1973. No. 22 **[C]**

AGRICULTURE

Eggs

SCHEME, DATED 30TH JANUARY 1973, MADE BY THE SECRETARY OF STATE UNDER SECTION 1 OF THE AGRICULTURE (TEMPORARY ASSISTANCE) ACT (NORTHERN IRELAND) 1954 AS AMENDED BY THE AGRICULTURE (TEMPORARY ASSISTANCE) (AMENDMENT) ACT (NORTHERN IRELAND) 1957.

WHEREAS by section 1(1) of the Agriculture (Temporary Assistance) Act (Northern Ireland) 1954(a) as amended by the Agriculture (Temporary Assistance) (Amendment) Act (Northern Ireland) 1957(b) the Ministry of Agriculture may, in accordance with and subject to Schemes made by the Minister of Agriculture with the approval of the Minister of Finance, make payments to or for the benefit (whether direct or indirect) of farmers producing any produce specified in the Schemes:

AND WHEREAS by section 1(4) of the Agriculture (Temporary Assistance) Act (Northern Ireland) 1954 a Scheme made under that Act may be varied or revoked by a subsequent Scheme made under that Act:

AND WHEREAS by sub-section 1(*a*) of section 1 of the Northern Ireland (Temporary Provisions) Act 1972(c) it is provided that so long as that section has effect all functions which apart from that Act belong to any Minister of Northern Ireland shall be discharged by the Secretary of State:

NOW THEREFORE, the Secretary of State in exercise of the powers conferred upon him by section 1 of the Agriculture (Temporary Assistance) Act (Northern Ireland) 1954 as amended by the Agriculture (Temporary Assistance) (Amendment) Act (Northern Ireland) 1957 and by section 1(1) of the Northern Ireland (Temporary Provisions) Act 1972 and of all other powers enabling him in that behalf hereby makes the following Scheme.

Citation and commencement

1. This Scheme may be cited as the Eggs (Feed Price Allowance) Scheme (Northern Ireland) 1973 and shall come into operation on 1st day of February 1973.

Interpretation

2. In this Scheme:—

"collector" means any person authorised to collect eggs from a producer for delivery to a packing station;

"eggs" means eggs in shell laid by hens in Northern Ireland;

"egg packer" means a person whose premises are registered by the Ministry as a packing station in accordance with European Communities Regulation (EEC) No. 1619/68 of the Council(d) and European Communities Regulation (EEC) No. 95/69 of the Commission(e) as amended or replaced from time to time;

(a) 1954. c. 31.
(b) 1957. c. 3.
(c) 1972. c. 22.
(d) O.J. No. L258 of 21.10.68 (p. 1).
(e) O.J. No. L13 of 18.1.69 (p. 13).

"feed price allowance" means the amount paid to an egg packer under Article 3;

"Class A quality" has the meaning assigned to it in European Communities Regulation (EEC) No. 1619/68 of the Council as amended or replaced from time to time;

"Ministry" means the Ministry of Agriculture;

"throughput" means in relation to an egg packer the total number of Class A quality eggs which have been purchased by that packer from producers and includes, where that packer is a producer, the total number of Class A quality eggs of his own production sold through his own registered packing station.

Object

3. With the object of assisting farmers to meet the cost of poultry feed the Ministry may subject to the provisions of this Scheme pay to an egg packer in respect of his throughput the sum of 0·14p for each dozen eggs of throughput for the benefit of the producers thereof as provided by this Scheme.

Application for payment

4. Application for payment of feed price allowance shall be made by an egg packer to the Ministry at intervals of one calendar week in such form and giving such information as the Ministry may require.

Payment of producers

5. An egg packer shall:—

(1) pay to the producer of any eggs in respect of which he receives a feed price allowance the full amount of the feed price allowance received by him in respect of those eggs. The payment shall be made not later than when he pays the producer for the eggs or four weeks from the date on which he makes application to the Ministry for the feed price allowance whichever shall first occur;

(2) show separately by prominently displaying the words "Feed Price Allowance" on the payment advice notes supplied to the producer from whom he purchases any eggs the amount of feed price allowances received by him in respect of those eggs.

Records

6. An egg packer shall:—

(1) keep a record showing in respect of each day the name and address of every producer from whom he purchased eggs whether direct or through a collector and the number of each quality class and weight grade purchased from each producer;

(2) in respect of eggs which he has produced himself keep a record showing—

(*a*) the date of delivery of each lot of such eggs to his registered packing station;

(*b*) the name and address of the production unit where the eggs were produced;

(*c*) the number of each quality class and weight grade of eggs in each lot delivered to his registered packing station;

(3) retain a copy of the payment advice note issued to each producer in respect of the feed price allowance;

(4) where he is also a producer additionally keep in respect of each production unit

(*a*) records showing the number of laying hens in his possession on the first day of each month, the number of eggs produced each day, the number of eggs sold to other egg packers and the dates of such sales, the number of eggs disposed of in any other manner;

(*b*) accounts and receipts in respect of payments for the purchase of laying stock and in respect of payments for the purchase of feeding-stuffs and other items necessary in connection with the production of eggs.

7.—(1) The records required to be kept under Article 6 shall be kept for a period of at least two years from the making of the record.

(2) An egg packer who applies for payment of the feed price allowance shall furnish such records or any particulars or extracts therefrom and any accounts and receipts to the Ministry on demand and shall permit any officer of the Ministry to enter his premises and inspect such records and shall produce such records for inspection by such officer. An officer of the Ministry shall be entitled to make copies of any entries therein.

(3) If the egg packer is also a producer and is packing eggs of his own production at a registered packing station he shall permit any officer of the Ministry to enter upon land and premises where such eggs are being produced and to inspect such eggs and such premises.

Revocation

8. The Eggs (Feed Price Allowance) Scheme (Northern Ireland) 1971(f) is hereby revoked.

Dated this 30th day of January 1973.

W. S. I. Whitelaw,
One of Her Majesty's Principal Secretaries of State.

EXPLANATORY NOTE

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

This Scheme replaces with minor amendments (necessary because of entry into the Community) the Eggs (Feed Price Allowance) Scheme (Northern Ireland) 1971. It will enable the Ministry to continue to make payments to egg producers of Northern Ireland to assist them towards meeting the cost of poultry feed.

(f) S.R. & O. (N.I.) 1971, No. 50.