and continued in force by the Supplies and Services (Continuance) Order, 1951(a)), and of all other powers him enabling in that behalf, hereby orders as follows:—

1. This Order shall come into operation on the 30th day of December, 1951, and may be cited as the Butter (Amendment) Order, 1951.

2. The Butter Order, 1951(b), shall be amended by substituting for the Second Schedule thereto the Schedule to this Order.

G. Lloyd-George,
Minister of Food.

Dated the 18th day of December, 1951.

THE SCHEDULE

Maximum Prices on a Sale to a Manufacturer

On a sale of any description of butter to a manufacturer the maximum price shall be at the rate of 315s. 0d. per cwt.

EXPLANATORY NOTE

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

This amending Order increases the maximum price of butter on sale to a manufacturer.

The Cereal Fillers Order, 1951

1951 No. 51

Made - - - -	11*th January*, 1951
Laid before Parliament	12*th January*, 1951
Coming into Operation	21*st January*, 1951

The Minister of Food, in pursuance 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(c) (as extended by the Supplies and Services (Extended Purposes) Act, 1947(d), and continued in force by the Supplies and Services (Continuance) Order, 1950(e)) and of all other powers him enabling in that behalf, hereby orders as follows:—

Interpretation

1. In this Order—

" The Minister " means the Minister of Food.

" Article of food " means any article used as food or drink for human consumption, and includes any substance which ordinarily enters into or is used in the composition or preparation of human food, and also includes any flavouring matter or condiment.

(a) S.I. 1951 No. 2116, p. 27 above. (b) S.I. 1951 No. 801, p. 136 above.
(c) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1611 and 1615–25) II, pp. 39 and 45–56.
(d) 10 & 11 Geo. 6. c. 55.
(e) S.I. 1950 (No. 1769) III, p. 51.

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

" Catering business " includes the business or undertaking of an inn, public house, hotel, restaurant, café, tea-shop, buffet, coffee-stall, or of any place of refreshment open to the public, or of a club, boarding-house, apartment-house, refreshment contractor, school feeding-centre, staff dining-room or canteen ; and the word " caterer " shall be construed accordingly.

" Cereal filler " means any baked rusk, meal or crumbs of a description commonly used as a filler in the manufacture of articles of food containing meat or fish.

" Flour " has the same meaning as in the Flour Order, 1947 as amended(a).

" Pre-packed " means packed in advance in a wrapper or container ready for retail sale.

" Sale by retail " means any sale to a person buying otherwise than for the purpose of resale, and includes any sale to a caterer for the purposes of his catering business but does not include a sale to a manufacturer for the purposes of his manufacturing business ; and the word " retailer " shall be construed accordingly.

Flour permits

2. No person shall use flour in the manufacture of cereal filler except under the authority of a permit issued for the purposes of this Article by or on behalf of the Minister, and up to the quantity specified on such permit.

Prohibited ingredients

3. No person shall use soya flour or any other soya product or any colouring matter in the manufacture of cereal filler.

Permitted uses

4. No person shall use any cereal filler, or buy or sell any cereal filler for use except as, or in the manufacture or preparation of, an article of food or a bait or mixture for destroying rats or mice.

Maximum prices

5.—(1) No person shall buy or sell any cereal filler at a price exceeding the price applicable in accordance with the provisions of the Schedule to this Order.

(2) Paragraph (1) of this Article shall not apply to pre-packed cereal filler.

Keeping of records

6.—(1) Every person who sells cereal filler otherwise than by retail shall keep or cause to be kept an accurate record of all his purchases and sales of cereal filler, except pre-packed cereal filler ; and such record shall show, in respect of each purchase or sale, the name and address of the person from whom the cereal filler was purchased or to whom it was sold, the quantity purchased or sold, and the price paid or charged.

(2) Every person who sells cereal filler by retail shall keep or cause to be kept an accurate record of all his purchases of cereal filler, except pre-packed cereal filler ; and such record shall show, in respect of each purchase, the name and address of the person from whom the cereal filler was purchased, the quantity purchased, and the price paid.

(a) S.R. & O. 1947 (Nos. 548, 1627 and 1868) II, pp. 667–690; S.I. 1949 (Nos. 1742 and 1779) II, pp. 354–5; and 1950 (Nos. 126, 1003 and 1313) III, 616–8.

(3) The retention by any person of an invoice or of a copy of an invoice shall as regards the particulars mentioned therein be sufficient compliance by him with the provisions of this Article.

(4) Every person who is required by this Article to keep any record shall retain it for one year from the date of the transaction to which it relates.

Certificate of public analyst

7.—(1) In any proceedings in respect of an infringement of this Order, the production by one of the parties of (i) a document purporting to be a certificate of a public analyst or the Government Chemist, or (ii) a document supplied to him by the other party as being a copy of such a certificate, shall be sufficient evidence of the facts stated therein, unless in the case mentioned under (i) above the other party requires that the person making the analysis shall be called as a witness.

(2) In any such proceedings—

(*a*) if the prosecution intends to produce a certificate of a public analyst or the Government Chemist, a copy of such certificate shall be served with the summons ; and

(*b*) if a defendant intends to produce a certificate of a public analyst or the Government Chemist, or to require that the person making the analysis shall be called as a witness, he shall give to the other party at least three clear days' notice of his intention ;

and if any of these requirements is not complied with, the Court may, if it thinks fit, adjourn the hearing on such terms as it deems proper.

Artificial transactions ; unreasonable charges

8. No person shall in connection with the sale or disposition or proposed sale or disposition of cereal filler enter or offer to enter into any artificial transaction or make or demand any unreasonable charge.

Directions, licences and authorisations

9.—(1) The provisions of this Order are subject to any directions which may at any time be given by or on behalf of the Minister and to any licence or authorisation which may be granted by or on behalf of the Minister under this Order.

(2) Every person holding a licence or authorisation granted under this Order shall comply with every condition imposed by such licence or authorisation.

(3) Every licence or authorisation granted under this Order is and shall remain the property of the Minister ; and the licensee or any person being in possession of any such licence or authorisation shall, if requested to do so by or on behalf of the Minister, produce such licence or authorisation or deliver it to such person or to a person of such class or description, and within such time, as may be specified in the request.

Infringements

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

Revocation

11.—(1) The Cereal Fillers (Control and Maximum 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 having effect 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 for one year from the date of the transaction to which it relates.

Citation and commencement

12. This Order may be cited as the Cereal Fillers Order, 1951; and shall come into operation on the 21st day of January, 1951.

Dated the 11th day of January, 1951.

Maurice Webb,
Minister of Food.

THE SCHEDULE

Maximum Prices of Cereal Fillers

PART I

Description of Sale	Maximum Price		
	£ s.		
On a sale to a retailer of cereal filler On a sale to a manufacturer ... ... On a sale by retail	At the rate of	45 15	Per ton, calculated in accordance with paragraph I of Part II of this Schedule
On any other sale	At the rate of	37 15	

PART II

1. The maximum prices specified in Part I of this Schedule are on the basis that the moisture content is 5 per cent. or less; and, accordingly, on a sale of cereal filler having a moisture content exceeding 5 per cent. the maximum price shall be calculated on the weight to which that quantity of cereal filler would amount if dried out to a moisture content of 5 per cent. In all cases the weight of the immediate container may be included.

2.—(1) The maximum price of £45 15s. specified in Part I of this Schedule includes all costs and charges in respect of transport and delivery except the cost of sea transport from Great Britain to Northern Ireland. Accordingly, if on any sale to which that price applies cereal filler manufactured in Great Britain is delivered in Northern Ireland to the purchaser, the maximum price may be increased by a sum not exceeding the cost of sea transport of such cereal filler and the cost of loading on and unloading from the ship.

(a) S.R. & O. 1944 (No. 660) II, p. 635; 1945 (No. 230) II, p. 573; and S.I. 1949 (No. 1823) II, p. 290.

(2) The maximum price of £37 15s. specified in Part I of this Schedule is fixed on the basis that the cost of transport from the premises on which the cereal filler is manufactured is for the account of the buyer. Accordingly, on any sale to which that price applies, the seller may charge in addition to the maximum price—

(*a*) a sum equal to the reasonable and actual costs paid or incurred by him in respect of such transport, including (in the case of a sale by a person other than the manufacturer of the cereal filler) any such costs paid or payable by the seller to the person from whom he bought the cereal filler (but other than any costs referred to in sub-paragraph (*b*) hereof); and

(*b*) if cereal filler manufactured in Great Britain is delivered in Northern Ireland to the purchaser, a further sum not exceeding the cost of sea transport of such cereal filler and the cost of loading on and unloading from the ship.

(3) Except as herebefore provided in this paragraph, no addition to the maximum price shall be made on any sale in respect of transport or delivery.

3. No charge in addition to the maximum price shall be made on any sale in respect of packing or of the provision of containers.

EXPLANATORY NOTE

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

This Order replaces the Cereal Fillers (Control and Maximum Prices) Order, 1944 as amended.

The principal changes are:—

(1) licences to manufacture cereal fillers are no longer required (but flour permits are still necessary);

(2) the maximum prices of cereal fillers on all sales are raised; and

(3) the transport costs chargeable by a seller of cereal filler, on sales other than to a retailer, to a manufacturer, or by retail, are no longer limited to a fixed sum (but must still not exceed the reasonable and actual costs incurred).

The Cheese (Amendment) Order, 1951

1951 No. 728

Made - - - -	25*th April*, 1951
Laid before Parliament	26*th April*, 1951
Coming into Operation	1*st May*, 1951

The Minister of Food, in pursuance 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)

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