SPECIFIED FOODS CONTROLLED

The Bacon (Control and Prices) Order, 1950

1950 No. 770

Made - - - -	10*th May*, 1950
Laid before Parliament	13*th May*, 1950
Coming into Operation	21*st May*, 1950

In exercise of the powers conferred upon him by Regulations 55, 55AA and 55AB of the Defence (General) Regulations, 1939, as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945(a) as extended by the Supplies and Services (Extended Purposes) Act, 1947(b), and of all other powers him enabling, the Minister of Food hereby makes the following Order :—

PART I

Interpretation

1. In this Order—

"The Minister" means the Minister of Food.

"The Ministry" means the Ministry of Agriculture for Northern Ireland.

"Bacon" includes hams and any other part of the carcase of a pig (except the offals, the feet and the head without the chaps) which has been cured in any way, but does not include canned hams, canned fore-ends and pickled pork :

Provided that bacon shall be deemed to include and pickled pork shall be deemed not to include any part of the carcase of a pig (except the offals, the feet and the head without the chaps) which has been subjected to a dry-curing process, or to a process of pickling for a period exceeding 48 hours, or which has matured after removal from pickle for a period exceeding 48 hours.

"Bacon trimmings" includes any facing or trimming or any end or remainder of any piece of bacon.

"Buy" includes offer or agree to buy and "sell" includes offer or agree to sell or expose for sale.

"Canned" in relation to any bacon means packed in a tin, jar or other airtight container by any means involving the application of heat whether before, during, or after the placing of the bacon in the container.

"Catering business" includes the business or undertaking of an inn, public house, hotel, restaurant, buffet, coffee stall, or of any place of refreshment open to the public, or of any club, boarding house, refreshment contractor, or canteen; and the expression "caterer" shall be construed accordingly.

(a) 9 & 10 Geo. 6. c. 10: and S.R. & O. 1945 (Nos. 1611 and 1615–25) II, pp. 39 and 45–56.

(b) 10 & 11 Geo. 6. c. 55.

"Fore-leg knuckle" means the lower part of the fore-leg of a pig cut off at the point at which the leg bone joins the body bone.

"Hind-leg knuckle" means the lower part of the hind-leg of a pig cut off at the knee or stifle joint.

"Sale by retail" means any sale to a person buying otherwise than for the purposes of re-sale, and includes any sale to a person for the purposes of a catering business carried on by him, and the expression "retailer" shall be construed accordingly.

"Sale by wholesale" means any sale other than by retail, and the expression "wholesaler" shall be construed accordingly.

PART II

Control of Production and Distribution

2.—(1) Except under and in accordance with the terms and conditions of a licence granted by or on behalf of the Minister, including a provisional licence taking effect under this Order, a person shall not produce any bacon on any premises.

(2) In the event of the transfer of a business in connection with which a licence granted or taking effect under this Order is held, or in the event of the death of the holder of such a licence, the transferee or other person succeeding to that business shall, upon duly making application in writing for a licence, and pending a notification to him of the decision of the Minister upon the application, be deemed to hold a provisional licence under this Order whereby he shall be entitled, unless the Minister shall otherwise direct, to produce bacon in accordance with the first-mentioned licence, and subject to any conditions therein contained.

(3) A licence to produce bacon (including a provisional licence) granted or taking effect under this Order shall—

(*a*) where the licence is granted or takes effect in relation to any premises situate in Great Britain be deemed to be granted upon and shall take effect subject to the terms and conditions set out in Part I of the First Schedule to this Order; and

(*b*) where the licence is granted or takes effect in relation to any premises situate in Northern Ireland, be deemed to be granted upon and shall take effect subject to the terms and conditions set out in Part I of the First Schedule to this Order, with the modifications set out in Part II of the said Schedule;

save in either case as the Minister may otherwise authorise or direct.

(4) Any such licence (including a provisional licence) may be revoked at any time by the Minister.

(5) Any reference to the production of bacon in this Order shall be deemed to refer also to any of the processes which together make up the production of bacon; and that production shall be deemed to begin on the arrival of any pig or carcase or part of a carcase from which the bacon is produced at any premises on which that carcase or part of a carcase, or the carcase or part of the carcase of any such pig, is subject to any process of curing, and to continue so long as any such pig or any such carcase or part of a carcase from which the bacon is produced or any bacon produced therefrom remains on those premises.

3.—(1) Every person licensed under the provisions of this Order to produce bacon shall—

(*a*) keep or cause to be kept at some convenient place accurate records relating to his production of and dealings in bacon and in all or any parts of carcases of pigs received by him or of pigs slaughtered by him on the licensed premises, including the weight of bacon put into cure on the licensed premises, records of stocks held by him from time to time, together with all books, documents, and accounts relating thereto, and such further or other records as the Minister may from time to time prescribe by a notice served under this Order;

(*b*) furnish to the Minister such returns or other information, and in such manner, at such time and in such form, as the Minister may from time to time prescribe by a notice served under this Order.

(2) The expression "weight of bacon" in sub-paragraph (*a*) of paragraph (1) of this Article means the weight of the part of the carcase which becomes bacon after that part of the carcase has been dressed, but before the application thereto of any pickle, salt or other curing material.

(3) In relation to a person licensed to produce bacon on any premises in Northern Ireland, there shall be substituted for the expression "the Minister" in paragraph (1) of this Article the expression "the Ministry".

4.—(1) The retention by any person of an invoice or of a copy of an invoice shall as respects the particulars mentioned in that document be a sufficient compliance by that person with the provisions of this Order relating to the keeping of records.

(2) Every person who is required by this Order to keep any record shall retain it for a period of not less than one year from the date of the transaction to which it relates, or, in the case of a record of stocks, from the date in relation to which the record was made.

5. Except under and in accordance with the terms of a licence granted or with instructions given by or on behalf of the Minister a person shall not—

(*a*) sell any bacon (other than chaps) produced by him except to the Minister;

(*b*) consign or deliver or cause to be consigned or delivered to any other person any bacon (other than chaps) produced by him; or

(*c*) add sodium or potassium nitrite to any curing brine or pickle or other curing materials used by him in the production of bacon:

provided that instructions given in Northern Ireland in relation to sub-paragraphs (*b*) and (*c*) shall be given by the Ministry.

6. A person shall not sell any bacon (other than chaps) by wholesale except under and in accordance with the terms and conditions of a licence granted by or on behalf of the Minister under this Order, and a person shall not buy any bacon except by wholesale from the holder of such a licence.

PART III

Fixed and Maximum Prices

7. Subject as hereinafter provided, a person shall not, except under the authority of the Minister, sell or buy—

(1) by wholesale, any description or cut of bacon other than a description or cut specified in the Second Schedule to this Order, or any description or cut of bacon specified in the said Schedule at any price other than

the price of that description or cut (hereinafter referred to as "the fixed wholesale price") set out in Part I of the said Schedule; except that, on a sale by a wholesaler to a canner of a description or cut of bacon specified in Part II of the Second Schedule, the wholesaler may sell that description or cut at a price not exceeding the price of that description or cut set out in the said Part (hereinafter called "the maximum wholesale price");

(2) by retail, any description or cut of bacon other than a description or cut specified in the Third Schedule to this Order, or any description or cut of bacon specified in the said Schedule at any price exceeding the maximum price of that description or cut of bacon set out in the said Schedule; provided that in calculating the maximum price on a sale by retail any fraction of a farthing shall be regarded as one farthing.

8.—(1) The fixed wholesale and maximum wholesale prices are fixed upon the basis that all costs and charges of and incidental to delivery of the bacon at the buyer's premises are included in the price, and no person shall sell bacon by wholesale except upon that basis:

Provided that where at the request of the buyer the seller delivers bacon by rail at passenger train rates and charges he shall be entitled to add to the fixed wholesale price (or maximum wholesale price, as the case may be) an amount equivalent to the difference between the cost of carriage of that bacon at passenger train rates and charges and the cost of carriage of that bacon at merchandise train rates and charges.

(2) Where on the occasion of a sale by wholesale any bacon of a description or cut specified in the Second Schedule to this Order as including bone is at the request of the buyer boned or rolled by the seller a charge in respect thereof additional to the fixed wholesale price (or maximum wholesale price, as the case may be) may be made by the seller not exceeding in total for both such services a sum at the rate of 4s. 0d. per cwt. of bacon (including bone).

(3) The fixed wholesale price may be reduced by a discount at a rate not exceeding 2d. in the £ for payment within seven days.

(4) Where on the occasion of a sale by wholesale any uncooked bacon (other than bacon of a cut or description specified as skinless in the Second Schedule to this Order) is skinned at the request of the buyer or where on any such sale any uncooked bacon is sliced at the request of the buyer, a reasonable charge in respect thereof additional to the fixed price may be made by the seller.

9. On the occasion of a sale by wholesale of any bacon the seller shall furnish the buyer with an invoice specifying the description, cut and quantity of the bacon sold and the price thereof stating separately any additional charges made under the provisions of paragraphs (1), (2) and (4) of Article 8 and any discount allowed under the provisions of paragraph (3) of that Article.

10.—(1) Every person who carries on any undertaking by way of trade or business in the course of which he sells bacon otherwise than by retail shall—

(*a*) keep or cause to be kept an accurate record of all purchases and sales of bacon by him and of the stocks of bacon held by him from time to time. That record shall show, in respect of each such purchase or sale, the date thereof, the name and address of the seller or buyer, as the case may be, particulars of the quantity and description of bacon

purchased or sold, as the case may be, the price paid or charged, and each and every addition to the fixed wholesale price (or maximum wholesale price, as the case may be) made in accordance with the provisions of this Order; and

(*b*) furnish to the Minister such returns or other information, and in such manner and in such form, as the Minister may from time to time prescribe by notice served under this Order.

(2) In relation to a person carrying on an undertaking as aforesaid in Northern Ireland there shall be substituted for the expression "the Minister" in sub-paragraph (*b*) of paragraph (1) of this Article the expression "the Ministry".

(3) Every person who in the course of any undertaking sells by retail any bacon shall keep or cause to be kept an accurate record of all purchases of bacon by him, every such record to show the date of the purchase, the name and address of the seller, particulars of the quantity and description of bacon purchased, the price charged or paid and each and every addition to the fixed wholesale price made in accordance with the provisions of this Order.

11. The provisions of this Part of this Order shall not apply to—

(*a*) a sale of bacon as part of a meal by a caterer in the course of his catering business;

(*b*) a sale of bacon for ships' stores;

(*c*) a sale of chaps.

PART IV

General

12.—(1) The provisions of this Order are subject to—

(*a*) any direction which may at any time be given by or on behalf of the Minister, or in respect of Northern Ireland by or on behalf of the Minister or the Ministry, in relation to the articles to which this Order applies; and

(*b*) any licence or authorisation which may be granted under this Order by or on behalf of the Minister, or in respect of Northern Ireland by or on behalf of the Minister or the Ministry,

and the Minister hereby delegates to the Ministry the function of giving or granting any such direction, licence or authorisation in respect of Northern Ireland.

(2) This Order shall have effect in respect of Northern Ireland as if there were substituted for any reference in any of the preceding Articles to the granting of a licence by or on behalf of the Minister, a reference to the granting of a licence by or on behalf of the Minister or the Ministry.

(3) Every person holding a licence or authorisation granted or having effect as though granted under this Order shall comply with every condition imposed by that licence or authorisation.

13. A person shall not in connection with the sale or disposition or proposed sale or disposition of any bacon enter or offer to enter into any artificial transaction or make or demand any unreasonable charge.

14. Infringements of this Order are offences against the Defence (General) Regulations, 1939.

15.—(1) The Bacon (Control and Prices) Order, 1944, as amended(**a**), is hereby revoked, but without prejudice to any proceedings in respect of any contravention thereof:

Provided that any licence granted under or having effect as though granted under that Order, and subsisting immediately before the coming into force of this Order, shall continue to have effect as though granted under this Order.

(2) Every person shall notwithstanding the revocation of the said Order retain any record required to be kept by him thereunder until the expiration of one year from the date of the transaction to which it relates.

16. This Order shall come into force on the 21st day of May, 1950, and may be cited as the Bacon (Control and Prices) Order, 1950.

Dated the 10th day of May, 1950.

Maurice Webb,
Minister of Food.

THE FIRST SCHEDULE

PART I

Terms and Conditions of Licences to Produce Bacon

1. In these terms and conditions—

(1) "Bacon" has the meaning assigned to it in Article 1 of the Bacon (Control and Prices) Order, 1950.

"Licence holder" means the holder of a licence to produce bacon granted or deemed to take effect under the said Order.

"Licensed premises" means the premises in respect of which a licence to produce bacon is in force under the said Order.

"Week" means a period of seven days ending at midnight on any Saturday.

(2) Any reference to the production of bacon shall be construed as provided by the said Order.

2. The production of bacon shall be carried out on the licensed premises in an efficient manner, and the licensed premises shall be maintained and operated in a manner suitable for the production of bacon.

3. Except under the authority of the Minister no bacon shall be produced on the licensed premises except from pigs or carcases or parts of carcases of pigs, which have been sold for the purpose of bacon production by the Minister to the licence holder, or to any other person, or which have been permitted by the Minister to be used by the licence holder or by any other person for the purpose of bacon production.

4. All pigs sold to the licence holder by the Minister for the purpose of bacon production or delivered to the licence holder for slaughter by him on behalf of any other licence holder, shall be slaughtered as soon as possible after arrival at the licensed premises or at any lairage occupied by or under the control of the licence holder.

5. Except as otherwise provided in these terms and conditions, the licence holder shall not use except for the purpose of bacon production any pig or any carcase or part of a carcase of any pig (except the offals, the feet and the head without the chaps) sold to him or to any other person by the Minister for the purpose of bacon production or permitted by the Minister to be used by the licence holder or by any other person for such person.

(**a**) S.R. & O. 1944 (No. 164) II, p. 622 and S.I. 1948 (No. 183) II, p. 508.

6. Subject to the provisions of paragraph 7 hereof and unless the Minister shall otherwise permit—

(*a*) the licence holder shall produce from every pig or whole carcase sold to him by the Minister for the purpose of bacon production or sold by the Minister to any other person for the purpose of bacon production and cured by the licence holder or permitted by the Minister to be used by the licence holder for the purpose of bacon production or permitted by the Minister to be used by any other person for the purpose of bacon production and cured by the licence holder either—

(i) two whole sides of Wiltshire cut bacon ; or

(ii) two gammonless sides of Wiltshire cut bacon and two gammons ; or

(iii) two three-quarter sides of Wiltshire cut bacon and two fore-ends ; or

(iv) two whole sides or four half sides of Ayrshire style bacon ;

or such other cuts as the Minister may determine ;

(*b*) the licence holder shall produce from every whole uncured side sold to him by the Minister for the purpose of bacon production or sold by the Minister to any other person for the purpose of bacon production and cured by the licence holder or permitted by the Minister to be used by the licence holder for the purpose of bacon production or permitted by the Minister to be used by any other person for the purpose of bacon production and cured by the licence holder either—

(i) one whole side of Wiltshire cut bacon ; or

(ii) one gammonless side of Wiltshire cut bacon and one gammon ; or

(iii) one three-quarter side of Wiltshire cut bacon and one fore-end ; or

(iv) one whole or two half sides of Ayrshire style bacon ;

or such other cuts as the Minister may determine ;

(*c*) where hind legs, shoulders, middles, backs, bellies, or any other parts of sides are sold by the Minister to the licence holder for the purpose of bacon production, or having been sold by the Minister to any other person for the purpose of bacon production, are cured by the licence holder, the licence holder shall cure such parts either so far as may be practicable in accordance with the foregoing provisions of this condition, or in the cut or style in which he receives them.

7. If any pig or any carcase or part of a carcase of any pig is condemned under the Public Health (Meat) Regulations, 1924, or other statutory authority as being unfit for human consumption or shall be certified by the Minister to be unsuitable for the production of bacon, the carcase of that pig or that carcase or part of a carcase so condemned or certified shall not be put into cure ; provided that where only part thereof shall be so condemned or certified the licence holder shall as respects the remaining part comply so far as practicable with the provisions of paragraph 6 hereof.

8. The licence holder shall produce bacon in such a manner that bacon put into cure in any week shall not be fit for sale as green bacon before the beginning of the second week following the week in which it is put into cure but shall be fit for sale as green bacon during the second week following the week in which it is put into cure.

9. The licence holder shall not, except under the authority of the Minister, put into cure any carcase or part of a carcase unless it has previously been marked by a person authorised for the purpose by the Minister with the number of the licence granted to the licence holder or such other mark as the Minister may determine.. The licence holder shall not, except under the authority of the Minister, remove, obscure or deface any such mark, and shall not mark any carcase or part of a carcase with any mark which so closely resembles any such mark as to be calculated to deceive.

10. Except as authorised in writing by or on behalf of the Minister no parts of the licensed premises shall be used for the curing of bacon or for the cooling or chilling of carcases or parts of carcases intended for bacon production except those parts which were permitted to be used for such purposes under the terms of a licence in respect of the licensed premises issued by the Bacon Development Board under the Bacon Industry Act, 1938, and in force on 1st September, 1939.

11. The Minister may give directions or instructions to the licence holder—

(i) in relation to the sale or disposition of all or any parts of carcases of pigs received by him or of pigs slaughtered by him on the licensed premises; and

(ii) in relation to the dressing and packing of all or any part of such carcases;

and where such directions or instructions have been so given, the licence holder shall not sell or dispose of or dress or pack, as the case may be, any such parts except in accordance with those directions or instructions.

PART II

Modifications of the Terms and Conditions contained in Part I of this Schedule applicable to licences for the production of bacon on premises situate in Northern Ireland.

In the said terms and conditions—

(1) There shall be substituted for the expression "the Minister" wherever it occurs, except in paragraph 3, line 1, in the last line of paragraph 6 (*a*), and in the last line of paragraph 6 (*b*), the expression "the Ministry".

(2) In paragraph 6 (*a*) there shall be substituted for sub-paragraph (iv) the following sub-paragraph:—

"(iv) two long clear sides and two hams";

(3) In paragraph 6 (*b*) there shall be substituted for sub-paragraph (iv) the following sub-paragraph:—

"(iv) one long clear side and one ham";

(4) In paragraph 7 there shall be substituted for the expression "the Public Health (Meat) Regulations, 1924", the expression "The Agricultural Produce (Meat Regulation) Act (Northern Ireland), 1930"(a).

(5) There shall be substituted for paragraph 8 the following paragraph:—

"8. The licence holder shall produce bacon in such a manner that—

(*a*) bacon other than hams put into cure in any week shall not be fit for sale as green bacon before the beginning of the second week following the week in which it is put into cure but shall be fit for sale as green bacon during the second week in which it is put into cure; and

(*b*) hams put into cure in any week shall not be fit for sale as green hams before the beginning of the third week following the week in which they are put into cure but shall be fit for sale as green hams during the third week following the week in which they are put into cure."

(6) Paragraph 9 of the said Terms and Conditions shall be deleted.

(7) In paragraph 10 there shall be substituted for the words "issued by the Bacon Development Board under the Bacon Industry Act, 1938" the words "issued by the Ministry under the Agricultural Produce (Meat Regulation) Act (Northern Ireland), 1930 and in force on 1st September, 1939".

(a) 21 & 22 Geo. 5. c. 23 (N.I.).

SECOND SCHEDULE

(For new Second Schedule substit. by S.I. 1950 No. 1460 *see* p. 484 below.)

THIRD SCHEDULE

(For new Third Schedule substit. by S.I. 1950 No. 1460 *see* p. 486 below.)

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order replaces the Bacon (Control and Prices) Order, 1944, as amended. The principal changes are:—

(1) New fixed wholesale and maximum retail prices are prescribed for bacon. This is an average increase of 2d. per lb. in the retail prices;

(2) Maximum wholesale prices are prescribed for gammons and fore-ends sold by wholesalers to canners; and

(3) Canned hams and canned fore-ends are freed from price control.

The Bacon (Control and Prices) (Amendment) Order, 1950

1950 No. 1460

Made - - - -	30*th August*, 1950
Laid before Parliament	1*st September*, 1950
Coming into Operation	10*th September*, 1950

In exercise of the powers conferred upon him by Regulations 55 and 55AB of the Defence (General) Regulations, 1939, as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945(a), as extended by the Supplies and Services (Extended Purposes) Act, 1947(b), and of all other powers him enabling, the Minister of Food hereby makes the following Order:—

1. The Bacon (Control and Prices) Order, 1950(c), shall be amended by substituting respectively for the Second and Third Schedules thereto the Second and Third Schedules set out in the Schedule to this Order.

2. This Order shall come into operation on the 10th day of September, 1950 and may be cited as The Bacon (Control and Prices) (Amendment) Order, 1950.

By Order of the Minister of Food.

F. T. Willey,
Parliamentary Secretary.

Dated the 30th day of August, 1950.

(a) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1611 and 1615–25) II, pp. 39 and 45–56.
(b) 10 & 11 Geo. 6. c. 55. (c) S.I. 1950 No. 770, p. 475 above.