1958 No. 2139

The Composite Sugar Products (Surcharge—Average Rates) (No. 2) Order, 1958

Made - - - -	16*th December*, 1958
Laid before Parliament	19*th December*, 1958
Coming into Operation	1*st January*, 1959

Whereas it appears to the Minister of Agriculture, Fisheries and Food (hereinafter called "the Minister") on the recommendation of the Commissioners of Customs and Excise (hereinafter called "the Commissioners") that in the case of certain descriptions of composite sugar products surcharge, instead of being calculated by reference to the quantity of sugar or molasses appearing to the Commissioners to have been used in the manufacture of the products, could more conveniently be calculated on the basis of an average quantity taken to have been so used :

And whereas in making this Order the Minister has had regard to the average quality and average quantity of sugar or molasses, or of both, appearing to him, on the advice of the Commissioners, to be used in the manufacture of composite sugar products of the descriptions to which this Order relates which are imported into the United Kingdom :

Now, therefore, the Minister in exercise of the powers conferred upon him by subsection (1) of section 9 of the Sugar Act, 1956(a), and of all other powers him enabling in that behalf, hereby makes the following Order :—

1.—(1) This Order may be cited as the Composite Sugar Products (Surcharge—Average Rates) (No. 2) Order, 1958; and shall come into operation on the 1st day of January, 1959.

(2) The Interpretation Act, 1889(b), shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

2. Surcharge payable under and in accordance with section 7 of the Sugar Act, 1956, in respect of sugar and molasses used in the manufacture of the descriptions of imported composite sugar products specified in the second column of the Schedule to this Order shall, notwithstanding the provisions of the Sugar and Molasses (Rates of Surcharge and Surcharge Repayments) Order, 1958(c), be calculated, by reference to the weight, the value or (as the case may be) the quantity of the products, at the rates specified in relation thereto in the third column of the said Schedule.

3. The Composite Sugar Products (Surcharge—Average Rates) Order, 1958(d), and the Composite Sugar Products (Surcharge—Average Rates) (Amendment) Order, 1958(e), are hereby revoked.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this sixteenth day of December, nineteen hundred and fifty-eight.

(L.S.) *John Hare*,
Minister of Agriculture, Fisheries and Food.

(a) 4 & 5 Eliz. 2. c. 48. (b) 52 & 53 Vict. c. 63. (c) S.I. 1958/226 (Pt. II, p. 2231, of this volume). (d) S.I. 1958/227 (Pt. II, p. 2224 of this volume). (e) S.I. 1958/1449 (Pt. II, p. 2227, of this volume).

SCHEDULE

In this Schedule:—

"Tariff heading" means a heading or, where the context so requires, a subheading of the Customs Tariff, 1959, as defined in paragraph (2) of Article 1 of the Import Duties (General) Order, 1958(a).

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

Tariff Heading	Description of Imported Composite Sugar Products	Rates of Surcharge
		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 2
	containing more than 10 per cent., but not more than 50 per cent., by weight of added sweetening matter	5 2
17.02 (D) & 17.05 (D)	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	7 5
	containing less than 70 per cent., and more than 50 per cent., by weight of sweetening matter ...	5 4
	containing not more than 50 per cent. by weight of sweetening matter	2 7
17.02 (F) ...	Caramel:—	
	Solid	11 8
	Liquid	8 2
17.04 ...	Sugar confectionery, not containing cocoa	9 6
18.06 (D) ...	Chocolate and other food preparations containing cocoa (but not being chocolate milk crumb, chocolate couverture not prepared for retail sale, or sweetened cocoa powder)	6 9
		per cent.
19.08 (A) ...	Pastry, biscuits, cakes and other fine bakers' wares:—	
	Biscuits	2½
	Other	1½
20.01 (B) ...	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, containing added sweetening matter ...	3½
20.03 ...	Fruit preserved by freezing, containing added sugar ...	1¼
		per cwt. s. d.
20.04 ...	Fruit, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallised)	7 8
20.05 (B) ...	Jams, fruit jellies, marmalades, fruit puree and fruit pastes, being cooked preparations, containing added sweetening matter	7 4

(a) S.I. 1958/973 (Pt. I, p. 454 of this volume).

Tariff Heading	Description of Imported Composite Sugar Products	Rates of Surcharge
		per cent.
20.06 (A) & (B)	Fruit, otherwise prepared or preserved, containing added sweetening matter:—	
	Ginger	5
	Other	1¼
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	½
	containing more than 20 per cent. by weight of added sweetening matter	6
21.07 ...	Food preparations not elsewhere specified or included:—	
	Table jelly crystals, powders or squares	6
		per cwt. s. d.
	Sweetfat (mixtures of edible fats and sugar) ...	7 6
		per proof gallon
22.09 (D) (2)	Other spirits (including spirituous beverages having the character of spirits, and liqueurs), sweetened ...	6d.

EXPLANATORY NOTE

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

This Order substantially re-enacts the Composite Sugar Products (Surcharge —Average Rates) Order, 1958, as amended, but adds to the Schedule a rate of surcharge for sweetfat and describes the imported composite sugar products to which the Order applies in terms appropriate to the revised classification of goods prescribed in the Customs Tariff, 1959. No change is made in the existing rates of surcharge.