1963 No. 1704

SUGAR

The Composite Sugar Products (Distribution Payments—Average Rates) (No. 5) Order 1963

Made - - - - -	*9th October* 1963
Laid before Parliament	*14th October* 1963
Coming into Operation	*15th October* 1963

Whereas the Minister of Agriculture, Fisheries and Food (hereinafter called "the Minister") has on the recommendation of the Sugar Board made an order (**a**) pursuant to the powers conferred upon him by sections 9(1) and 33(4) of the Sugar Act 1956(**b**) having effect subject to section 14(8) of that Act and to the provisions of section 3 of, and Part II of Schedule 5 to, the Finance Act 1962(**c**), providing that in the case of certain descriptions of composite sugar products distribution payments shall be calculated on the basis of an average quantity of sugar or invert sugar taken to have been used in the manufacture of the products and that certain descriptions shall be treated as not containing any sugar or invert sugar :

And whereas the Minister has by the Sugar (Distribution Payments) (No. 5) Order 1963(**d**) provided for a change in the rates of distribution payments in respect of sugar and invert sugar which became eligible for such payments on and after 15th October 1963:

Now, therefore, the Minister on the recommendation of the Sugar Board, and in exercise of the powers conferred upon him by sections 9(1) and 33(4) of the Sugar Act 1956, having effect as aforesaid, and of all other powers enabling him in that behalf, hereby makes the following order :—

1.—(1) This order may be cited as the Composite Sugar Products (Distribution Payments—Average Rates) (No. 5) Order 1963 ; and shall come into operation on 15th October 1963

(2) The Interpretation Act 1889(**e**) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

2. Distribution payments payable on or after 15th October 1963 under and in accordance with section 14 of the Sugar Act 1956 having effect as aforesaid, in respect of sugar and invert sugar used in the manufacture of the descriptions of imported composite sugar products specified in the second column of Schedule 1 to this order, being goods which are classified in the tariff headings indicated in relation to them in the first column of the said Schedule shall, notwithstanding the provisions of the Sugar (Distribution Payments) (No. 5) Order 1963 and the Composite Sugar Products (Distribution Payments—Average Rates) (No. 4) Order 1963(**a**) be calculated by reference to the weight or value of the products. as the case may be, at the rates specified in relation thereto in the third column of the said Schedule.

(**a**) S.I. 1963/1521 (1963 III, p. 2806). (**b**) 4 & 5 Eliz. 2. c. 48. (**c**) 10 & 11 Eliz. 2. c. 44.
(**d**) S.I. 1963/1702 (1963 III, p. 3266). (**e**) 52 & 53 Vict. c. 63.

3. Imported composite sugar products other than those of a description specified in Schedule 1 and 2 to this order shall be treated as not containing any sugar or invert sugar for the purposes of distribution payments.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 9th October 1963.

(L.S.)

Christopher Soames,
Minister of Agriculture, Fisheries and Food.

SCHEDULE 1

In this Schedule :—

" Tariff heading " means a heading or, where the context so requires, a subheading of the Customs Tariff 1959 (see paragraph (1) of Article 1 of the Import Duties (General) (No. 3) Order 1961(a)).

" Per cent. " means, where it occurs in relation to any rate of distribution payment, per cent. of the value for customs duty purposes of the product to which it relates.

Tariff heading	Description of Imported Composite Sugar Products	Rate of Distribution Payment
		per cwt. s. d.
04.02	Milk and cream, preserved, concentrated or sweetened :—	
	containing not more than 10 per cent. by weight of added sweetening matter	1 5
	containing more than 10 per cent. but not more than 50 per cent. by weight of added sweetening matter	6 3
17.02 (B) and 17.05 (B)	Syrups containing sucrose sugar, whether or not flavoured or coloured, but not including fruit juices containing added sugar in any proportion :—	
	containing 70 per cent. or more by weight of sweetening matter	8 11
	containing less than 70 per cent., and more than 50 per cent., by weight of sweetening matter..	6 5
	containing not more than 50 per cent. by weight of sweetening matter	3 1
17.02 (F) ..	Caramel :—	
	Solid	14 0
	Liquid	9 10
17.04	Sugar confectionery, not containing cocoa	11 5
18.06 (C) ..	Chocolate and other food preparations containing cocoa (but not being chocolate milk crumb, chocolate couverture not prepared for retail sale, or sweetened cocoa powder)	8 1
		per cent.
19.08	Pastry, biscuits, cakes and other fine bakers' wares containing added sweetening matter :—	
	Biscuits	3
	Other	1½

(a) S.I. 1961/403 (1961 I, p. 585).

Tariff heading	Description of Imported Composite Sugar Products	Rate of Distribution Payment
		per cent.
20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, containing added sweetening matter	4⅛
20.03	Fruit preserved by freezing, containing added sugar ..	1½
		per cwt. s. d.
20.04	Fruit, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallised)	9 3
20.05	Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, containing added sweetening matter	8 9
		per cent.
20.06 (A) and (B)	Fruit otherwise prepared or preserved, containing added sweetening matter :—	
	Ginger	6
	Other	1½
20.07	Fruit juices (including grape must) and vegetable juices, unfermented and not containing spirit :—	
	containing not more than 20 per cent. by weight of added sweetening matter	⅜
	containing more than 20 per cent. by weight of added sweetening matter	7½
21.07	Food preparations not elsewhere specified or included :—	
	Table jelly crystals, powders or squares ..	7½
		per cwt. s. d.
	Sweetfat (mixtures of edible fats and sugar) ..	9 0

SCHEDULE 2

Tariff heading	Description of Imported Composite Sugar Products
04.02	Milk and cream, preserved, concentrated or sweetened, containing more than 50 per cent. by weight of added sweetening matter.
17.05 (A) and (B)	Sugar and invert sugar, flavoured or coloured.
18.06 (A) ..	Chocolate milk crumb.
18.06 (B) ..	Cocoa powder, sweetened.
18.06 (C) ..	Chocolate couverture not prepared for retail sale.

EXPLANATORY NOTE

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

This order provides for increases in the average rates of distribution payments payable in respect of imported composite sugar products of the descriptions specified in Schedule 1 on or after 15th October 1963. These correspond to increases in the rates of distribution payment effected by the Sugar (Distribution Payments) (No. 5) Order 1963 (S.I. 1963/1702). Provision is also made for certain imported composite sugar products to be treated as not containing any sugar or invert sugar.