures, fittings and equipment must:

- (a) be able to be easily and effectively cleaned and, if necessary sanitised, if there is a risk they may cause contamination of milk and milk products; and
- (b) Be smooth and impervious; and
- (c) Be constructed of materials that do not contaminate milk and milk products.
- (d) Equipment includes implements but does not include vehicles used to transport milk and milk products,.
- (e) However equipment does include things used to handle and load milk and milk products during transport..

**43.**

### **Food carrying compartments, container system units and vehicles**

**(1)** Container system units and the food carrying compartments of vehicles used to transport milk and milk products must be designed and constructed:

- (a) To protect the milk and milk products if there is a likelihood of their being contaminated during transport; and
- (b) So that they are able to be effectively cleaned.

**(2)** Food contact surfaces of:

- (a) The container system units; and
- (b) The food carrying compartments; must be constructed so that they are able to be effectively cleaned and, if necessary, sanitised.

**(3)** The container system units and the food carrying compartments must be effectively insulated, constructed and equipped to maintain the milk and milk products at the temperatures required.

**(4)** The food carrying compartment need not comply with subclauses 9.1 or 9.3 if the milk and milk products are transported in a container system unit that meets the requirements of subclause 9.1 or 9.3 (as the case may be).

**44.**

### **Measuring devices**

**(1)** Measuring instruments that are relevant to whether the requirements of these Regulations are complied with must:

- (a) Enable measurements to be accurately calculated using standard units of measurement; and
- (b) Meet levels of tolerance that are appropriate to the measurements taken; and
- (c) Be able to be easily read.

(2) Temperature measuring devices must be able to measure the temperature of milk and milk products to an accuracy of  $\pm 1^{\circ}\text{C}$ .

(3) Refrigeration chambers and other equipment used for controlling the temperature of milk and milk products must have a readily accessible temperature measuring device.

#### **45.**

##### **Storage facilities for items other than milk and milk products**

(1) The premises must have adequate facilities for the storage of items that could contaminate milk and milk products, including chemicals, clothing and personal belongings.

(2) The facilities must be located where there is no risk of stored items contaminating milk and milk products.

#### **46.**

##### **Cleaning and sanitising premises and equipment**

(1) The premises must have appropriate facilities for cleaning and sanitising premises and equipment.

(2) Facilities for cleaning and sanitising equipment in contact with milk and milk products must be located where they can be readily accessed by food handlers engaged in activities that require the cleaning and sanitising of the equipment.

#### **47.**

##### **Hand washing facilities**

(1) The premises must have hand washing facilities.

(2) The hand washing facilities must be located in or adjacent to areas where food handlers work if there is a risk that their hands could be a source of contamination of milk, milk products or ingredients.

(3) The hand washing facilities must:

- (a) Have an adequate supply of warm, or hot and cold potable water over a sink; and
- (b) Have a suitable hand sanitising preparation; and
- (c) Have suitable and sufficient hygienic means of drying hands; and
- (d) Be clearly designated for the sole purpose of washing hands, arms and face.

#### **48.**

##### **Amenities**

(1) The premises must have adequate and conveniently located amenities for the use of food handlers.

(2) The amenities must:

- (a) Be physically separated from food handling areas and must not open directly onto these areas; and
  - (b) Be well lit and ventilated; and
  - (c) Not be a source of contamination of milk and milk products.
- (3) Hand washing facilities must be provided in or adjacent to toilets.
- (4) The hand washing facilities must have:
- (a) An adequate supply of warm, or hot and cold potable water over a sink; and
  - (b) A suitable hand sanitising preparation; and
  - (c) Suitable and sufficient hygienic means of drying hands.

#### **49.**

##### **Essential services**

The premises must have the essential services that are necessary to ensure the preparation of milk and milk products that are fit for human consumption.

#### **50.**

##### **Effluent and waste**

- (1) The premises must have a sewerage and waste system that:
- (a) Effectively disposes of and, if necessary, treats all sewage and waste, including during peak load; and
  - (b) Prevents the sewage or waste polluting the establishment's water supply or contaminating milk and milk products; and
  - (c) Ensures that discharge:
    - (i) Is contained; and
    - (ii) Is directed to the drainage system.

#### **51.**

##### **Facilities for storage of waste and inedible material**

- (1) The premises must have facilities for the separation and storage of waste and inedible material prior to its removal from the premises that adequately contain the volume and type of waste and inedible material on the premises.
- (2) The facilities and containers used for the waste and inedible material must:
- (a) Prevent access to waste or inedible material by pests; and
  - (b) Prevent the waste or inedible material polluting the water supply or contaminating milk and milk products; and
  - (c) Be clearly identified as for use for storage of waste and inedible material.

#### **52.**

**Lighting**

- (1) The premises must have a lighting system that provides sufficient natural or artificial light for the activities conducted for and in relation to the preparation of milk and milk products at the premises.
- (2) The lighting system must not be a source of contamination. This would require for example that light bulbs and lighting fixtures suspended over milk and milk products be protected.

**53.****Ventilation**

- (1) The premises must have adequate ventilation (natural or mechanical):
  - (a) To effectively minimise the risk of airborne contamination (such as steam, smoke and condensation) of milk and milk products; and
  - (b) Where appropriate, to control ambient temperature.

**54.****Water supply**

- (1) The premises must have a supply of potable water that is available for use at a volume, pressure and temperature that is adequate for the purposes for which the water is used.
- (2) Potable and non potable water must be supplied in separate lines (including outlets) that are readily identifiable as being for use for potable or non potable water (as the case may be).
- (3) Re-circulated water must have a separate distribution system which can be readily identified.

***Schedule 4***  
***Operational hygiene***

**55.**

**Hygiene control program**

(1) A program of operational controls for the hygienic preparation of milk and milk products must be documented and in place at premises used to prepare milk and milk products for export as food.

**56.**

**Standard of cleanliness**

(1) The premises must be maintained to a standard of cleanliness where there is no accumulation of:

- (a) Garbage, except in garbage containers; or
- (b) Recycled matter, except in recycling containers; or
- (c) Food waste; or
- (d) Dirt; or
- (e) Grease; or
- (f) Other visible matter that could contaminate milk and milk products.

(2) Equipment used for the preparation of milk and milk products must be maintained to a standard of cleanliness where there is no accumulation of:

- (a) Food waste; or
- (b) Dirt; or
- (c) Grease; or
- (d) Other visible matter that could contaminate milk and milk products.

**57.**

**Requirement to clean and maintain**

(1) The following must be cleaned and sanitised whenever it is necessary to do so to prevent the contamination of milk and milk products:

- (a) Floors, walls, ceilings, other fixtures and fittings in the following areas:
  - (i) Food handling areas;
  - (ii) Areas used for cleaning and sanitising equipment, vehicles and protective clothing;
  - (iii) Personal hygiene amenities; and

(b) Equipment and food contact surfaces.

(2) Section 57 (1) does not apply to a single-use item that is disposed of after use or when contaminated.

(3) The surrounds of premises used to prepare milk and milk products must be cleaned to the extent necessary to ensure the surrounds are not a source of contamination of milk and milk products.

(4) The premises and equipment must be maintained in a good state of repair and working order to the extent necessary to facilitate the hygienic preparation of milk and milk products.

## **58.**

### **Vehicles, container system units etc**

(1) The following must be cleaned and sanitised whenever it is necessary to do so to prevent the contamination of milk and milk products:

(a) Container system units, food carrying compartments and vehicles used to transport milk and milk; and

(b) Equipment used to handle milk and milk products during loading and transport.

(2) The following must be maintained in a good state of repair and working order to the extent necessary to ensure the fitness for human consumption of milk and milk products is not adversely affected during transport:

(a) Container system units, food carrying compartments and vehicles used to transport the milk and milk products; and

(b) Equipment used to handle the milk and milk products during loading and transport.

## **59.**

### **Environmental contamination**

(1) Effective measures must be taken to ensure milk and milk products are not contaminated by environmental contamination (including air borne or water borne contamination).

## **60.**

### **Exclusion of animals**

(1) Live animals must not be permitted to enter premises used for the preparation of milk and milk products.

(2) Subclause 1 does not apply to:

(a) The entry of a guard dog in the perimeter area; and

(b) The entry of an assistance animal in any area; provided the area is not used as a food handling area or for cleaning and sanitising equipment or for personal hygiene.

## **61.**

### **Pests**



(1) To the extent practicable, the entry of pests into premises and equipment used for the preparation of milk and milk products must be prevented.

(2) The harbourage of pests in the premises and equipment must be prevented.

## 62.

### **Hazardous substances**

(1) Hazardous substances must:

- (a) Not contaminate milk and milk products; and
- (b) Be stored in containers that:
  - (i) Are labelled with the name of the substance and a warning about its toxicity and use; and
  - (ii) Are not used for any purpose other than the storage of hazardous substances.

## 63.

### **Use and storage of substances which could cause contamination**

Except when necessary for hygienic or preparation purposes, substances which could contaminate milk and milk products must not be used or stored in food handling areas.

## 64.

### **Hygiene controls for processing**

(1) Effective measures must be taken to:

- (a) Prevent the contamination of milk and milk products and their ingredients by any thing or activity; and
- (b) minimise the growth in milk and milk products and their ingredients of pathogens that could adversely affect the fitness for human consumption of the milk and milk products given the conditions under which they are to be stored, handled and transported; and
- (c) Ensure that the fitness for human consumption of milk and milk products and their ingredients is not otherwise adversely affected.

Section 64 (a) requires for example that milk, milk products and ingredients not be contaminated by:

- (i) Procedures for the preparation of milk and milk products; or
- (ii) Cleaning, sanitising or maintenance activities; or
- (iii) Handling or use etc of equipment, ingredients or packaging materials.

Paragraph 64 (a) also requires for example that milk, milk products and ingredients not be cross contaminated by animal food or by milk and milk products that are unfit for human consumption..

(2) Without limiting the generality of subclause 10.1 effective measures must be taken to prevent milk and milk products that are not ready for human consumption contaminating milk and milk products that are ready for human consumption.

**65.**

**Calibration of measuring instruments**

Measuring instruments that are relevant to whether the requirements of these Regulations are complied with must be accurately calibrated.

**66.**

**Refrigeration chambers**

The approved arrangement must validate that refrigeration chambers achieve the applicable temperature controls required under these Regulations for chilling, freezing, maintaining, thawing and tempering milk and milk products, taking account of the maximum quantity of milk and milk products to be chilled, frozen, maintained, thawed or tempered at any one time using the chamber.

**67.**

**Ingredients**

Ingredients for milk and milk products must:

- (a) Be fit for the purpose for which they are used; and
- (b) Be labelled, stored and handled in a way that ensures their identity can be ascertained.

**68.**

**Water must be potable**

All water (including reused water, recirculated water and ice) used at premises used to prepare milk and milk products must be potable unless:

- (a) the water is only used in circumstances where there is no risk of the water coming into contact with or contaminating milk and milk products; and
- (b) The approved arrangement expressly provides for the use of the non-potable water in the circumstances in which it is used.

**69.**

**Microbial limits**

(1) Water required under these Regulations to be potable must not contain any *Escherichia coli* per 100 millilitres.

(2) The analysis of water for the purpose of verifying whether the subclause 15.1 is complied with must be performed by an accredited laboratory by the board to perform the analysis. Or the Board may give the occupier a notice enabling the use of another laboratory to perform the examination.

**70.**

**The supply of potable and non-potable water**

- (1) The reticulation system must prevent the back siphonage of used or contaminated water.
- (2) Non-potable water reticulation systems for an establishment must not contaminate the potable water reticulation systems for the establishment.

**71.**

**Steam**

Steam used in contact with milk and milk products or food contact surfaces must be free from substances which may:

- (a) Be hazardous to health; or
- b) Contaminate milk and milk products.

**72.**

**Compressed air and other processing gas**

Compressed air and other processing gas that come into contact with milk and milk products or food contact surfaces must be free from substances which may:

- (a) Be hazardous to health; or
- (b) Contaminate milk and milk products.

**73.**

**Personal hygiene and health requirements**

In this Division food handling area means an area (including a refrigeration chamber or storage area) used for exposed milk and milk products or their ingredients.

**74.**

**Food borne diseases**

(1) A person known or suspected to be suffering from, or to be a carrier of a disease likely to be transmitted through food must not work in any food handling area in any capacity in which there is any risk of such a person directly or indirectly contaminating milk and milk products with pathogens.

(2) If a person:

- (a) Is known or suspected to be suffering from, or to be a carrier of a disease likely to be transmitted through food; and
- (b) is at, or suspects that the disease may have resulted in the contamination of milk and milk products at, an establishment engaged in the preparation of milk and milk products; the person must immediately report their disease to a person who is in charge of the operations at the establishment.

**75.**

**Conditions**

- (1) A person who has a condition and who handles milk and milk products must take all practical measures to prevent the condition resulting in contamination of milk and milk products.
- (2) Coverings used for conditions must:
  - (a) Be effective in preventing contamination of milk and milk products; and
  - (b) Be waterproof, firmly secured and conspicuous in colour.

**76.**

**Personal cleanliness**

- (1) A person in a food handling area must:
  - (a) take all practicable measures to ensure his or her body, anything from his or her body and anything he or she is wearing does not contaminate milk, milk products or food contact surfaces; and
  - (b) Take all practicable measures to prevent unnecessary contact with milk and milk products; and
  - (c) Ensure his or her outer clothing is of a level of cleanliness that is appropriate for the handling of milk and milk products that is being conducted.
- (2) A person in a food handling area must not engage in:
  - (a) behaviour which could result in contamination of milk and milk products, such as eating, smoking, chewing, spitting, sneezing or coughing over unprotected milk and milk products or food contact surfaces; or
  - (b) Any other behaviour likely to adversely affect the fitness for human consumption of milk and milk products.
- (3) A person handling milk and milk products must wash (using a sanitising agent) and dry thoroughly his or her hands:
  - (a) On entering the food handling area; and
  - (b) Immediately after using the toilet; and
  - (c) After touching the nose or mouth; and
  - (d) After handling contaminated material; and
  - (e) Whenever necessary to avoid contaminating the milk and milk products.
  - (f) The wearing of gloves does not remove the obligation to wash hands.

**77.**

**Personal effects and clothing**

Personal effects and clothing must not be stored in food handling areas.

**78.**

**Protective clothing**

(1) A person in a food handling area must at all times wear protective clothing (including a hair covering) and footwear.

(2) The protective clothing and footwear must:

(a) Be suitable (including appropriately designed) to prevent anything from the person's body contaminating milk and milk products; and

(b) Be maintained in good repair and in a clean and sanitary condition so as not to present a risk of contamination of milk, milk products or food contact surfaces.

## *Schedule 5*

### *Preparation and transport*

**79.**

#### **Presence of potentially harmful substances**

Milk and milk products must not be sourced from areas where there are reasonable grounds to believe that any of the following are present and could result in unacceptable levels in the milk and milk products:

- (a) Potentially harmful pathogens; or
- (b) Potentially harmful substances such as pesticides, fungicides, heavy metals, natural toxicants or other contaminants.

**80.**

#### **Sourcing milk and milk products**

**(1)** Milk and milk products for use in preparing milk and milk products must be sourced only from:

- (a) A registered establishment; or
- (b) An unregistered establishment in relation to which an approval given by the Board has effect; or
- (c) An establishment to which compliance apply.

**(2)** Subclause 2.1 applies only to milk and milk products sourced from establishments in Swaziland.

**(3)** Milk sourced directly from an establishment engaged in milking and storing and chilling milk (including from an establishment to which these Regulations do not apply) must be sourced only from an establishment with:

- (a) Disease management controls in place to ensure only healthy animals are used for milking; and
- (b) Effective measures in place to ensure:
  - (i) animals for milking are not given feed or treated with a substance that could adversely affect the fitness for human consumption of milk and milk products; and
  - (ii) The collection, storing and chilling of milk is done under conditions that ensure the fitness for human consumption of milk and milk products is not adversely affected; and
  - (iii) As soon as practicable after milking, the milk is placed under temperature controls that minimise the growth of pathogens that could adversely affect the fitness for human consumption of milk and milk products.

**81.****Temperature controls**

Milk must be placed under temperature controls as soon as practicable after milking.

**82.****Chilling**

(1) Milk and milk products that are to be chilled must

- (a) Be cooled to a temperature of 5°C or cooler (but not cooler than minus 1°C); or
- (b) Be cooled in accordance with the alternative temperature controls specified for chilling the milk and milk products in the applicable approved arrangement.

(2) If section 1 (b) applies, the applicable approved arrangement must validate that:

- (a) Achieving the alternative temperature controls; and
- (b) The way in which the chilling is to be done; minimises the growth of pathogens that could adversely affect the fitness for human consumption of the milk and milk products given the conditions under which they are to be stored, handled, loaded and transported.

**83.****Rate of chilling**

(1) The chilling of the milk and milk products must be performed with sufficient rapidity so as to minimise the growth of pathogens that could adversely affect the fitness for human consumption of the milk and milk products given the conditions under which they are to be stored, handled, loaded and transported.

(2) The applicable approved arrangement must validate that the rate of chilling achieves the outcome specified in subsection 1.

**84.****Freezing**

(1) Milk and milk products that are to be frozen must achieve:

- (a) A temperature at the site of microbiological concern of minus 18°C or cooler; or
- (b) The alternative temperature specified for freezing the milk and milk products concerned in the applicable approved arrangement.

(2) If subsection 1 (b) applies, the applicable approved arrangement must validate that:

- (a) Achieving the alternative temperature controls; and
- (b) The way in which the freezing is to be done; minimises the growth of pathogens that could adversely affect the fitness for human consumption of the milk and milk products given the conditions under which they are to be stored, handled, loaded and transported.

(3) The freezing of the milk and milk products must be performed with sufficient rapidity to minimise the growth of pathogens that could adversely affect the fitness for human consumption of the milk and milk products concerned given the conditions under which they are to be stored, handled, loaded and transported.

(4) The applicable approved arrangement must validate that the rate of freezing achieves the outcome specified in subclause 6.3.

## **85.**

### **Storage, handling, loading and transport**

(1) Milk and milk products (other than shelf stable milk and milk products) must be maintained during storage, handling, loading and transport at:

- (a) Temperatures specified for chilling or freezing the milk and milk products concerned in section 82 (1) (a) or section 84 (1) (a) (as the case may be) of this Schedule; or
- (b) The alternative temperature specified for maintaining the milk and milk products concerned in the applicable approved arrangement.

(2) Shelf stable milk and milk products must be maintained during storage, handling, loading and transport at the temperature specified for maintaining the milk and milk products concerned in the applicable approved arrangement.

(3) If subsection 1 (b) or subsection 2 applies the applicable approved arrangement must validate that:

- (a) Maintaining the milk and milk products concerned at the alternative temperature; and
- (b) The way in which this is to be done; minimises the growth of pathogens that could adversely affect the fitness for human consumption of the milk and milk products given the conditions under which they are to be stored, handled, loaded and transported.

## **86.**

### **Thawing and tempering**

(1) Milk and milk products must be thawed and tempered under temperature controls that minimise the growth of pathogens that could adversely affect the fitness for human consumption of the milk and milk products.

(2) The applicable approved arrangement must validate that the temperature controls for the thawing and tempering achieve the objective specified in subclause 8.1.

## **87.**

### **Preserving milk and milk products**

(1) Unless otherwise specified in this Part a process applied to milk and milk products for the purpose of extending their shelf life must ensure the safety of the milk and milk products concerned by:

- (a) Destroying or preventing the growth of pathogens; or



(b) Reducing their growth to a level that ensures the microbiological safety of the milk and milk products is not adversely affected.

(2) The applicable approved arrangement must validate that process controls for extending the shelf life of the milk and milk products ensures that the objective specified in subsection 1 is met.

## **88.**

### **Thermal processing of canned milk and milk products**

(1) Unless the approved arrangement specifies otherwise the canning of milk and milk products must result in milk and milk products that are commercially sterile.

(2) An establishment must validate in its approved arrangement that its process controls for canning low acid canned milk and milk products achieve the objective specified in subsection 1.

## **89.**

### **Thermal process designed from simulated conditions**

(1) Before a thermal process designed from simulated manufacturing conditions is used for canning milk and milk products, the results of the process must first be verified in the actual production of canned milk and milk products (as the case may be) that takes place:

- (a) Using the thermal processing equipment; and
- (b) Under the commercial operating conditions; to be used for canning milk and milk products for export as food.

## **90.**

### **Canning**

Canning must protect contents from contamination

(1) The canning process and canning materials used must prevent contamination affecting the contents of the can.

(2) Cans must be inspected and evaluated.

## **91.**

### **Cooling and handling cans**

(1) After thermal processing, the cans must be cooled and handled in a manner that prevents the introduction of pathogens that could affect the commercial sterility of the contents of the can.

## **92.**

### **Water used for cooling**

(1) Water used for cooling canned milk and milk products must be potable.

(2) The method used to make the water potable must be specified in the approved arrangement.

**(3)** If water is made potable by chlorination the water must show a measurable free residual chlorine level after contact with the cans.

### **93.**

#### **Post-processing controls**

Cans that have undergone thermal processing must be identified and held separately from cans that have not undergone thermal processing.

### **94.**

#### **Pasteurisation and other treatments**

**(1)** Milk must:

- (a) be pasteurised by being heated to a temperature of not less than 72°C for not less than 15 seconds and immediately shock cooled to a temperature of 4.5°C or less; or
- (b) Be heated and cooled using any time and temperature combination that:
  - (i) Is specified in the applicable approved arrangement; and
  - (ii) Is of equal or greater lethal effect on the bacteria in the milk than would be achieved by the time and temperature controls.; or
- (c) Be subjected to any other treatment that:
  - (i) Is specified in the applicable approved arrangement; and
  - (ii) Meets the objective specified in section 94(1) (b) (ii) or the objective specified in subclause 9.1 of this Schedule.

**(2)** Liquid milk must:

- (a) Be heated and cooled using any time and temperature combination that:
  - (i) Is specified in the applicable approved arrangement; and
  - (ii) Is of equal or greater lethal effect on the bacteria in the milk product than would be achieved by the time and temperature controls specified in paragraph 94(1) (a); or
- (b) Be subjected to any other treatment that:
  - (i) Is specified in the applicable approved arrangement; and
  - (ii) Meets the objective specified in section 94(2) (a) (ii) or the objective specified in subclause 9.1 of this Schedule.

**(3)** If section 94(1) (b) or section 94(1) (c) or section 94(2) applies the applicable approved arrangement must validate that the time and temperature combination or other treatment achieves the objectives specified for section 94(1) (b) (ii), 94 (1) (c) (ii), 94 (2) (a) (ii) or 94 (2) (b) (ii) (as the case may be).

**(4)** This clause does not apply to milk and liquid milk products used in the manufacture of cheese.

**95.****Cheese**

(1) Milk and liquid milk products used in the manufacture of cheese must:

(a) be heat treated by being held at a temperature of not less than 72°C for a period of not less than 15 seconds; or

(b) be heat treated using a time and temperature combination that is of equal or greater lethal effect on the bacteria in the milk and milk products than would be achieved by the time and temperature controls specified in subsection (a); or

(c) be heat treated by being held at a temperature of not less than 62°C for a period of not less than 15 seconds, and the cheese stored at a temperature of not less than 2°C at the site of microbiological concern for a period of not less than 90 days after the day the cheese is manufactured; or

(d) Subjected to such other treatment that:

(i) Is specified in the approved arrangement applying to the treatment of the cheese; and

(ii) Ensures the cheese produced achieves a level of food safety equivalent to that achieved for cheese prepared from milk or liquid milk products that are treated in accordance with sub section (a).

(2) If sub section (b) or sub section (d) applies, the applicable approved arrangement must validate that the treatment achieves the objective specified in sub section (b) or sub section (d) (ii) (as the case may be).

**96.****Packaging and identification**

(1) Packaging, tags, labels and other materials used to package or identify milk and milk products must be fit for their intended use.

(2) The manner in which milk and milk products are packaged, tagged, labelled and identified and the packaging, tags, labels and other materials used:

(a) Must not adversely affect the fitness for human consumption of the milk and milk products concerned; and

(b) In the case of packaging — must effectively protect the milk and milk products concerned from contamination in the conditions under which they are to be stored, handled, loaded and transported.

**97.****Storage, handling and loading**

(1) Milk and milk products must be stored, handled and loaded in such a way that:

(a) They are protected from the likelihood of contamination; and

(b) The conditions (including humidity and atmosphere) under which they are stored, handled and loaded do not adversely affect their fitness for human consumption.

**98.****Loading for transport**

(1) Milk and milk products must not be loaded onto a vehicle, ship, aircraft or other means of transport unless:

- (a) The vehicle (including the food carrying compartment) and the container system unit; and
- (b) The equipment to be used in the food carrying compartment and the container system unit; and
- (c) The equipment to be used for the loading; comply with the applicable requirements of these Regulations.

The food carrying compartment is the part or area of the vehicle, ship, aircraft of other means of transport in which milk and milk products are carried,

**99.****Transport**

Milk and milk products must be protected during transport

(1) Milk and milk products must be transported under temperature controls that ensure that they are maintained during transportation in accordance with the requirements of clause 7 of this Schedule.

(2) Milk and milk products must be transported under such other conditions as are necessary to ensure that their fitness for human consumption is not adversely affected during transport.

For example in order to meet sub section 2 milk and milk products would need to be protected from pests and the likelihood of contamination during transport and should not be transported with live animals or any other thing that could contaminate the milk and milk products.

**100.****Official mark must be retained during transport**

(1) During the transport of milk and milk products any official mark applied:

- (a) To the milk and milk products, their packaging or to anything containing the milk and milk products; or
- (b) To any thing that is attached to:
  - (i) The milk and milk products; or
  - (ii) Their packaging; or
  - (iii) Any thing containing the milk and milk products; must be retained intact.

**101.****Evaluation of fitness for human consumption**

(1) Establishments preparing milk and milk products must have procedures in place for evaluating the fitness for human consumption of:

- (a) All milk and milk products (including returned product) received at the establishment; and
- (b) All ingredients received at the establishment; and
- (c) All milk and milk products prepared at the establishment.

This clause applies to all milk, milk products and ingredients received including those sourced from unregistered establishments and establishments to which these Regulations do not apply and those that are imported.

**102.****Milk and milk products not fit for human consumption**

(1) Milk and milk products that are not fit for human consumption must:

- (a) Be clearly identified as not for export as food; and
- (b) Be segregated from and not contaminate milk and milk products; and
- (c) Not be loaded for human consumption.

(2) Milk and milk products that are not fit for human consumption must:

- (a) Be disposed of so that they do not contaminate milk and milk products, their ingredients or the water supply; or
- (b) Be treated to render them fit for human consumption.

(3) Subsection 1 and 2 do not apply to manufacturing animal food.

**103.****Manufacturing grade milk and milk products**

(1) Manufacturing grade milk and milk products must:

- (a) Be clearly described as manufacturing grade and not fit for human consumption (or words of similar meaning); and
- (b) Be segregated from and not contaminate milk and milk products.

**104.****Milk and milk products that must be dealt with as sub-standard**

(1) Milk and milk products that under these Regulations must be dealt with as substandard milk and milk products must:

- (a) Be clearly identified as substandard; and
- (b) Be segregated from and not contaminate milk and milk products of good quality; and

- (c) Not be loaded for distribution as good quality product.
- (2) If:
  - (a) A permit for milk and milk products is revoked; or
  - (b) The Board gives the occupier of the establishment at which the milk and milk products concerned are located a written notice rejecting them; the milk and milk products concerned must:
    - (c) Be clearly identified as not permitted; and
    - (d) Be segregated from and not contaminate milk and milk products permitted for distribution; and
    - (e) Not be loaded for distribution with permitted products.

**105.****Milk and milk products that are not for export as food must:**

- (a) Be clearly identified as not for export as food; and
- (b) Be segregated from milk and milk products for export as food.

**106.****Animal food**

Animal food must:

- (a) Be clearly identified as animal food and not for human consumption; and
- (b) Be segregated from and not contaminate milk and milk products that are for food milk and milk products for animal food cannot be used as an ingredient for milk and milk products for human consumption.

**107.****Milk and milk products for export to identified markets**

If milk and milk products are not eligible for export as food to all markets the following must be readily ascertainable:

- (a) The countries to which the milk and milk products concerned are intended for export; and
- (b) Whether the importing country requirements for each of those countries that are specified in the applicable approved arrangement are met.

The approved arrangement must document controls used to ensure compliance with importing country requirements.

***Schedule 6***  
***Product standards***

**108.****Product standards for milk, milk products and ingredients**

- (1) Milk and milk products and their ingredients must not contain any of the following:
- (a) A metal or non metal contaminant or a natural toxicant in excess of the maximum level specified for the contaminant or toxicant;
  - (b) An agricultural or veterinary chemical in an amount that contravenes the requirements of the international and national laws;
  - (c) A food additive, processing aid, vitamin, mineral, added nutrient, other matter or substance in contravention of the applicable requirements of the international and national laws;
- (2) Milk and milk products for export as food to a country and their ingredients need not comply with a requirement of sub section 1:
- (a) as it applies to a contaminant or natural toxicant if the importing country authority specifies a maximum level for the contaminant or natural toxicant for milk, milk products or ingredients of the kind concerned and the milk, milk products or ingredients concerned do not exceed that maximum level; and
  - (b) as it applies to an agricultural or veterinary chemical if the importing country authority specifies a maximum limit for the chemical for milk, milk products or ingredients of the kind concerned and the milk, milk products or ingredients concerned do not exceed that limit; and
  - (c) as it applies to a food additive, processing aid, vitamin, mineral, added nutrient, other matter or substance  if the importing country authority specifies an alternative requirement for the food additive, processing aid, vitamin, mineral, added nutrient, other matter or substance milk, milk products or ingredients of the kind concerned and the milk, milk products or ingredients concerned comply with the alternative requirement.
- (3) If sub section 2 (a), 2 (b) or 2 (c) applies the applicable approved arrangement must:
- (a) Identify the maximum limit or alternative requirement concerned specified by the importing country authority; and
  - (b) Document the controls used to ensure compliance with that maximum limit or alternative requirement.

**109.****Microbiological limits**

- (1) Milk and milk products and their ingredients must meet the microbiological limits specified for milk, milk products or ingredients of that kind in the national and international standard setting bodies and these regulations..

(2) Milk and milk products for export as food to a country and their ingredients need not comply with sub section 1 if:

- (a) The importing country authority specifies an alternative microbiological limit for the milk, milk product or ingredient of the kind concerned; and
- (b) The milk, milk products or ingredients concerned comply with the alternative microbiological limit.

(3) If sub section.2 (a) applies the applicable approved arrangement must:

- (a) Identify the alternative microbiological limit specified by the importing country authority; and
- (b) Document the controls used to ensure compliance with that alternative microbiological limit.

## 110.

### **Gene technology, irradiation and other processes**

(1) Milk and milk products and their ingredients must not:

- (a) Be produced using gene technology; or
- (b) Be irradiated; or
- (c) Be produced using, or subjected to, any other process; in contravention of the applicable requirements of the national and international standards and these regulations.

(2) Milk and milk products for export as food to a country and their ingredients need not comply with sub section 1 if:

- (a) The importing country authority permits the gene technology, irradiation or other process for milk, milk products or ingredients of the kind concerned; and
- (b) The importing country requirements for the gene technology, irradiation or other process are complied with in relation to the milk, milk products or ingredients concerned.

(3) If sub section 2 (a) applies the applicable approved arrangement must

- (a) Identify the alternative requirements specified by the importing country authority; and
- (b) Document the controls used to ensure compliance with the alternative requirements.

## 111.

### **Methods of sampling and examination**

Microbiological sampling and examination

(1) The sampling and examination of milk and milk products and their ingredients for the purposes of demonstrating compliance with the microbiological limits must comply with:

- (a) The Swaziland Standards and these regulations
- (b) An equivalent method of examination in accordance with the Swaziland Standards



**(2)** The sampling and examination of milk and milk products and their ingredients for the purpose specified in sub section 1 must comply with any additional methods for their sampling and examination specified.

**(3)** The sampling and examination need not comply with sub section.1 and sub section.2 if:

(a) The importing country authority specifies an alternative method of sampling and examination for milk, milk products or ingredients of the kind concerned; and

(b) The sampling and examination is done in accordance with the alternative method.

**(4)** If sub section 3 (a) applies the applicable approved arrangement must:

(a) Identify the alternative method of sampling and examination specified by the importing country authority; and

(b) Document the controls used to ensure compliance with that alternative method of sampling and examination.

## *Schedule 7*

### *Trade description*

#### **112.**

##### **Requirement to have a trade description**

(1) Milk and milk products must have a trade description containing the information specified in section 115 (4) of this Schedule applied to their immediate container.

(2) The trade description must be applied before the milk and milk products leave the establishment at which they are last packed in their immediate container before being loaded.

#### **113.**

##### **Unlabelled canned product and unwrapped bulk loaded product**

(1) Despite section 112 of this Schedule a trade description containing the information specified in section 115 (4) of this Schedule need not be applied to:

- (a) Milk and milk products despatched from an establishment in cans without labels provided the requirements of section 116(2) of this Schedule are met; and
- (b) Unwrapped milk and milk products bulk loaded into container system units.

#### **114.**

##### **Milk and milk products identified as not for retail sale**

(1) Despite section 112 of this Schedule a trade description containing the information specified in section 115 of this Schedule need not be applied to milk and milk products if:

- (a) The milk and milk products are identified as not for retail sale; and
- (b) The information specified in section 116 of this Schedule is applied to the outer container containing the milk and milk products before the outer container is loaded.

#### **115.**

##### **Contents of the trade description**

(1) The trade description must contain:

- (a) A description of the milk and milk products; and
- (b) For milk and milk products containing more than one ingredient a list of ingredients must be clearly written; and
- (c) The net contents of the milk and milk products; and
- (d) The country of origin of the milk and milk products; and
- (e) The registration number of the establishment at which the milk and milk products are last prepared (other than handled, loaded or stored) before being exported; and
- (f) The name and address of:
  - (i) The exporter; or

- (ii) The occupier of the establishment at which the milk and milk products are last prepared (other than handled, loaded or stored) before being exported; or
- (iii) The consignee; and
- (g) The identity of the lot for the milk and milk products; and
- (h) The directions for the use or storage if the milk and milk products are of a nature as to warrant such directions for reasons of food safety.

*Note 1:* For accuracy of the trade description section 121 of this Schedule.

Conduct that is misleading or deceptive or is likely to mislead or deceive and making false or misleading representations, including about the country of origin of milk and milk products is prohibited. *If* the importing country authority specifies that it does not require a trade description requirement of this Schedule to be complied with (or specifies a less stringent requirement), the Board may, at the request of the occupier, give the occupier a notice specifying that the requirement of this Schedule does not apply.

## 116.

### **Canned milk and milk products**

- (1) If canned milk or canned milk products are not permanently marked with the complete trade description at the time of filling the cans, the letters 'EX' followed by the registration number of the establishment at which the cans are closed must be embossed or otherwise permanently marked on the cans.
- (2) If canned milk or canned milk products are to be despatched from an establishment in cans without labels the cans must be embossed or otherwise permanently marked at the time of filling with:
  - (a) A product cypher that can be used to identify the milk and milk products; and
  - (b) The letters 'EX' followed by the registration number of the establishment at which the can is closed; and
  - (c) The country of origin of the milk and milk products; and
  - (d) The identity of the lot for the milk and milk products.

## 117.

### **Ingredients**

- (1) The trade description applied to milk and milk products must meet each of the applicable requirements for the labelling and naming of ingredients and compound ingredients.
- (2) Without limiting the generality of sub section 1 the ingredients must be listed in order.
- (3) Statement of ingredients must also be listed even in small packages- means a package with a total surface area of less than 100 cm<sup>2</sup>.
- (4) For the purposes of complying with the requirements of the regulations
  - (a) **Ingredient** must comply with the regulations
  - (b) **Ingredient** means any substance (including a food additive) that is a constituent of milk and milk products but does not include a processing aid.

**118.****Compositional claims**

If a claim as to composition is made or implied regarding milk and milk products, a quantitative statement supporting the claim must be included in the trade description.

**119.****Identifying the establishment**

The registration number of the establishment must be clearly distinguishable as being the registration number.

**120.****Identifying the farmer, producer, exporter, importer, trader, distributor, processor etc**

(1) For the purposes of the regulations, if:

- (a) The name and address of the exporter, importer, processor, distributor, trader or consignee is used; and
- (b) The exporter, importer, processor, distributor, trader or consignee is not a person who prepares the milk and milk products concerned; the name must be preceded by the words 'Packed for' or a statement of similar meaning.

**121.****Miscellaneous**

(1) Information required under these Regulations to be contained in the trade description must:

- (a) Be accurate; and
- (b) Be legible; and
- (c) Be prominent, conspicuous and not obscured in any way; and
- (d) Be securely applied.

**113.****Additional information applied to a trade description**

Additional information or pictures applied to milk and milk products must not be inconsistent with information required under these Regulations to be contained in the trade description.

**114.****Trade description applied to packaging material, liners, outer containers etc**

(1) A trade description applied to:

- (a) packaging material such as carton liners, wraps or sheets within blocks to separate milk and milk products; or

(b) An outer container containing a number of immediate containers of milk and milk products; must not be inconsistent with any part of the trade description required to be applied under these Regulations.

**115.**

**Trade descriptions in a language other than English**

Any part of a trade description applied to milk and milk products that appear in a language other than English or Siswati must not be inconsistent with any part of the trade description in the English language.

**116.**

**When a trade description must not be altered or interfered with**

(1) The trade description required under these Regulations to be applied to milk and milk products must not be altered or interfered with unless:

- (a) The alteration or interference is done by, or under the direction of, an authorized officer; or
- (b) An authorized officer gives written approval for the alteration or interference; or
- (c) The applicable approved arrangement provides for the alteration and interference in the circumstances in which the alteration or interference is made.

## *Schedule 8*

### *Identification, tracing systems, integrity and transfer*

**117.**

#### **Identification, tracing systems, integrity and recall**

(1) Effective measures for tracing systems, for making records and retaining documents and for the identification of milk and milk products must ensure that all milk and milk products prepared at the establishment can be:

- (a) Identified; and
- (b) Traced; and
- (c) If necessary, recalled.

**118.**

#### **Integrity**

The integrity of milk and milk products must be maintained.

**119.**

#### **Supply and preparation**

(1) Milk and milk products and their ingredients must be sourced only from a supplier with traceability systems in place to ensure that the milk and milk products and ingredients can be identified, traced and if necessary recalled.

(2) A record must be made of the name of the supplier of all milk and milk products and ingredients received at an establishment engaged in the preparation of milk and milk products.

**120.**

#### **Production records**

(1) A record must be made of all information necessary to ensure:

- (a) Trace-back to the individual lot of milk and milk products prepared at an establishment; and
- (b) Trace-back to the supplier of the ingredients used in each lot of the milk and milk products and the date of supply of the ingredients.

(2) For the purposes of complying with section 115 (a) and without limiting the generality of section 115, for each lot of milk and milk products prepared at an establishment a record must be made of:

- (a) The description of the milk and milk products; and
- (b) The quantity of milk and milk products in the lot; and

- (c) The lot identity of the milk and milk products; and
- (d) The date of preparation of the milk and milk products; and
- (e) The milk and milk products and their ingredients.

## 121.

### **Identification of milk and milk products**

(1) The following information must be applied to the outer container of milk and milk products before the container leaves the establishment at which the outer container is packed:

- (a) A description of the milk and milk products;
- (b) The registration number of the establishment at which the outer container is packed;
- (c) The quantity of the milk and milk products in the container;
- (d) The lot identity of the milk and milk products;
- (e) The country of origin of the milk and milk products.

## 122.

### **Transfer**

(1) For each consignment of milk and milk products despatched from an establishment the following information must be given to the consignee:

- (a) The name, address and registration number of the despatching establishment;
- (b) A full description of the milk and milk products that is sufficient to identify them;
- (c) An indication of the temperature controls under which the milk and milk products must, under these Regulations, be transported;
- (d) The quantity of the milk and milk products in the consignment and the number and description of packages (if any) in which the milk and milk products are packed;
- (e) If the milk and milk products are prepared in order to meet the importing country requirements of one or more identified countries — the name of those countries;
- (f) The name and address and registration number (if any) of the establishment to which the milk and milk products are despatched;
- (g) A declaration stating that:
  - (i) The conditions and restrictions specified in the regulations and
  - (ii) The importing country requirements identified in the approved arrangement; that apply to and in relation to the milk and milk products while they are at the establishment are complied with;
- (h) A declaration stating that all the information given to the consignee for the purposes of complying with this clause is true and complete.

(2) For each consignment of milk and milk products for animal food despatched from an establishment engaged in the preparation of milk and milk products the information specified in section 117 (a), (b), (d), (f), (g) and (h) must be given to the consignee.

### **123.**

#### **Unlabelled canned product and unwrapped bulk loaded product**

(1) If milk and milk products:

- (a) Are despatched from an establishment in cans without labels; or
- (b) Are unwrapped milk and milk products bulk loaded into container system units; the outstanding information (if any) required to comply with the requirements of section 115 in Schedule 7 must also be given to the consignee.

### **124.**

#### **Intra-company transfers**

(1) This Part does not apply to the despatch of milk and milk products if both of the following apply:

- (a) The same person is the occupier of the despatching and the receiving establishment; and
- (b) The occupier's approved arrangement documents the controls necessary to ensure that the requirements of section 117 of this Schedule are complied with during the transfer.

### **125.**

#### **Requirements for declarations**

(1) A declaration referred to in section 115 (g) and (h) of this Schedule must be signed and dated by the maker of the declaration. Declarations can be done electronically

(2) A declaration referred to in section 115 (g) and (h) of this Schedule must be made by:

- (a) The occupier; or
- (b) A person who is designated in the despatching establishment's approved arrangement as a person who may make such a declaration on behalf of the occupier.

(3) A declaration must not:

- (a) Be false, misleading or incomplete; or
- (b) Be made if there is no sound basis for making it.

If a false, misleading or incomplete statement is made or there is no sound basis for the statement the establishment's approved arrangement may be suspended or revoked.

### **126.**

#### **Giving information to the consignee**



(1) For the purpose of section 122 and 123 of this Schedule the information is taken to be given to the consignee if:

- (a) It is in writing; and
- (b) It is given to the consignee at the time of despatch of the milk and milk products concerned or accompanies the milk and milk products concerned during despatch.

## **127.**

### **Receipt of milk and milk products**

(1) If:

- (a) Milk and milk products are received by an establishment engaged in the preparation of milk and milk products; and
- (b) the establishment does not receive the relevant information referred to in clauses 6 or 7 (as the case may be) of this Schedule or the information does not accompany the milk and milk products concerned; or
- (c) The information referred to in clauses 6 or 7 received by the establishment or accompanying the milk and milk products is inaccurate or incomplete; the occupier must notify an authorized officer and the sender as soon as practicable on becoming aware that the information was not received or is inaccurate or incomplete.

(2) If:

- (a) Milk and milk products are received by an establishment engaged in the preparation of milk and milk products; and
- (b) A circumstance referred to in section 127 (1) (b) or (c) exists; the milk and milk products concerned must:
  - (c) be held at the establishment under conditions of security and not dealt with further as milk and milk products unless an authorized officer gives written approval for the milk and milk products concerned to be dealt with further; or
  - (d) Be dealt with as milk and milk products that are substandard and risky or until the sender or source send all the required information.

## **128.**

### **Identification during transport**

The identification of milk and milk products must not be lost during transport.

***Schedule 9***  
***Documentation***

**129.****Making an application- Permits (import, export, transit, emergency)**

An application for any permit for milk and milk products must:

- (a) Be in the form approved by the Board for making applications for the permit of milk and milk products; and
- (b) Be given to the Board.

**130.****Contents of the application**

An application for any permit for milk and milk products must contain the following information for the milk and milk products concerned:

- (a) The name and address in Swaziland of the person who intends to apply
- (b) The registration number of the processing establishment(s) at which it was or were prepared if they are two or more, list all of them (other than merely stored, handled, or loaded);
- (c) Each of the dates on which they are prepared (other than merely stored, handled or loaded);
- (d) If Swaziland is not their country of origin their country of origin;
- (e) The name and address of the consignee, or if a government permit required;
- (f) The intended port of entry or airport;
- (g) The intended date of departure or arrival of the consignment;
- (h) The mode of transport
- (i) Their intended market (s);
- (j) The importing or exporting country
- (k) Their net contents and the number and type of packages (if any) in which they are packed;
- (l) Their full description, including the type of milk and milk products concerned, the pack type and preservation (for example chilled, frozen or unrefrigerated);
- (m) Any other information required by the Board.

**131.**

**Declaration of compliance**

(1) An application for any permit for milk and milk products must contain a declaration that the permit applicant is in possession of:

(a) A declaration that applies to the milk and milk products concerned and complies with the requirements of this Schedule; or

(b) A written verification for the milk and milk products concerned made by an authorized officer under section 136 of this Schedule.

(2) Milk and milk products must be prepared under an approved arrangement that provides for inspection procedures that include the making of declarations of compliance for the milk and milk products concerned.

**132.****Statement that information is correct and complete**

(1) An application for a permit must contain a statement that all information given in the application is true and complete.

**133.****Declaration of compliance made under an approved arrangement**

When a declaration may be made

(1) A person may make a declaration if the applicable approved arrangement provides for inspection procedures that include the making of declarations of compliance for the milk and milk products concerned.

(2) The declaration must be made by:

(a) The occupier; or

(b) A person designated in the applicable approved arrangement as a person who may make such a declaration on behalf of the occupier;

(c) Relevant and competent Government authorised person

(d) the board of the processing establishment (s) at which the milk and milk products concerned are last prepared (other than merely stored, handled or loaded).

**134.****Contents of the declaration**

A declaration of compliance must:

(a) Identify the milk and milk products concerned and state that it relates to the compliance with:

(i) The conditions and restrictions specified in the regulations and

(ii) The country's requirements identified in the approved arrangement; applicable to the milk and milk products at the time they are last processed and prepared (other than merely stored, handled or loaded); and

- (b) Declare that the conditions and restrictions are complied with; and
- (c) State that the information is true and complete; and
- (d) Be signed by the maker of the declaration and dated.
- (e) Relevant and competent Government authorised person

This declaration may be the one that is made for the purposes of the transfer of milk and milk products by the occupier of the processing establishment (s) at which the milk and milk products are last prepared (other than merely stored, handled, distributed or loaded).

### **135.**

#### **Declaration must be correct and complete**

A declaration referred to in this Division must not:

- (a) Be false, misleading or incomplete; or
- (b) Be made if there is no sound basis for making it.

If a false, misleading or incomplete statement is made or there is no sound basis for the statement the establishment's approved arrangement may be suspended or revoked.

### **136.**

#### **Verification and inspection by an authorized officer**

If:

- (a) An application for a permit for milk and milk products is given by the Board and there has been an opportunity to inspect the milk and milk products if required; and
- (b) An authorized officer has reasonable grounds to believe that the conditions and restrictions specified in the regulations are complied with; the officer may give a written verification of the matters referred to in paragraph (b).

### **137.**

#### **Inspection, examination and sampling**

An authorized officer may conduct such inspections and examinations and take such samples as are necessary for the purposes of making a verification referred to in section 136 of this Schedule.

### **138.**

#### **Permission to export or import etc**

- (1) This Division contains provisions for permits.
- (2) Section 139 describes the issuing of permits on an ongoing basis under an approved arrangement.
- (3) Section 140 describes the issue of permits on an ongoing basis by persons approved by the Board to issue permits.

(4) Section 141 describes the fully automated system used to give permits. In this case the computer is programmed so that it does not result in the giving of permits unless certain preconditions are met. A person may access the automated system to issue permits if the person has approval to do so under an approved arrangement or if the person is given approval to do so by the Board.

(5) Section 142 describes the giving of permits in circumstances where Section 139 to 141 do not apply and where the Board only gives permits where the Board has reasonable grounds to believe that certain preconditions are met.

(6) The remansing sections in this Division regulate the approval of arrangements for the issue of permits and the approval of persons who may issue permits.

### **139.**

#### **Issue of permits under an approved arrangement**

(1) This clause does not apply permits:

- (a) Generated as a result of the operation of a computer operating system; or
- (b) Given by the Board under Section 142 of this Schedule.

(2) This clause applies if:

- (a) The occupier of the establishment is also the processor of milk and milk products that are last prepared (other than merely stored, handled or loaded) at the establishment; and
- (b) The occupier's approved arrangement contains inspection procedures of milk and milk products of the kind referred to in Sub section.2 (a) that include:
  - (i) The making of declarations referred to in Sub section 3 (a) of this Schedule; and
  - (ii) The issue of permits by the occupier; and
  - (iii) Designates a person who has management responsibilities at the establishment for inspection procedures as a person who may make the declarations and issue permits on behalf of the occupier, to be signed by a competent Government authorised officer and the board

(3) Permits may be issued on behalf of the occupier by a relevant and competent government authorised person, the board or a person referred to in Sub section.2 (b) (iii).

(4) Requirements for applications for a permit

(5) A permit issued must contain:

- (a) All the information specified in Section 130 of this Schedule; and
- (b) A declaration that applies to the milk and milk products and complies with the requirements of the regulations; and
- (c) A statement that all information in the permit is true and complete.

(6) The occupier must give a copy of each permit issued by a person (s) referred to in Sub section 3 to the Board within 3 working days after the day the milk and milk products identified in the permit are exported or imported.

**140.****Issue of permits by approved person**

(1) This clause does not apply to permits:

- (a) Generated as a result of the operation of a computer operating system; or
- (b) Issued by the Board under Section 142 of this Schedule.

(2) An approved permit issuer may issue a permit for milk and milk products of the kind described in the approval.

(3) Requirements for applications for a permit

(4) A permit issued by an approved permit issuer such as Government Veterinary Officers and the Board must contain:

- (a) All of the information specified in Section 130 of this Schedule; and
- (b) A declaration that they are in possession of a declaration that:
  - (i) Applies to the milk and milk products; and
  - (ii) Complies with the requirements of Section 134 of this Schedule; and
- (c) A statement that all information in the permit is true and complete.

(5) An approved permit issuer must ensure a copy of each permit he or she issues is given to the Board within 3 working days after the day the milk and milk products identified in the permit are exported or imported.

**141.****Automated permits**

(1) This provision applies if the permit is an electronic notice generated as a result of the operation of a computer operating system

(2) If each of the circumstances in Section 139 (2) of this Schedule exists a person referred to in Section 139 (3) of this Schedule may access the computer operating system for the purpose of the issue of permits.

(3) An approved permit issuer may access the computer operating system for the purpose of the issue of export permits.

(4) The Board must take all reasonable steps to ensure that the computer system does not result in the issue of a permit for milk and milk products unless there are reasonable grounds to believe that there are systems in place to ensure:

- (a) an application for a permit for the milk and milk products concerned is given to the Board and an authorized officer has had an opportunity to inspect the milk and milk products if required; and
- (b) The application contains the information specified in Section 130 of this Schedule; and
- (c) A declaration referred to in Section 131 of this Schedule is made; and
- (d) The conditions and restrictions specified in these Regulations that must be satisfied before the milk and milk products are complied with; and

(e) The information given to the Board in, or in connection with the application for the permit is accurate and complete and that there is a sound basis for the information.

(5) A permit issued under this clause is taken to be given by the Board.

## 142.

### **Permits given by the Board in other circumstances**

(1) This clause applies to permits given by the Board that are not generated as described in section 141 of this Schedule.

(2) The Board may give the person named in an application a permit for milk and milk products if all of the following circumstances exist:

- (a) An application for a permit for the milk and milk products is given to the Board and an authorized officer has had an opportunity to inspect the milk and milk products if required; and
- (b) The application contains the information specified in section 130 of this Schedule; and
- (c) A declaration referred to in section 131 of this Schedule is made; and
- (d) The Board is satisfied that the conditions and restrictions specified in these Regulations are complied with; and
- (e) The Board is satisfied that the information given to the Board in, or in connection with the application for the permit is accurate and complete and that there is a sound basis for the information.

### **Approval etc of approved arrangements for issuing permits**

(1) The Board may under section 22 of Schedule 2 approve an arrangement as it relates to the matters referred to in section 139(2) of this Schedule if the Board is satisfied that:

- (a) permits issued under the arrangement and other information given by the occupier to the Board in, or in connection with the export and import of milk and milk products will be accurate and complete and have a sound basis; and
- (b) The conditions and restrictions specified in these Regulations will be complied with; and
- (c) The occupier's arrangement contains controls to demonstrate how the occupier will comply with the requirements of these Regulations and section 139 (5) and (6) of this Schedule.

(2) The Board may under section 27 of Schedule 2 require the occupier to submit a variation of the approved arrangement as it relates to the matters referred to in section 139 (2) of this Schedule if the Board is not satisfied that compliance with the controls specified in the approved arrangement ensures that the matters specified in these Regulations and subclauses section 139 (5) and (6) of this Schedule are complied with.

(3) The Board may under section 29 of Schedule 2 suspend or revoke the approval of an approved arrangement as it relates to the matters referred to in subclause section 139 (2) of this Schedule if:

- (a) The Board is satisfied that any of the matters specified in sub section (1) are not met; or
- (b) A person who may under section 139 (3) issue permits on behalf of the occupier is not, or ceases to be, a fit and proper person
- (c) The occupier has failed to comply with a requirement of these Regulations or section 139 (5) or (6) of this Schedule; or
- (d) The occupier has failed to provide the assistance required.

(4) The preconditions specified in section 143 (1) are in addition to those specified in section 22 (1) of Schedule 2.

(5) Section 143 (2) and (3) do not operate so as to limit the ability of the Board to require a variation or suspend or revoke an arrangement under section 27(1) and 29 (1) (as the case may be) of Schedule 2.

## **143.**

### **Approval to issue permits**

(1) An individual may apply for approval to issue permits of milk and milk products prepared under an approved arrangement and import and export requirements that contains inspection procedures.

(2) The application must contain:

- (a) The information specified in section 130 (a) and (b) of this Schedule; and
- (b) A description of the milk and milk products for which approval to issue permits is required; and
- (c) A statement by the applicant that all information given in the application is true and complete; and
- (d) Any other information required by the Board.

(3) The Board may request that the applicant provide further specified information or documents that the Board reasonably requires in order to decide the application.

(4) If the Board has not decided the application within 60 days after the day the application is received (not including any period between the Board making a written request under subclause 16.3 and the applicant meeting the request) the Board is taken to have refused the application.

(5) The Board may by written notice give the applicant approval to issue permits for milk and milk products of the kind specified in the application if the Board is satisfied:

- (a) The applicant will comply with the applicable requirements of the regulations; and
- (b) Permits issued by the applicant will comply with section 140 (4) of this Schedule; and
- (c) The applicant will comply with section 140 (5) of this Schedule; and
- (d) The applicant is a fit and proper person



- (6) If the Board decides not to approve the applicant the Board must give the applicant written notice of the decision.
- (7) The notice must:
- (a) Set out the reasons for the decision; and
  - (b) Tell the applicant of his or her right to apply for reconsideration of the decision.
- (8) The Board may:
- (a) Give approval subject to conditions specified in the approval; and
  - (b) By written notice given to the approved permit issuer impose new conditions or vary or revoke the conditions.
- (9) The conditions must be for the purpose of ensuring that:
- (a) The permits will comply with section 140 (4) of this Schedule; and
  - (b) The approved permit issuer will comply with section 140 (5) of this Schedule; and
  - (c) That an accurate assessment can be made as to whether sub section 140 9 (a) and 9 (b) are met.
- (10) The Board may by written notice given to an approved permit issuer revoke the approval if the Board has reasonable grounds to believe that the approved permit issuer:
- (a) Has failed to comply with an applicable requirement of these Regulations or a condition of the approval; or
  - (b) has in an application or other document given to the Board or in a document or information required to be made or given under the Act, the Regulations or a condition of the approval of the person made a statement that is:
    - (i) False, misleading, or incomplete; or
    - (ii) For which there is no sound basis for making the statement; or
  - (c) Has failed to provide the assistance referred to in order 60; or
  - (d) Is not, or has ceased to be, a fit and proper person.
- (11) The approval and a revocation take effect:
- (a) On the day specified in the written notice of the approval or revocation as the day the approval or revocation takes effect; or
  - (b) If no such day is specified — when written notice of the approval or revocation is given to the person concerned.
- (12) The Board must give the person concerned written notice of:
- (a) The reasons for the revocation; and
  - (b) The person's right to apply for reconsideration of the decision.

## 144.

### Restrictions on giving a permit

- (1) A permit must not be given under this Schedule for milk and milk products if the Board has reasonable grounds to believe that:

- (a) A condition or disease that could affect the acceptability of milk and milk products is present; or
  - (b) The export, import, distribution, processing or trading of the milk and milk products could result in trade in Swaziland being adversely affected.
  - (c) failure of permit holder to pay all the necessary fees
- (2) A permit need not be given under this Schedule for milk and milk products if the Board has reasonable grounds to believe that:
- (a) Requirements for the milk and milk products is not complied with; or
  - (b) A person who applies in respect of the milk and milk products concerned has failed to provide the assistance required; or
  - (c) A person applies in respect of the milk and milk products concerned have failed to comply with an applicable requirement of the Act or these Regulations.
  - (d) Failure of the permit holder to pay all the necessary fees such as levy, licence fee and permit fee

#### **145.**

##### **Allocation of permit number**

The Board must take all reasonable steps to ensure that permits given under this Schedule is allocated a unique identifying number at the time it is given (including generated).

#### **146.**

##### **Variation and revocation of a permit**

- (1) The Board may, at the written request of a person who applies, vary a permit to:
- (a) Correct any error; or
  - (b) Update the information; on the face of the permit.
- (2) The Board may revoke a permit by giving a notice to a person who applies.
- (3) The notice of revocation of a permit for milk and milk products may be given if the Board has reasonable grounds to believe that:
- (a) A condition or restriction specified in these Regulations is not complied with; or
  - (b) Requirements for the milk and milk products is not complied with; or
  - (c) There is a risk the milk and milk products has deteriorated or is likely to deteriorate or is likely to be unfit for human consumption; or
  - (d) The intention to import, export or process the milk and milk products is abandoned; or
  - (e) Information given to the Board in relation to the milk and milk products is inaccurate or incomplete or does not have a sound basis; or
  - (f) There is a condition or disease that could affect the acceptability of milk and milk products; or

(g) The import, export, distribution, trading or processing of the milk and milk products could result in trade being adversely affected; or

(h) A circumstance referred to in paragraphs 17.2 of this Schedule exists.

#### **147.**

##### **When a permit has effect**

(1) A permit takes effect when it is issued or given (as the case may be).

(2) A permit ceases to have effect:

(a) When it is revoked; or

(b) In any other case — at the end of a period of 30 calendar days after the day it takes effect.

#### **148.**

##### **Direction given by authorized officer prevails**

If the permit given is inconsistent with a written notice of a direction given by an authorized officer in accordance with these Regulations then the permit is, to the extent of the inconsistency, of no effect

#### **149.**

##### **Application for a government permits**

(1) A person may apply to the Ministry of Agriculture or the relevant ministry for the issue of a government permits in respect of milk and milk.

(2) The Ministry may accept information given in an application for a permit as satisfying any requirement to give the same information in an application for a government permit.

#### **150.**

##### **Issue of government permits**

(1) The ministry may issue a permit for milk and milk products if satisfied that the following are complied with:

(a) The conditions and restrictions specified in these Regulations; and

(b) The requirements for the milk and milk products; and

(c) Any matters specified on the permits concerning milk and milk products.

#### **151.**

##### **Restrictions on issuing a government permit**

(1) A permit must not be issued under section 150 of this Schedule if the ministry is satisfied that:

(a) A permit has not been issued or given for the milk and milk products or the permit has ceased to have effect; or

- (b) The information given to the ministry in, or in connection with, the application for the permit is inaccurate or incomplete or does not have a sound basis; or
  - (c) A condition or disease that is likely to affect the acceptability of milk and milk products to the importing or exporting country; or
  - (d) The export, import, processing, distribution or trading of the milk and milk products could result in trade in Swaziland being adversely affected.
- (2) The ministry need not issue a permit under section 150 of this Schedule for milk and milk products if satisfied that:
- (a) A person who applies has failed to provide the assistance required;
  - (b) A person who applies has failed to comply with an applicable requirement of the Act and these Regulations.
- (3) A government permit must not be issued under section 150 of this Schedule for manufacturing grade milk and sub standard and risky milk products or products not fit for human consumption.
- (4) A government permit must not be issued under section 150 of this Schedule for milk and milk products for use for animal food
- (5) The ministry may under section 150 of this Schedule issue a government permit that the nature and condition of milk and milk products for use for animal food.

## 152.

### **Giving information or documents about permits**

- (1) (a) the computer operating system under the control of the Board is the computer operating system for use for giving documents or information in relation to permits of milk and milk products; and
  - (b) the software system is the software interface system for giving documents or information in relation to permits of milk and milk products; and
  - (c) Any software operating system listed in the document approved by the board and giving documents or information in relation to the permits of milk and milk products is a software operating system for that purpose.
- (2) If the following are to be done electronically they must be done electronically by being transmitted using the systems specified:
- (a) The giving of an application for a permit and an amendment of an application for a permit;
  - (b) The issuing or giving of a permit.
- (3) Sub section 2 does not apply to permits issued under section 139 or 140 of this Schedule.
- (4) The following may be given electronically by being transmitted using the systems specified in sub section 1:
- (a) An application for a government and board permits;
  - (b) A government and board permits.

**(5)** If a person has a disability, or a particular disability, the Board must take reasonable steps to ensure:

- (a) the person has equal opportunity in relation to the issuing, giving and receiving of documents referred to in subsection 2 and 4; and
- (b) The special needs the person may have in relation the issuing, giving and receiving of the documents are met.

### **153.**

#### **Inoperative system**

**(1)** If a system described in sub section 1 of this Schedule is inoperative, the information must be given in the manner specified by the Board in writing.

**(2)** Sub section 1 does not require the Board to specify the manner of giving information unless a system is inoperative.

### **154.**

#### **Specifications for transmissions by the Board**

An electronic transmission made to a person (other than the Board) using the systems referred to in sub section 1 must be transmitted to the person as identified by the identifying code given to the person under section 157 of this Schedule.

### **155.**

#### **Authentication for transmissions to the Board**

The sender of a transmission to the Board using the systems referred to in sub section.1 must authenticate the transmission by including the sender's identifying code.

### **156.**

#### **Requirements are specifications for the purposes of the Act and the regulations**

The requirements specified in section 152 to 155 of this Schedule are specifications for the purposes of the Act and these regulations

### **157.**

#### **Allocation of user identifying code**

The Board must take all reasonable steps to ensure that an identifying code for use in electronic transmissions is given to each person who may under subclauses section 141 (2) and (3) of this Schedule access the computer operating system for the purpose of the issue of permits.

***Schedule 10***  
***Approved auditors***

**158.****Approved auditors**

- (1) The Board must keep a register of approved auditors.
- (2) The register must contain the following information about each approved auditor:
  - (a) The auditor's name; and
  - (b) Whether the approval is for approval as an approved auditor of:
    - (i) Operations for the preparation of milk and milk; or
    - (ii) operations in farming, producing, importing,, exporting, processing, distributing, trading or manufacturing milk and milk products; or
    - (iii) Operations for the issue of permits; and
  - (c) If the approval is for approval as an approved auditor of operations for the preparation of milk and milk products— any limitations of the kind specified in section 162(3) (b) of this Schedule.
- (3) The Board must ensure that the register can be readily accessed by members of the public. The applicant must pay a registration and maintenance fees to the board. The fees are set or determined by the board.

**159.****Application for approval**

- (1) An individual may make a written application for approval as an approved auditor of:
  - (a) Operations for the preparation of milk and milk products; or
  - (b) operations in farming, producing, importing, exporting, processing, distributing, trading or manufacturing milk and milk products as food; or
  - (c) Operations for the issue of permits.
- (2) The application must be given to the Board and must be accompanied by:
  - (a) Evidence of the applicant's qualifications; and
  - (b) Details of the applicant's experience relevant to the work of an auditor; and
  - (c) Documented procedures for the conduct of audits by the applicant.
- (3) An application for approval as an approved auditor of operations for the preparation of milk and milk products as food must specify:
  - (a) That approval of the applicant is sought for the audit of compliance with all of the following:
    - (i) All of the applicable requirements of the Act and these Regulations; and
    - (ii) All requirements of approved arrangements and their conditions; and

(iii) All other relevant requirements for all aspects of the preparation of all milk and milk products at all establishments; or

(b) Must specify:

- (i) The requirements; and
- (ii) The aspects of preparation; and
- (iii) The milk and milk products; and
- (iv) The establishments (including industries or industry sectors) of a particular kind; and in relation to which the approval of the auditor is sought.

## **160.**

### **Request for information, documents or assessment**

The Board may request that the applicant do any of the following that the Board reasonably requires in order to decide the application:

- (a) Provide further specified information or documents;
- (b) Submit to assessment by interview, audit or written examination, or any combination of those ways.

## **161.**

### **Decision by the Board**

- (1) If the Board has not decided the application within 30 days after the day the application is received the Board is taken to have refused the application.

## **162.**

### **Approval by the Board**

(1) The Board may, by written notice given to the applicant, approve the applicant as an auditor if the Board is satisfied that:

- (a) The applicant has the necessary knowledge, training, skills and experience to competently carry out audits of the kind for which approval is sought; and
- (b) The audits conducted by the applicant will be objective, independent, fair and accurate and, unless stated otherwise in the audit report, will be complete; and
- (c) The applicant will comply with the requirements of these Regulations; and
- (d) The applicant will comply with documented procedures for the conduct of audits that are necessary to ensure:
  - (i) The matters specified in sub section 1 (b) and 1 (c) will be met; and
  - (ii) An accurate assessment can be made of whether the matters specified in sub section 1 (b) and 1 (c) are met; and
- (e) The applicant will comply with the procedures referred to in sub section 1 (d); and
- (f) The applicant is a fit and proper person

(2) Without limiting the matters the Board may take into account for the purpose of being satisfied of the matters specified in sub section 1, the Board may take into account any real or perceived conflict of interest that could arise if the applicant was to be approved.

(3) The notice of approval of an approved auditor of operations for the preparation of milk and milk products:

(a) Must specify that the approval is for the audit of compliance with all of the requirements specified in section 159 (3) (a) of this Schedule for all aspects of the preparation of all milk and milk products at all establishments; or

(b) Must specify:

(i) The requirements; and

(ii) The aspects of preparation; and

(iii) The milk and milk products; and

(iv) The establishments (including industries or industry sectors) of a particular kind; and in relation to which the approval of is given.

#### Identity cards

The Board may issue to an approved auditor an identity card in a form approved by the Board.

If a person in possession of an identity card issued ceases to be an approved auditor, the person must forthwith return the identity card to the Board or a person nominated by the Board.

### 163.

#### **When the Board need not approve an auditor**

The Board need not approve the applicant as an auditor if the applicant:

(a) Either alone or jointly with another person owes any amount payable to the board; or

(b) has, in an application or other document given to the Board, or in a document or information required to be made or given under the Act, the Regulations or a condition of the approval of the auditor made a statement that is:

(i) False, misleading, or incomplete; or

(ii) For which there is no sound basis for making the statement.

### 164.

#### **Notice of decision**

If the Board decides not to approve the applicant as an approved auditor the Board must give the applicant written notice of:

(a) The decision and the reasons for the decision; and

(b) The applicant's right to apply for reconsideration of the decision.



**165.****Approval may be subject to conditions**

- (1) The Board may:
- (a) Approve a person as an approved auditor subject to conditions specified in the notice of approval; and
  - (b) By written notice given to the approved auditor impose new conditions or vary or revoke the conditions.
- (2) The conditions must be for the purpose of ensuring that the matters specified in section 162 (1) (a) to (e) of this Schedule are met.

**166.****How long approval lasts**

- (1) The approval of a person as an auditor takes effect on:
- (a) the day specified in the notice given under section 162 of this Schedule as being the day the approval takes effect; or
  - (b) If no day is so specified — the day that the notice is given to the person.
- (2) However, if the auditor must pay the fees to the board the approval does not begin to have effect until the fees are paid.
- (3) The approval of a person as an auditor ceases to have effect:
- (a) at the end of 12 months after the day specified in sub section 1 as the day the approval takes effect; or
  - (b) When it is revoked; which ever occurs first.

**167.****Assessing the competence of approved auditor**

- (1) The Board may assess the competence of an approved auditor, as often as the Board thinks necessary.
- (2) Without limiting sub section 1 the assessment may include:
- (a) An examination of reports made by the auditor in the course of auditing operations; and
  - (b) An audit of at least one operation that was audited under these Regulations within the previous six months by the auditor; and
  - (c) Observing the auditor while he or she is conducting an audit.

**168.****Revocation of approval of auditor**

- (1) The Board may by written notice revoke the approval of a person as an approved auditor if the Board:

- (a) Is satisfied that the applicant is not a fit and proper person.
  - (b) has reasonable grounds to believe the person does not have the necessary knowledge, training, skills or experience to competently carry out audits of the kind for which approval is given or the person has failed to show reasonable competence in audit work; or
  - (c) has reasonable grounds to believe an audit conducted or an audit report prepared by the person is not objective, independent, fair, accurate or complete (and the audit report fails to give sound reasons why the audit is incomplete); or
  - (d) Has reasonable grounds to believe the person has failed to comply with a requirements of these Regulations or a condition of the approval of the person as an approved auditor; or
  - (e) Has reasonable grounds to believe the person has in an application or other document given to the Board or in a document or information required to be made or given under the Act, the Regulations or a condition of the approval of the person as an approved auditor made a statement that is:
    - (i) False, misleading, or incomplete; or
    - (ii) For which there is no sound basis for making the statement.
- (2)** Without limiting the matters the Board may take into account for the purpose of forming a view as to the matters specified in subclause 11.1, the Board may take into account any real or perceived conflict of interest.
- (3)** The revocation takes effect:
- (a) on the day specified in the written notice of revocation given to the auditor concerned as being the day it takes effect; or
  - (b) If no such day is specified — when the written notice is given to the auditor concerned.
- (4)** The Board must give the auditor concerned written notice of:
- (a) The reasons for the revocation; and
  - (b) The auditor's right to apply for reconsideration of the decision.

***Schedule 11***  
***Classes, Standards and Quality for Milk and Milk Products***

**169.**

**Classes of primary, modified and composite dairy products**

- (1) Primary, modified and composite dairy products shall, in the case of a type of product be specified.

**170.**

**Standards for primary, modified and composite dairy products**

- (1) A dairy product that is classified as being of a class referred here shall --
- (a) Have a clean and characteristic flavour;
  - (b) be free of any substance that does not naturally form part of milk; and
  - (c) Comply with the applicable standards specified
- (2) primary, modified and composite dairy products shall comply with the additional requirements for each product concerned.
- (3) A primary, modified and composite dairy product may contain other foodstuffs and food additives to the extent permissible
- (4) The composite dairy product must be free of any substance that does not naturally form part of milk or the foodstuff that has been added thereto.

**171.**

**Standards for milk**

- (1) A primary dairy product of the type known as milk, recombined and reconstituted milk shall;
- (a) Not clot when boiled for five minutes; and
- (2) The word milk in the class designation of the type of a primary dairy product known as flavoured milk may be substituted by the word "milkshake" if the product shows thickening after agitation.

**Table 1: Classes of and standards for milk**

Type of primary dairy product	Class designation	Alternate class designation	Milk fat content (%)(m/m)	Minimum milk solids not fat content		Minimum milk protein content calculated on a fat free basis (%)(m/m)	pH-value at 25 °C	Maximum freezing point (°C)	Additional requirements
				calculated on the total content (%)(m/m)	calculated on a fat-free basis (%)(m/m)				
1	2	3	4	5	6	7	8	9	10
Milk	High Fat Milk	High fat milk	More than 4.5	8.2	8.6	3	6.5 € to 6.8	-0.512	
	Full fat milk	Full cream Milk/Whole Milk/ Milk	3.0 - 4.5	8.3	8.6	3	6.5 € to 6.8	-0.512	

Type of primary dairy product	Class designation	Alternate class designation	Milk fat content (%) (m/m)	Minimum milk solids not fat content		Minimum milk protein content calculated on a fat free basis (%) (m/m)	pH-value at 25 °C	Maximum freezing point (°C)	Additional requirements
				calculated on the total content (%) (m/m)	calculated on a fat-free basis (%) (m/m)				
1	2	3	4	5	6	7	8	9	10
	Medium fat Milk; ;	2% medium fat milk; 2 % Reduced fat milk; Reduced fat milk	1.8- 2.2	8.4	8.6	3	6. 5 € to 6.8	-0.512	
	Low fat milk	*	0.5- 1.5	8.4 5	8.6	3	6. 5 € to 6.8	-0.512	
	Skim(med) milk	Fat free Milk	Less than 0.5	8.6	8.6	3	6. 5 € to 6.8	-0.512	

Type of primary dairy product	Class designation	Alternate class designation	Milk fat content (%) (m/m)	Minimum milk solids not fat content		Minimum milk protein content calculated on a fat free basis (%) (m/m)	pH-value at 25 °C	Maximum freezing point (°C)	Additional requirements
				calculated on the total content (%) (m/m)	calculated on a fat-free basis (%) (m/m)				
1	2	3	4	5	6	7	8	9	10
Unsweetened condensed milk Unsweetened condensed milk	Unsweetened condensed high fat milk	Unsweetened evaporated high cream milk; unsweetened condensed high fat milk; unsweetened evaporated high fat milk;	More than 9	*	*	3.4	*	*	maximum moisture content (%) (m/m) : 75

Type of primary dairy product	Class designation	Alternate class designation	Milk fat content (%) (m/m)	Minimum milk solids not fat content		Minimum milk protein content calculated on a fat free basis (%) (m/m)	pH-value at 25 °C	Maximum freezing point (°C)	Additional requirements
				calculated on the total content (%) (m/m)	calculated on a fat-free basis (%) (m/m)				
1	2	3	4	5	6	7	8	9	10
	Unsweetened condensed full fat milk	Unsweetened evaporated full cream milk; unsweetened condensed milk; unsweetened evaporated milk; unsweetened condensed full cream milk; evaporated milk,	7.5 - 9	*	*		*	*	maximum moisture content (%) (m/m) : 75

Type of primary dairy product	Class designation	Alternate class designation	Milk fat content (%) (m/m)	Minimum milk solids not fat content		Minimum milk protein content calculated on a fat free basis (%) (m/m)	pH-value at 25 °C	Maximum freezing point (°C)	Additional requirements
				calculated on the total content (%) (m/m)	calculated on a fat-free basis (%) (m/m)				
1	2	3	4	5	6	7	8	9	10
	Unsweetened condensed medium fat milk	Unsweetened condensed reduced-fat milk; Medium-fat unsweetened evaporated milk; reduced-fat unsweetened evaporated milk;	2-5	*	*	3.4	*	*	maximum moisture content (%) (m/m) : 77



Type of primary dairy product	Class designation	Alternate class designation	Milk fat content (%) (m/m)	Minimum milk solids not fat content		Minimum milk protein content calculated on a fat free basis (%) (m/m)	pH-value at 25 °C	Maximum freezing point (°C)	Additional requirements
				calculated on the total content (%) (m/m)	calculated on a fat-free basis (%) (m/m)				
1	2	3	4	5	6	7	8	9	10
	Unsweetened condensed fat free milk	Unsweetened evaporated fat free milk; unsweetened condensed skim(med) milk	Less than 1	*	*	3.4	*	*	maximum moisture content (%) (m/m) : 80

Type of primary dairy product	Class designation	Alternate class designation	Milk fat content (%) (m/m)	Minimum milk solids not fat content		Minimum milk protein content calculated on a fat free basis (%) (m/m)	pH-value at 25 °C	Maximum freezing point (°C)	Additional requirements
				calculated on the total content (%) (m/m)	calculated on a fat-free basis (%) (m/m)				
1	2	3	4	5	6	7	8	9	10
Sweetened condensed milk	Sweetened condensed high fat milk	Sweetened evaporated high cream milk; Sweetened condensed high fat milk; Sweetened evaporated high fat milk;	More than 9						

Type of primary dairy product	Class designation	Alternate class designation	Milk fat content (%) (m/m)	Minimum milk solids not fat content		Minimum milk protein content calculated on a fat free basis (%) (m/m)	pH-value at 25 °C	Maximum freezing point (°C)	Additional requirements
				calculated on the total content (%) (m/m)	calculated on a fat-free basis (%) (m/m)				
1	2	3	4	5	6	7	8	9	10
	Sweetened condensed full fat milk	Sweetened evaporated full cream milk; sweetened condensed milk; sweetened evaporated milk; sweetened condensed full cream milk; evaporated milk,	7.5 - 9						

Type of primary dairy product	Class designation	Alternate class designation	Milk fat content (%) (m/m)	Minimum milk solids not fat content		Minimum milk protein content calculated on a fat free basis (%) (m/m)	pH-value at 25 °C	Maximum freezing point (°C)	Additional requirements
				calculated on the total content (%) (m/m)	calculated on a fat-free basis (%) (m/m)				
1	2	3	4	5	6	7	8	9	10
	Sweetened condensed medium fat milk	Sweetened condensed reduced-fat milk; Medium-fat sweetened evaporated milk; reduced-fat sweetened evaporated milk;	2-5						

Type of primary dairy product	Class designation	Alternate class designation	Milk fat content (%) (m/m)	Minimum milk solids not fat content		Minimum milk protein content calculated on a fat free basis (%) (m/m)	pH-value at 25 °C	Maximum freezing point (°C)	Additional requirements
				calculated on the total content (%) (m/m)	calculated on a fat-free basis (%) (m/m)				
1	2	3	4	5	6	7	8	9	10
	Sweetened condensed skim (med) milk	Sweetened evaporated skim (med) milk	Less than 1		*				
Flavoured Milk	High Fat flavoured Milk	*	More than 4.5	*	*	3			
	Full fat flavoured milk / full cream flavoured Milk	Flavoured Milk	3.0 - 4.5	*	*	3			

Type of primary dairy product	Class designation	Alternate class designation	Milk fat content (%) (m/m)	Minimum milk solids not fat content		Minimum milk protein content calculated on a fat free basis (%) (m/m)	pH-value at 25 °C	Maximum freezing point (°C)	Additional requirements
				calculated on the total content (%) (m/m)	calculated on a fat-free basis (%) (m/m)				
1	2	3	4	5	6	7	8	9	10
	Medium fat flavoured milk/ Reduced fat flavoured milk / Medium cream flavoured milk	2% Fat Flavoured milk	1.8- 2.2	*	*	3			
	Low fat flavoured Milk		0.5 - 1.5	*	*	3			
	Fat free flavoured Milk		Skim(med) Flavoured milk	Less than 0.5	*	*	3		

**Table 1a: Indication of heat treatment for milk**

	<b>Pasteurised milk</b>	<b>Ultra pasteurised milk</b>	<b>UHT Milk</b>	<b>Sterilised Milk</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
Phosphatase	Negative	Negative	Negative	Negative
Peroxidase	Positive	Negative	Negative	Negative
B-Lactoglobulin	> 2600mg/litre	2000 – 2600 mg/litre	50 - 2000 mg/litre	< 50mg/litre
Lactulose	Not detectable	< 50mg/litre	50 - 600mg/litre	>600mg/litre

172.

***Standards for Cultured Milk***

(1) A primary dairy product of the type known as cultured milk shall:

(a) be obtained from heat treated milk and/or reconstituted or recombined milk that has been inoculated with a culture to produce a microbiological flora under controlled conditions which contain at least  $10^7$  colony forming units per gram (CFU/g) of viable lactic acid or lactic acid and aroma producing micro-organisms per gram of a product

**Table 2: Classes of and standards for cultured milk**

Type of primary dairy product	Class designation	Alternate Class Designation	Milk fat content (%) (m/m)	Minimum milk solids content		Minimum milk protein content calculated on a fat free basis (%) (m/m)	pH-value
				Calculated on the total content (%) (m/m)	Calculated on a fat free basis (%) (m/m)		
1	2	3	4	5	6	7	8
Cultured milk	Cultured high-fat milk	High-fat emasi; High-fat Emasi; High-fat Emasi; High fat sour milk	More than 4.5	8.2	8.6	3.0	Less than 4.6
	Cultured full-fat milk	Sour milk; Emasi; Emasi; Emasi; Cultured full cream milk; Full cream emasi; Full cream emasi	3.0 – 4.5	8.3	8.6	3.0	Less than 4.6
	Cultured medium fat milk	Cultured reduced fat milk; Reduced fat emas(z)i; Medium fat emas(z)i; Reduced fat sour milk; Medium fat sour milk;	1.8-2.2	8.4	8.6	3.0	Less than 4.6



Type of primary dairy product	Class designation	Alternate Class Designation	Milk fat content (%) (m/m)	Minimum milk non-fat solids content		Minimum milk protein content calculated on a fat free basis (%) (m/m)	pH-value
				Calculated on the total content (%) (m/m)	Calculated on a fat free basis (%) (m/m)		
1	2	3	4	5	6	7	8
	Cultured low-fat milk	Low-fat sour milk; Low-fat emasi; Low-fat emas (z)i	0.5 – 1.5	8.5	8.6	3.0	Less than 4.6
	Cultured fat-free milk	Cultured skim(med) milk; Skim(med) sour milk; Fat-free sour milk; Skim(med) emasi; Fat-free emasi; Skim(med) emas(z)i; Fat-free emas(z)i	Less than 0.5	8.6	8.6	3.0	Less than 4.6

### 173.

#### Standards for Buttermilk & Cultured buttermilk

- (1) A primary dairy product of the type known as buttermilk shall --
- (a) Be obtained by the butter making process, and may be inoculated with a butter culture or with lactic acid and aroma producing culture;
  - (b) in the case of the class known as cultured buttermilk, be obtained from pasteurised milk and/or reconstituted or recombined milk, soured by inoculation with a butter culture or lactic acid, or lactic acid and aroma producing culture and

must contain at least  $10^7$  colony forming units per gram (CFU/g) of viable lactic acid and aroma producing micro-organisms per gram of a product

Type of primary dairy product	Class Designation	Alternate Class Designation	Milk fat content (%) (m/m)	Min solid non-fat (calc on total content)	pH-value
1	2	3	4	5	6
Buttermilk	High-fat buttermilk	*	More than 4.5	6.0	*
	Full-fat buttermilk	Buttermilk	3.0 – 4.5	6.0	*
	Medium fat buttermilk	Reduced fat buttermilk	1.8-2.2	6.0	*
	Low-fat buttermilk	*	0.5 – 1.5	6.0	*
	Fat-free buttermilk	Skim (med) buttermilk*	Less than 0.5	6.0	*
Cultured buttermilk	Cultured high-fat buttermilk	*	More than 4.5	8.3	Less than 4.6
	Cultured full-fat milk	Cultured milk	3.0 – 4.5	8.3	Less than 4.6
	Medium fat buttermilk	Reduced fat buttermilk	1.8 - 2.2	8.3	Less than 4.6

	Cultured low-fat buttermilk	*	0.5 – 1.5	8.3	Less than 4.6
	Cultured fat-free buttermilk	Skim(med) cultured buttermilk*	Less than 0.5	8.3	Less than 4.6

**Table 3: Classes of and standards for buttermilk & cultured butter milk**

174.

**Standards for Yoghurt**

- (1) A primary dairy product of the type known as yoghurt shall;
- (a) Be manufactured mainly from the primary dairy products known as milk or recombined milk or reconstituted milk;
- (b) After pasteurisation be fermented with a yoghurt culture;
- (c) Contain at least  $10^7$  CFU of viable yoghurt culture per gram of a product.

**Table 4: Classes of and standards for yoghurt**

Type of primary dairy product	Class Designation	Alternate class designation	Milk Fat content % (m/m)	Minimum Milk non fat content		Minimum Milk Protein content (%) (m/m)
				Calculated on the total content (%) (m/m)	Calculated on the fat free basis (%) (m/m)	
1	2	3	4	5	6	7
Yoghurt	High-fat yoghurt	Double – cream yoghurt	More than 4.5	8.2	8.6	2.7

	Full-fat yoghurt	Yoghurt; Full-cream milk yoghurt; Full-cream yoghurt	3.0 - 4.5	8.2	8.6	2.7
	Medium fat yoghurt	Reduced fat yoghurt	1.8-2.2	8.2	8.6	2.7
	Low-fat yoghurt	–	0.5-1.5	8.4	8.5	2.7
	Fat-free yoghurt	Skim(med) milk yoghurt	Less than 0.5	8.6	8.6	2.7

**175.****Standards for yoghurt with added foodstuffs and additives**

- (1) A composite dairy product of the type known as yoghurt with added foodstuffs and additives, shall --
  - (a) Have a clean and characteristic flavour;
  - (b) Comply with the applicable standards specified;
  - (c) Shall be manufactured mainly from the primary dairy products known as milk, or reconstituted or recombined milk;
  - (d) Be fermented with a yoghurt culture; and
  - (e) Contain at least  $10^7$  CFU of viable yoghurt-type micro-organisms per gram of a product
- (2) A composite dairy product of the type known as fruit yoghurt shall have a fruit content of at least 6 per cent but not more than 25 per cent on a mass to mass basis.
- (3) The total dry matter content of a composite dairy product of the type known as yoghurt with added foodstuffs and additives other than fruit, and which has been sweetened with a non-nutritive sweetener, shall, in the case of --
  - (a) High -fat yoghurt with added foodstuffs be at least 15.0 per cent (m/m);
  - (b) full-fat yoghurt with added foodstuffs be at least 14,5 per cent (m/m);
  - (c) medium-fat yoghurt with added foodstuffs be at least 14, 0 per cent (m/m);
  - (d) low-fat yoghurt with added foodstuffs be at least 13.5 per cent (m/m); and
  - (e) fat-free yoghurt with added foodstuffs be at least 13,0 per cent (m/m).

- (4) The total dry matter content of a composite dairy product of the type known as yoghurt with added fruit and additives, which has been sweetened with a non-nutritive sweetener, shall in the case of --
- (a) High -fat yoghurt with added foodstuffs be at least 15.0 per cent (m/m);
  - (b) full-fat yoghurt with added foodstuffs be at least 14,5 per cent (m/m);
  - (c) medium-fat yoghurt with added foodstuffs be at least 14,0 per cent (m/m);
  
  - (d) low-fat yoghurt with added foodstuffs be at least 13.5 per cent (m/m); and
  - (e) fat-free yoghurt with added foodstuffs be at least 13,0 per cent (m/m).
- (5) The total dry matter content of a composite dairy product of the type known as yoghurt with added foodstuffs and fruit, and which has been sweetened with a non-nutritive sweetener, shall, in the case of --
- (a) High -fat yoghurt with added foodstuffs be at least 15.0 per cent (m/m);
  - (b) full-fat yoghurt with added foodstuffs be at least 14,5 per cent (m/m);
  - (c) medium-fat yoghurt with added foodstuffs be at least 14,0 per cent (m/m);
  - (d) low-fat yoghurt with added foodstuffs be at least 13.5 per cent (m/m); and
  - (e) fat-free yoghurt with added foodstuffs be at least 13,0 per cent (m/m).
- (6) Drinking yoghurt and pouring yoghurt shall be obtained by mixing the type of yoghurt specified with potable water
- (a) Shall contain a minimum 40 % of the type of yoghurt concerned.;
  - (b) Contain minimum of 2.7 % (m/m) protein
- (7) If a specific microorganism is used in conjunction with a sale of any type of yoghurt, it must contain at least  $10^7$  CFU per gram of a product of that specified microorganism.

**Table 5: Classes of and standards for yoghurt with added foodstuffs**

<b>Type of composite dairy product</b>	<b>Class designation</b>	<b>Alternate class designation</b>	<b>Milk-fat content (%) (m/m)</b>	<b>Total dry matter content (%) (m/m)</b>	<b>Minimum milk Protein Content</b>	<b>Additional Requirements</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
1. Fruit yoghurt	High-fat yoghurt	fruit Double-cream fruit yoghurt	More than 4.5	At least 18.0	2.7	
	Full-fat yoghurt	fruit Full-milk fruit yoghurt; Full-cream milk fruit yoghurt; Fruit Full-cream fruit yoghurt	3.0-4.5	At least 17.5	2.7	
	Medium yoghurt	fat Reduced fat yoghurt	1.8-2.2		2.7	
	Low-fat yoghurt	fruit -	0.5-1.5	More than 17.0	2.7	

<b>Type of composite dairy product</b>	<b>Class designation</b>	<b>Alternate class designation</b>	<b>Milk-fat content (%) (m/m)</b>	<b>Total dry matter content (%) (m/m)</b>	<b>Minimum milk Protein Content</b>	<b>Additional Requirements</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
	Fat-free fruit yoghurt	Skim(med) milk fruit yoghurt; Skim(med) fruit yoghurt	Less than 0.5	More than 16.5	2.7	
2. Yoghurt with added foodstuffs and additives other than fruit	High fat yoghurt with (name of added foodstuff)	Double cream yoghurt with (name of added foodstuff)	More than 4.5	More than 18.0	2.7	
	Full-fat yoghurt with (name of added foodstuff)	Full-cream yoghurt with (name of added foodstuff)	3.0 – 4.5	More than 17.5	2.7	
	Medium-fat yoghurt with (name of added foodstuff)	Reduced-fat yoghurt with (name of added foodstuff)	1.8-2.2	More than 17.0	2.7	
	Low-fat yoghurt with (name of added foodstuff)	-	0.5 - 1.5	More than 17.0	2.7	

<b>Type of composite dairy product</b>	<b>Class designation</b>	<b>Alternate class designation</b>	<b>Milk-fat content (%) (m/m)</b>	<b>Total dry matter content (%) (m/m)</b>	<b>Minimum milk Protein Content</b>	<b>Additional Requirements</b>
1	2	3	4	5	6	7
	Fat-free yoghurt with (name of added foodstuff)	-	less than 0.5	More than 16.5	2.7	
2. Yoghurt with added foodstuffs and fruit	High fat yoghurt with (name of added foodstuff and fruit)	Double cream yoghurt with (name of added foodstuff and fruit)	More than 4.5	More than 18.0	2.7	
	Full-fat yoghurt with (name of added foodstuff)	Full-cream yoghurt with (name of added foodstuff and fruit)	3.0 – 4.5	More than 17.5	2.7	
	Medium-fat yoghurt with (name of added foodstuff)	Reduced-fat yoghurt with (name of added foodstuff)	1.8-2.2	More than 17.0	2.7	
	Low-fat yoghurt	-	0.5-1.5	More than 17.0	2.7	



<b>Type of composite dairy product</b>	<b>Class designation</b>	<b>Alternate class designation</b>	<b>Milk-fat content (%) (m/m)</b>	<b>Total dry matter content (%) (m/m)</b>	<b>Minimum milk Protein Content</b>	<b>Additional Requirements</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
	with (name of added foodstuff and fruit)					
	Fat-free yoghurt with (name of added foodstuff and)	-	less than 0.5	More than 16.5	2.7	

176.

**Standards for Cream**

- (1) A primary dairy product of the type known as cream and cultured cream shall--
- (a) Comply with the provisions of the regulation .
- (2) In the case of cultured cream--
- (a) Be soured by inoculation with a lactic acid or lactic acid and aroma producing culture; and
- (b) Contain at least  $10^7$  CFU of viable lactic acid or lactic acid and aroma producing micro-organisms per gram of a product.

**Table 6: Classes of and standards for cream**

Type of composite dairy products	Class designation	Alternate class designation	Milk fat content (%) (m/m)	Minimum solid non fat calculated on a fat free (%) (m/m)	pH-value
1	2	3	4	5	6
1. Cream	Double cream		More than 45	8.6	6.5 – 6.8
	Whipping cream	Cream; thick cream; Whipped cream	30-45	8.6	6.5 – 6.8
	Whipped cream	-	25 - 30	8.6	6.5 – 6.8
	Dessert cream	Cooking cream	20- 25	8.6	6.5 – 6.8
	Medium fat cream	Thin cream; Pouring cream; Coffee cream	7.5-15	8.6	6.5 – 6.8

		Reduced fat cream.			
	Acidified cream	*	More than 20	8.6	Less than 4.6
	Medium fat acidified cream	Reduced fat acidified cream	7.5-15	8.6	Less than 4.6
	Cultured cream	Sour cream	More than 20	8.6	Less than 4.6
	Medium fat cultured cream	Medium fat sour cream; Reduced fat cultured cream Reduced sour cream	7.5-15	8.6	Less than 4.6

**177.****Standards for Cheese and cheese with added foodstuffs**

- (1) A primary dairy product of the type known as cheese and cheese with added foodstuffs shall;
- (a) be manufactured by coagulating wholly or partly the protein of milk, skimmed milk, low-fat milk, cream, whey or butter milk, or any combination of these materials, through the action of rennet or other suitable coagulating agents, and partially draining the whey resulting from the coagulation; and
  - (b) Comply with the provisions of the regulation.
- (2) Cheese and cheese with added foodstuffs may --
- (a) Be ripened or unripened soft, semi-soft, semi-hard or hard product and can be coated with wax or another protective substance; and
  - (b) The fat-in-dry-matter content of cheese with added foodstuffs may be up to five per cent less and the dry matter content be up to 5 per cent more than that required for cheese of the class designation concerned

## Classes and standards for cheese

**Table 7: Classes of and standards for cheese**

Type of cheese	Class designation	Alternative class designation	Fat in dry matter content		Minimum dry matter content (%)(m/m)	Minimum ripening period (weeks)
			Minimum (%)(m/m)	Maximum (%)(m/m)		
1	2	3	4	5	6	7
1. Hard cheese	High-fat cheese	Unspecified	60	*	56	*
	Full-fat cheese	Cacciocavallo	45	55	64	20
		Mature Cheddar	48	55	62	25
		Cheddar	48	55	61	6
		Emmental	45	55	60	8
		Gruyère	45	55	62	8
		Provolone	45	55	51	8
		Asiago	45	55	63	20
		Samsø	45	55	56	6
		Pecorino	45	55	60	12
		Unspecified	45	56	60	5
	Medium/ Reduced-fat cheese	Parmesan	25	44	64	25
		Pecorino	25	44	56	12
Medium/ reduced-fat cheddar		35	*	58	*	

Type of cheese	Class designation	Alternative class designation	Fat in dry matter content		Minimum dry matter content (%)(m/m)	Minimum ripening period (weeks)
			Minimum (%)(m/m)	Maximum (%)(m/m)		
1	2	3	4	5	6	7
		Unspecified	10	44	52	8
2. Semi-hard cheese	High-fat cheese	Drakensberg	56	*	56	*
		Unspecified	60	*	60	1
	High-fat blue mould cheese	Unspecified	60	*	56	6
	(Full-fat) cheese	Feta	45	59	45	*
		Cheshire	48	59	56	4
		Gouda or Sweet milk	48	59	55	4
		Mature Gouda	48	60	58	18
		Baby Gouda	48	60	55	4
		Harvati	45	59	52	6
		Tilsiter	45	59	53	4
		Mozzarella	45	59	45	*
		Danbo	45	59	53	6
		Halloumi	45	59	52	*
Washed curd cheese	45	59	52	4		
Unspecified	45	59	50	4		
(Full-fat) blue mould cheese	Blue Stilton	45	60	56	6	
	Wensleydale	50	60	56	6	

Type of cheese	Class designation	Alternative class designation	Fat in dry matter content		Minimum dry matter content (%)(m/m)	Minimum ripening period (weeks)
			Minimum (%)(m/m)	Maximum (%)(m/m)		
1	2	3	4	5	6	7
		Unspecified	50	59	56	6
	(Full-fat) white mould cheese	Stilton: White Stilton	50	60	56	6
		Wensleydale	50	60	56	6
		Unspecified	50	59	50	6
	Medium fat cheese: Reduced-fat cheese	Edam	40	44	47	4
		Cumin	40	44	53	4
		Medium/ Reduced-fat Mozzarella	30 38	44	34	*
		Medium/reduced fat Gouda				
		Unspecified	10	44	45	*
	Medium fat white mould cheese ;Reduced -fat white mould cheese	Unspecified	*	10	*	*
3. Semi-Soft cheese	High-fat cheese	Unspecified	60	*	55	*
	Full fat cheese	Unspecified	45	59	48	*
	Full-fat white mould cheese	St Paulin	45	59	48	4
		Camembert	45	59	44	1

Type of cheese	Class designation	Alternative class designation	Fat in dry matter content		Minimum dry matter content (%) (m/m)	Minimum ripening period (weeks)
			Minimum (%) (m/m)	Maximum (%) (m/m)		
1	2	3	4	5	6	7
		Bel Paese	45	60	50	*
		Brie	45	59	44	1
	Full-fat blue mould	Unspecified	48	54	50	2
	Medium/Reduced fat cheese	Robiola	35	44	35	*
		Roquefort	50	60	56	6
		Gorgonzola	50	60	56	6
		Unspecified	25	44	*	*
	Medium/Reduced-fat white mould cheese	Brie	40	44	44	1
		Camembert	40	44	44	1
		Unspecified	*	10	20	*
4. Soft cheese	High-fat cheese	Unspecified	60	*	50	*
	(Full-fat) cheese	Limburger	45	60	38	*
		Romadur	45	60	40	*
		Unspecified	45	59	40	*
	Full-fat white mould cheese	Unspecified	50	59	45	*
	Medium-/Reduced fat cheese	Medium/Reduced-fat ricotta	25	44	25	*
Unspecified		25	44	*	*	

Type of cheese	Class designation	Alternative class designation	Fat in dry matter content		Minimum dry matter content (%) (m/m)	Minimum ripening period (weeks)
			Minimum (%) (m/m)	Maximum (%) (m/m)		
1	2	3	4	5	6	7
	Medium/ Reduced -fat white mould cheese	Coulommiers	40	44	44	2
		Reduced -fat ricotta	25	44	*	*
		Unspecified	*	10	20	*

\* Not specified

## 178.

### Standards for processed cheese and cheese spread

- (1) Primary dairy products of the type known as process(ed) cheese and cheese spread shall;
  - (a) be manufactured by the grinding, mixing, melting and emulsifying, with the aid of heat and an emulsifying agent, of a type of cheese specified;
  - (b) during the manufacture thereof be heat treated for 30 seconds at a temperature of 70°C, or any other equivalent or greater time/temperature combination; and
  - (c) Comply with the provisions of the regulation .
  
- (2) If a designation is used in connection with the sale thereof, consist of at least 50 per cent of the cheese concerned: Provided that the fat-in-dry-matter content of that process cheese or cheese spread may be up to three per cent less than that required for cheese of the designation concerned.

**Table 8: Classes of and standard for process(ed) cheese and cheese spread(s)**

Type of cheese	Class designation	Alternative class	Fat in dry matter content	Minimum dry matter
----------------	-------------------	-------------------	---------------------------	--------------------



		<b>designation</b>	<b>Minimum (%)(m/m)</b>	<b>Maximum (%)(m/m)</b>	<b>content (%)(m/m)</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
1.Process(ed) cheese	High-fat process (ed) cheese	*	60	*	52
	Full-fat process (ed) cheese	Full-cream process(ed) cheese	45	59	45
	Medium-fat process (ed) cheese	Reduced fat process (ed) cheese	25	44	40
	Skim(med) process cheese		*	10	34
2. Cheese spread	High-fat cheese spread	*	60	*	44
	(Full-fat) cheese spread	Full-cream cheese spread	45	59	41
	Medium-fat cheese spread	Reduced fat cheese spread	25	45	31
	Skim(med) cheese spread	*	*	10	29

\* Not specified

**179.**

**Standards for Cream Cheese and cream cheese with added foodstuffs**

- (1) A primary dairy product of the type known as cream cheese and cream cheese with added foodstuffs shall;
- (a) Be manufactured mainly from the primary dairy product known as milk or products obtained from milk.

<b>Type of cheese</b>	<b>Class designation</b>	<b>Alternative class designation</b>	<b>Fat in dry matter content</b>	<b>Minimum dry matter content (%) (m/m)</b>	<b>Milk-fat content (%) (m/m)</b>

- (2) The fat-in-dry-matter content of cream cheese with added foodstuffs must be free of any substance that does not naturally form part of cheese or the foodstuff that has been added thereto

			<b>Minimu m (%)(m/m )</b>	<b>Maximu m (%)(m/m )</b>		
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
Cream cheese	Full fat Cream cheese	Mascarpone; Cream cheese	70	*	45	At least 33
	Medium fat cream cheese	Reduced fat cream cheese	20	69	38	At least 24 but less than 28

**Table 10: Classes of and standards for cream cheese**

**180.**

**Standards for Cottage cheese and cottage cheese with added foodstuffs**

- (1) A primary dairy product of the type known as cottage cheese and cottage cheese with added foodstuffs shall be manufactured from milk or milk products with or without added foodstuffs where applicable.
- (2) A primary dairy product of the type known as creamed cottage cheese shall be manufactured mainly from the primary dairy product known as cottage cheese and cream.
- (3) Comply with the provisions of the regulation .

**Table 11: Classes of and standards for cottage cheese, cottage cheese with added foodstuffs and creamed cottage cheese**

Type of primary dairy product	Class designation	Alternate class designation	Maximum moisture content (%) (m/m)	Total dry matter content (%) (m/m)	Fat-in dry matter content (%) (m/m)
1	2	3	5	6	7
1. Cottage cheese	Full-fat cottage cheese	Cottage cheese; Full cream cottage cheese, Creamed cottage cheese	75	*	45-60
	Medium fat cottage cheese	Reduced fat/cream cottage cheese;	77	*	25-45
2. Cottage cheese with added foodstuffs	Full-fat cottage cheese with (name of added foodstuff)	Cottage cheese; Full cream cottage cheese (name of the added foodstuff), Creamed cottage cheese (name of the added foodstuff)	73	More than 27.0	45-60
	Medium fat cottage cheese with (name of added foodstuff)	Reduced fat cottage cheese (name of the added foodstuff);	75	More than 25.0	25-45

181.

**Standards for Butter**

(1) A primary dairy product of the type known as butter shall;

- (a) Be manufactured by churning cream until the fats separate from the liquid;
- (b) Comply with the provisions of the regulation ; and
- (c) Not contain any animal fat, vegetable oil or marine fat.

(2) Cream that is intended for the manufacturing of butter may by means of a substance the use of which is permitted for this purpose be neutralized to a pH of not higher than 7.6.

**Table 12: Classes of and standards for butter**

<b>Type of primary dairy product</b>	<b>Class designation</b>	<b>Alternate class designation</b>	<b>Milk-fat (%) (m/m)</b>	<b>Maximum moisture content (%) (m/m)</b>	<b>Maximum solids-not-fat content (%) (m/m)</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
1.Butter	Salted butter	Salted butter; Butter	At least 80	16	2
	Unsalted butter	Unsalted butter	At least 80	16	2
	Medium-fat butter	Reduced fat butter	50 - 65	*	*

182.

***Standards for modified butter***

(1) A modified dairy product of the type known as modified butter shall be manufactured from butter blended with plant fat, animal fat and/or marine fat; and

(a) Comply with the provisions of the regulation .

**Table 13: Classes of and standards for modified butter**

Type of primary dairy product	Class designation	Alternate class designation	Minimum milk fat content (%) (m/m)	Maximum vegetable oil content (%) (m/m)	Maximum marine fat content (%) (m/m)	Total fat content (%) (m/m)	Additional requirements
1	2	3	4	5	6	7	9
Modified butter	High-fat modified butter	Butter spread; Modified butter	40	40	40	75 - 85	
	Medium-fat modified butter	Reduced-fat modified butter; Reduced-fat butter spread; Medium-fat butter spread	30	30	30	50 - 65	

**183.**

**Standards for Dairy powder and Dairy powder blend**

- 1) Primary dairy products of the type known as dairy powder and dairy powder blend shall;
  - (a) Be manufactured by partial removal of water from the primary liquid product concerned;
  - (b) In the case of milk powder when diluted according to the manufacturer's prescribed dilution ratio; and
  - (c) Comply with the provisions of the regulation .

**Table 14: Classes of and standards for dairy powders and dairy powder blends**

<b>Types of dairy powder product</b>	<b>Class designation</b>	<b>Alternative class designation</b>	<b>Milk fat (%) (m/m)</b>	<b>Minimum protein content calculated on solid non-fat basis (%) (m/m)</b>	<b>Maximum moisture content (%) (m/m)</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
1. Milk powder	High-fat milk powder	-	More than 42	34	5
	Full-fat milk powder	(Whole) Milk powder, Full cream dry milk, Full cream milk powder, Full-fat dry milk, Full-cream milk powder	26 - 42	34	5
	Medium fat milk powder	Medium fat dry milk ; Reduced fat milk powder; Reduced fat dry milk	1.5 - 26	34	5
	Skim(med) milk powder	Skim(med) milk dry milk	Less than 1.5	34	5

Types of dairy powder product	Class designation	Alternative class designation	Milk fat (%) (m/m)	Minimum protein content calculated on solid non-fat basis (%) (m/m)	Maximum moisture content (%) (m/m)
1	2	3	4	5	6
2. Cream powder	Full-fat Cream powder	Cream powder	More than 42	34	5
	Medium-fat cream powder	Reduced-fat cream powder	1.5 - 26	34	5
	Skim(med) cream powder	*	Less than 1.5	34	5
3. Buttermilk powder	Buttermilk powder	Dry buttermilk	*	34	5
4. Whey powder	High-protein whey powder	Whey protein concentrate	*	35	5
	Whey powder	Dry whey	*	10	5
	Acid Whey powder	Dry acid whey	*	7	4.5
5. Cheese powder	Cheese powder	-	At least 18	*	5
6. Dairy powder blend	High-fat dairy powder blend	*	More than 42	30	5
	Full-fat dairy powder blend	Full-cream dairy powder blend	26 - 42	30	5



Types of dairy powder product	Class designation	Alternative class designation	Milk fat (%) (m/m)	Minimum protein content calculated on solid non-fat basis (%) (m/m)	Maximum moisture content (%) (m/m)
1	2	3	4	5	6
	Medium-fat dairy powder blend	Reduced fat dairy powder blend	1.5 - 26	30	5
	Skimmed dairy powder blend	*	Less than 1.5	30	

#### 184. Standards for Milk fats

(1) A primary dairy product of the type known as milk fat shall --

(a) Be manufactured by removal of water and non-fat solids from milk or products obtained from milk; and

(b) Comply with the provisions of the regulation .

**Table 15: Classes of and standards for milk fats**

Types of dairy powder product	Class designation	Alternative class designation	Minimum Milk fat (%) (m/m)	Maximum moisture content (%) (m/m)
1	2	3	4	6
Anhydrous milk fat	Ghee; Butter oil	Dry milk fat, Anhydrous milk fat, Anhydrous Butter oil ; Milk fat;	More than 99.6	0.5

**185. Standards for Dairy liquid blend and cultured dairy liquid blends**

- (1) A primary dairy product of the type known as dairy liquid blend and cultured dairy liquid blend shall:-
- (a) Comply with the provisions of regulation 4; and
  - (b) Shall contain no animal, plant and marine fat.
- (2) A primary dairy product of the type known as cultured dairy liquid blend shall --
- (a) Be manufactured from pasteurized dairy liquid blend which has been inoculated with a culture to produce a specific microbiological flora under controlled conditions; and
  - (b) Contain at least  $10^7$  CFU of viable lactic acid producing micro-organisms per gram of a product.

**Table 16: Classes of and standards for dairy liquid blends and cultured dairy liquid blends**

Type of composite dairy product	Class designation	Alternate class designation	Milk fat content	Minimum solids non fat content		Minimum milk protein content calculated on a fat free basis (%) (m/m)	pH- value
				Calculated on the total content (%) (m/m)	Calculated on a fat free basis (%) (m/m)		
1	2	3	4	5	6	7	8
Dairy liquid blend	High-fat dairy liquid blend	High-fat dairy blend; High-fat dairy mixture	More than 4.5	8.2	8.6	2.6	*
	Full-fat dairy liquid blend	Full-cream dairy liquid blend; Full-cream dairy mixture	3.0 - 4.5	8.3	8.6	2.6	*

Type of composite dairy product	Class designation	Alternate class designation	Milk fat content	Minimum solids non fat content		Minimum milk protein content calculated on a fat free basis (%) (m/m)	pH- value
				Calculated on the total content (%) (m/m)	Calculated on a fat free basis (%) (m/m)		
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
	Medium fat dairy liquid blend	Medium / Reduced fat dairy blend ;Medium/ Reduced fat dairy liquid mixture; Medium/ Reduced fat dairy mixture	1.8-2.2	8.3	8.6	2.6	
	Low-fat dairy liquid blend	Low-fat dairy blend; Low-fat dairy liquid mixture; Low-fat dairy mixture	0.5 - 1.5	8.4	8.6	2.6	*
	Fat-free dairy liquid blend	Fat-free dairy blend; Fat-free dairy mixture; Fat-free dairy liquid mixture	Less than 0.5	8.6	8.6	2.6	*

Type of composite dairy product	Class designation	Alternate class designation	Milk fat content	Minimum solids non fat content		Minimum milk protein content calculated on a fat free basis (%) (m/m)	pH- value
				Calculated on the total content (%) (m/m)	Calculated on a fat free basis (%) (m/m)		
1	2	3	4	5	6	7	8
Cultured dairy liquid blend	High-fat cultured dairy liquid blend	High-fat cultured dairy blend (mix (ture)); High-fat emasi blend(mix (ture))	More than 4.5	8.2	8.6	2.6	Less than 4.6
	Full-fat cultured dairy liquid blend	Full-cream cultured dairy liquid blend(mix (ture)); Full-fat cultured dairy blend(mix (ture)); Cultured dairy blend(mix (ture)); Emasi blend(mix (ture))	3.0- 4.5	8.3	8.6	2.6	Less than 4.6
	Medium fat cultured liquid blend	Reduced fat cultured liquid blend(mix (ture))	1.8-2.2				

Type of composite dairy product	Class designation	Alternate class designation	Milk fat content	Minimum solids non fat content		Minimum milk protein content calculated on a fat free basis (%) (m/m)	pH- value
				Calculated on the total content (%) (m/m)	Calculated on a fat free basis (%) (m/m)		
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
	Low-fat cultured dairy liquid blend	Low-fat cultured dairy blend; Low- fat Emasi blend	0.5 - 1.5	8.4	8.6	2.6	Less than 4.6
	Fat-free cultured dairy liquid blend	Fat-free cultured dairy blend; Fat- free Emasi blend	Less than 0.5	8.6	8.6	2.6	Less than 4.6

**186.**

**Classes and standards of imitation dairy products or dairy substitutes**

- (1) An imitation dairy product shall --
  - (a) In the case of a type of product specified;
  - (b) Have a clean and characteristic flavour;
  - (c) be free of any substance that does not naturally form part of the raw materials from which it is manufactured;
  - (d) Comply with the applicable standards specified; and
  - (e) in the case of imitation milk, have at least the same fat content, protein content and carbohydrate content as a dairy product with corresponding appearance, organoleptic characteristics and intended use.
  
- (2) At least 50 per cent of the dry matter content of an imitation dairy product of the type known as imitation milk product shall consist of milk solids: Provided that at least 50 per cent of such milk solids shall consist of a primary dairy product of the class known as fat-free milk powder.
  
- (3) An imitation dairy product of the type known as blend of skimmed milk with vegetable oil or fat shall consist of milk constituents, to which vegetable oil or fat has been added.
  
- (4) The imitation dairy product shall, in the case of a powdered form, contain not more than 5 % moisture and the word "powder (ed)" must form part of the class designation.
  
- (5) An imitation dairy product may contain other foodstuffs and food additives to the extent permissible.

**Table 17: classes of and standards for imitation dairy products**

<b>Type of imitation dairy product</b>	<b>Class designation</b>	<b>Minimum total fat content (%) (m/m)</b>	<b>Minimum protein content calculated on a fat-free basis (%) (m/m)</b>	<b>Additional requirements</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
1. Creamer	Coffee-creamer Tea-creamer	*	*	
2. Imitation milk powder	Blend	*	20	
3. Imitation milk	Liquid blend (mix (ture))			
4. Imitation-cream	Dessert topping Non-dairy cream	20	*	
5. Blend of skim (med) with vegetable oil or fat.	Sweetened condensed milk with vegetable oil or fat	7.5	34	
6. Imitation Cheese	Imitation Cheese	*	*	

\* Not specified



***Schedule 12***  
***Sampling and Method of Analysis***

(187) Sampling and method of analysis

**TABLE 18- METHODS OF ANALYSIS**

<b>Nature of determination</b>	<b>No. of publication</b>	<b>Date issued</b>	<b>Title</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
1. Organoleptic (sensory) evaluation	ISO 2935 IDF 099 Part s1, 2 & 3	2009	Milk and milk products - Sensory analysis
2. Fat content	ISO 1211 IDF 001	2010	Milk - Determination of fat content - Gravimetric method (Reference method)
	ISO 1735 IDF 005	2004	Cheese and processed cheese products – Determination of fat content – Gravimetric method (Reference method)
	ISO 1736 IDF 009	2008	Dried milk and dried milk products - Determination of fat content – Gravimetric method (Reference method)
	ISO 1737 IDF 013	2008	Evaporated milk and sweetened condensed milk - Determination of fat content - Gravimetric method (Reference method)
	ISO 2450 IDF 016	2008	Cream - Determination of fat content – Gravimetric method (Reference method)

Nature of determination	No. of publication	Date issued	Title
1	2	3	4
	ISO 7208 IDF 022	2008	Skimmed milk, whey and buttermilk - Determination of fat content - Gravimetric method (Reference method)
	IDF 24	1964	Determination of the fat content of butter oil
	ISO 488 IDF 105	2008	Milk - Determination of fat content - Gerber butyrometers
3. Milk protein content	ISO 8968-1 IDF 20-1	2001	Milk - Determination of nitrogen content – Part 1: Kjeldahl method (including calculation of crude protein content)
	ISO 8968-2 IDF 20-2	2001	Milk – Determination of nitrogen content - Part 2: Block-digestion method (Macro method) (including calculation of crude protein content)
	ISO 8968-3 IDF 20-3	2004	Milk – Determination of nitrogen content – Part 3: Block-digestion method (Semi-micro rapid routine method) (including calculation of crude protein content)
4. Total solids	ISO 5534 IDF 004	2004	Cheese and processed cheese – Determination of the total solids content (Reference method)
	IDF 15B	1991	Sweetened condensed milk – Determination of the total solids content (Reference method)

Nature of determination	No. of publication	Date issued	Title
1	2	3	4
	IDF 21B	1987	Milk, cream and evaporated milk – Determination of total solids content (Reference method)
5. Moisture content	ISO 5536 IDF 023	2009	Milkfat products - Determination of water content - Karl Fisher method
	ISO 5537 IDF 026	2004	Dried milk - Determination of moisture content (Reference method)
	ISO 8851-1 IDF 191-1	2004	Butter - Determination of moisture, non-fat solids and fat contents (Routine methods) – Part 1: Determination of moisture content
6. Freezing point	ISO 5764 IDF 108	2009	Milk - Determination of freezing point - Thermistor cryoscope method (Reference method)
7. Salt content	ISO 1738 IDF 012	2004	Butter - Determination of the salt content
	ISO 5943 IDF 088	2006	Cheese and processed cheese products - Determination of chloride content - Potentiometric titration method

Nature of determination	No. of publication	Date issued	Title
1	2	3	4
8. Moisture, solids-not-fat and fat content	ISO 3727-1 IDF 080-1 ISO 3727-2 IDF 080-2 ISO 3727-3 IDF 080-3	2001  2001  2003	Butter - Determination of moisture, non-fat solids and fat contents –  Part 1: Determination of moisture content (Reference method)  Part 2: Determination of non-fat solids content (Reference method)  Part 3: Calculation of fat content
9. Dispersibility and wettability	IDF 87	1979	Instant dried milk - Determination of the dispersibility and wettability