The Cream (Revocation) (Amendment) Order, 1951

1951 No. 714

Made - - - -	*24th April*, 1951
Laid before Parliament	*25th April*, 1951
Coming into Operation	*27th April*, 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) Act, 1947(**b**) and continued in force by the Supplies and Services (Continuance) Order, 1950(**c**)), and of all other powers him enabling in that behalf, hereby orders as follows:—

1. The Cream (Revocation) Order, 1951(**d**), shall be amended by substituting in Article 2 thereof for the date "30th day of April, 1951" the date "9th day of May, 1951".

2. This Order shall come into operation on the 27th day of April, 1951, and may be cited as the Cream (Revocation) (Amendment) Order, 1951.

Maurice Webb,
Minister of Food.

Dated the 24th day of April, 1951.

EXPLANATORY NOTE

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

This amending Order postpones until 9th May, 1951, the abolition of the restrictions on the manufacture and supply of cream.

The Cream Order, 1951

1951 No. 1160

Made - - - -	*28th June*, 1951
Laid before Parliament	*29th June*, 1951
Coming into Operation as prescribed in Article 8 of the Order	

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) Act, 1947(**b**) and the Supplies and Services (Defence Purposes) Act, 1951(**e**),

(**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. 1769) III, p. 51.
(**d**) S.I. 1951 No. 593, p. 165 above.
(**e**) 14 & 15 Geo. 6. c. 25.

and continued in force by the Supplies and Services (Continuance) Order, 1950(a)), and of all other powers him enabling in that behalf, hereby orders as follows:—

1. In this Order—

"The Minister" means the Minister of Food.

"Catering establishment" means a catering establishment licensed or deemed to be licensed as such under the Food (Licensing of Establishments) Order, 1948, as amended(b).

"Clotted cream" means cream containing at least 48 per cent. by weight of milk fat and produced and separated by the scalding, cooling and skimming of cows' milk or cream.

"Cream" means cream produced from cows' milk and includes sterilised cream (commonly known as "tinned cream").

"Obtain" includes offer or agree to obtain and "supply" includes offer or agree to supply, and in particular includes a supply in or by a catering establishment as part of a meal.

"The specified area" means the counties of Cornwall, Devon, Dorset, Gloucester, Somerset and Wiltshire.

2.—(1) Except under and in accordance with the terms of a licence granted by or on behalf of the Minister for the purposes of this Order, no person shall manufacture or supply any cream, or, if it contains cream, any cream cheese or ice-cream.

(2) No person shall obtain any cream except from the holder of a licence granted under paragraph (1) of this Article.

(3) Nothing in this Article shall prohibit—

(*a*) the manufacture of cream by any person for the purpose of consumption by him or by members of his household or by guests sharing meals in such household;

(*b*) the manufacture or supply of cream by any person solely for the purpose of being used in and for the manufacture of butter;

(*c*) the supply of clotted cream as part of a meal in or by a catering establishment situate in the specified area, provided that such catering establishment—

(i) is duly licensed under paragraph (1) of this Article to manufacture cream; or

(ii) has duly obtained the clotted cream in question in accordance with paragraph (2) of this Article.

3.—(1) No person shall buy or offer to buy or sell or offer to sell or expose for sale any clotted cream at a price exceeding a price calculated at the rate of 6s. 6d. per lb.

(2) The maximum price specified in paragraph (1) of this Article includes all costs and charges of and incidental to packing and the provision of containers and no additional charge may be made therefor.

(3) The provisions of paragraph (1) of this Article shall not apply to the sale of clotted cream as part of a meal in or by a catering establishment situate in the specified area.

(a) S.I. 1950 (No. 1769) III, p. 51. (b) S.I. 1948 (Nos. 368 and 2584) II, pp. 404–7.

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

5.—(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 head (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.

(3) In this Article "public analyst" has in relation to England and Wales the meaning assigned to it by the Food and Drugs Act, 1938(**a**), in relation to Scotland the meaning assigned to it by the Food and Drugs (Adulteration) Act, 1928(**b**), and in relation to Northern Ireland the meaning assigned to it by the Sale of Food and Drugs Acts (Northern Ireland), 1875 to 1939, and "Government Chemist" means, in relation to Northern Ireland, the Government Chemist for Northern Ireland.

6.—(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 under this Order by or on behalf of the Minister.

(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 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.

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

8.—(1) This Order shall come into operation on the 1st day of July, 1951, so however that nothing in this Order shall apply as respects any supply on the 1st July, 1951, or the 2nd July, 1951, of any cream manufactured on or before the 30th June, 1951.

(2) This Order may be cited as the Cream Order, 1951.

By Order of the Minister of Food.

F. T. Willey,
Parliamentary Secretary.

Dated the 28th day of June, 1951.

(a) 1 & 2 Geo. 6. c. 56. (b) 18 & 19 Geo. 5. c. 31.

EXPLANATORY NOTE

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

This Order reimposes the prohibition on the manufacture and supply of cream except under licence and the obtaining of cream except from the holder of a licence.

It also restricts the serving of clotted cream by catering establishments to a specified area, namely, the counties of Cornwall, Devon, Dorset, Gloucester, Somerset and Wiltshire, and imposes a maximum price for clotted cream, except when supplied as part of a meal by a catering establishment in the specified area.

The Edible Gelatine (Revocation) Order, 1951

1951 No. 1197

Made - - - -	*2nd July*, 1951
Laid before Parliament	*3rd July*, 1951
Coming into Operation	*1st August*, 1951

The Minister of Food, in pursuance of the powers conferred upon him by Regulations 55 and 55AA 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 the Supplies and Services (Defence Purposes) Act, 1951(c), and continued in force by the Supplies and Services (Continuance) Order, 1950(d)), and of all other powers him enabling in that behalf, hereby orders as follows:—

1. The Edible Gelatine Order, 1948(e), is hereby revoked but without prejudice to any proceedings in respect of any contravention thereof.

2. This Order shall come into operation on the 1st day of August, 1951, and may be cited as the Edible Gelatine (Revocation) Order, 1951.

Maurice Webb,
Minister of Food.

Dated the 2nd day of July, 1951.

EXPLANATORY NOTE

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

This Order revokes the Edible Gelatine Order, 1948, which prohibited the use of gelatine other than edible gelatine in the manufacture of food.

A standard for gelatine for human consumption is now prescribed in the Food Standards (Edible Gelatine) Order, 1951.

(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) 14 & 15 Geo. 6. c. 25. (d) S.I. 1950 (No. 1769) III, p. 51.
(e) S.I. 1948 (No. 2460) II, p. 667.