The Eggs (Great Britain) Order, 1951

1951 No. 2143

Made - - - -	*5th December*, 1951
Laid before Parliament	*5th December*, 1951
Coming into Operation	*6th December*, 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(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:—

Commencement and citation

1. This Order shall come into operation on the 6th day of December, 1951, and may be cited as the Eggs (Great Britain) Order, 1951.

Interpretation

2.—(1) In this Order—

"The Minister" means the Minister of Food.

"Approved mark" means, in relation to each of the descriptions of eggs specified in the first column of Part I of the First Schedule to this Order, the mark relative to such description specified in the second column of that Part.

"Buy", "obtain", "supply" and "dispose of" include offer or agree to buy, obtain, supply or dispose of respectively, and "sell" includes offer or agree to sell or expose for sale.

"Catering establishment" means a catering establishment licensed or deemed to be licensed as such under the Food (Licensing of Establishments) Order, 1948, as amended(e), and "caterer" shall be construed accordingly.

"Cooking eggs" means eggs imported or purchased by or for the account of the Minister and sold by him for resale as cooking eggs.

"Eggs" means the eggs in shell of domestic fowls other than eggs which have been incubated for any period and which are marked with the letter "H".

"Establishments" means catering establishments and institutions.

"Fresh eggs" means eggs other than preserved eggs.

"Home produced eggs" means eggs produced in the United Kingdom.

"Imported eggs" means eggs imported into the United Kingdom.

"Institution" means an institution licensed or deemed to be licensed as such under the Food (Licensing of Establishments) Order, 1948, as amended.

(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 (Nos. 368 and 2584) II, pp. 404–7.

"Licensed buyer", "licensed packer", "licensed wholesaler" and "licensed secondary wholesaler" mean respectively persons licensed as such under or by virtue of the provisions of this Order.

"Poultry" means domestic fowls not less than two months old.

"Preserved" means preserved by pickling, cold storage or any other method.

"Producer" includes any person having poultry under his care, control or management.

"Sale by retail" means any sale other than a sale to a person buying for the purpose of resale and includes a sale to a person for the purpose of consumption as ships' stores and "sell by retail" and "retailer" shall be construed accordingly.

"Sealed eggs" means home produced eggs which have been subjected to a process of preservation consisting of being dipped in, sprayed with, or otherwise treated with odourless, tasteless, water-white mineral oils, and which have been marked "SEALED".

"Ships' stores dealer" means a person licensed as such under the Ships' Stores (No. 2) Order, 1950(a).

"Transport" includes consign for transport and cause to be transported or consigned for transport.

"The uncontrolled area" means the whole of the areas specified in the Third Schedule to this Order and "the controlled area" means Great Britain with the exception of the uncontrolled area.

(2) References in this Order to the purchase, or sale, or obtaining, supply or disposal of eggs by a trader of any specified class or description mean the purchase, sale, obtaining, supply or disposal by him for the purposes of his business as a trader of such class or description.

General restriction on trading in eggs

3. Except under and in accordance with the terms of a licence or other authority granted for the purposes of this Article by or on behalf of the Minister, no person shall by way of trade or business buy or sell any eggs, provided that the restriction imposed by this Article shall not apply to—

(*a*) a retailer (other than a ships' stores dealer) selling eggs by retail at less than ten retail shops;

(*b*) the sale of home produced eggs by or the purchase of home produced eggs from a producer having under his care, control or management not more than twenty-five head of poultry;

(*c*) the sale of home produced eggs by a producer to a licensed buyer or a licensed packer;

(*d*) the purchase of eggs by a catering establishment or institution buying the same for use solely in that catering establishment or institution; or

(*e*) a ships' stores dealer buying or selling eggs for the purpose of consumption as ships' stores or for resale for such purpose in accordance with the provisions of the Ships' Stores (No. 2) Order, 1950.

Supply of eggs by producers

4.—(1) A producer having under his care, control or management more than twenty-five head of poultry shall not sell or dispose of or part with the possession of any fresh eggs produced by any poultry under his care, control or management except to a licensed buyer or licensed packer in accordance

(a) S.I. 1950 (No. 1462) III, p. 471.

with paragraph (2) of this Article and shall not use any such eggs for the purposes of any catering or manufacturing business, provided that the restrictions imposed by this paragraph shall not prohibit the use of fresh eggs by the producer thereof for consumption in his own household or by persons resident in an institution carried on by him.

(2) A producer having under his care, control or management more than twenty-five head of poultry shall not sell or dispose of or part with the possession of any fresh eggs produced by any poultry under his care, control or management on the same premises to more than one licensed buyer or licensed packer; and shall not change his licensed buyer or licensed packer for the time being except after the expiration of 28 days notice in writing given by the producer to that licensed buyer or licensed packer as the case may be:

Provided that where the Minister has directed the producer to sell or dispose of or part with the possession of eggs to a licensed buyer or licensed packer nominated by the Minister the producer shall not sell or dispose of or part with the possession of those eggs except to the licensed buyer or licensed packer so nominated.

(3) Every licensed buyer and every licensed packer shall keep an accurate register showing the name and address of every producer from whom he buys fresh eggs, and, in relation to the producer concerned, the date of all notices received from that producer in accordance with paragraph (2) of this Article.

(4) A producer having under his care, control or management twenty-five head of poultry or less shall not sell or dispose of any fresh eggs produced by any poultry under his care, control or management either for resale or to any person for the purposes of a catering establishment carried on by him or to a manufacturer for the purposes of his manufacturing business, provided that the restrictions imposed by this paragraph shall not prohibit the sale of such eggs to a licensed buyer or licensed packer.

(5) (*a*) No person shall dispose of or sell or supply any home produced preserved eggs or use any such eggs for the purposes of a catering establishment or manufacturing business.

(*b*) The provisions of sub-paragraph (*a*) of this paragraph shall not apply to—

(i) sealed eggs;

(ii) the use of home produced preserved eggs, by the person who preserved them, for consumption in his own household or in an establishment carried on by him;

(iii) the sale by a producer having under his care, control or management twenty-five head of poultry or less of eggs produced by such poultry and preserved by him;

provided that nothing in this sub-paragraph shall authorise the sale or disposal of home produced preserved eggs, other than sealed eggs, for the purpose of resale or to any person for the purposes of a catering establishment carried on by him or to a manufacturer for the purposes of his manufacturing business.

(6) No licensed buyer shall by way of trade or business—

(*a*) buy or obtain any eggs except from a producer who is for the time being registered with him in accordance with the provisions of paragraph (3) of this Article or from a producer having under his care, control or management twenty-five or less head of poultry;

(*b*) dispose of any eggs except to a licensed packer;

Provided that the restrictions imposed by this paragraph shall not apply to eggs purchased by a licensed buyer from the Minister or from a licensed wholesaler or a licensed secondary wholesaler.

(7) No licensed packer shall by way of trade or business—

(*a*) buy or obtain any eggs except from a producer who is for the time being registered with him in accordance with the provisions of paragraph (3) of this Article, or from a producer having under his care, control or management twenty-five or less head of poultry or from a licensed buyer;

(*b*) dispose of any eggs except to the Minister;

Provided that the restrictions imposed by this paragraph shall not apply to eggs purchased by the licensed packer from the Minister or a licensed wholesaler or a licensed secondary wholesaler.

(8) No person other than a licensed buyer or a licensed packer shall buy or obtain from a producer any fresh eggs produced by poultry under the care, control or management of such producer, provided that the restrictions imposed by this paragraph shall not apply if—

(*a*) such eggs are purchased or obtained from a producer having under his care, control or management twenty-five head of poultry or less; and

(*b*) such eggs are not purchased or obtained for resale or for the purpose of a catering establishment or manufacturing business.

Obtaining and supply of eggs by retailers

5.—(1) No retailer shall by way of trade or business obtain any eggs except from a licensed wholesaler or licensed secondary wholesaler who has or shall have been nominated by him as his supplier, such nomination having been notified to the Food Executive Officer for the area in which his business premises are situate, or, in the case of a ships' stores dealer, to such other officer as the Minister may direct.

(2) No retailer shall sell or supply any eggs except to—

(*a*) an establishment to which he has been authorised to supply eggs in accordance with Article 6 of this Order;

(*b*) an individual registered with him for the supply of eggs;

(*c*) the holder of a Form R.B.12 issued to him by or on behalf of the Minister, during the period of validity thereof; or

(*d*) the holder of a Weekly Seaman's Ration Book R.B.6,

and no establishment or individual shall buy or obtain any eggs from a retailer except, in the case of an establishment, in accordance with the said Article 6 or, in the case of an individual, unless he is registered with the retailer as aforesaid or is the holder of the said Form or Ration Book:

Provided that the foregoing restrictions imposed by this Article shall not apply—

(i) to the sale or supply of eggs to an institution or individual by a producer having under his care, control or management not more than twenty-five head of poultry, if the eggs are the produce of such poultry;

(ii) to the sale or supply of eggs for the purpose of consumption as ships' stores in accordance with the provisions of the Ships' Stores (No. 2) Order, 1950.

(3) Registration by an individual for the purposes of this Article shall be effected by—

(*a*) the completion of the appropriate counterfoil and the acceptance of the same by the retailer; and

(*b*) the insertion of the name and address of the retailer in the space marked " Eggs " on Form R.G.12A, forming part of or affixed to the individual's ration document, or in such other space as may be authorised by or on behalf of the Minister to be used for such purpose.

For the purposes of this Article " appropriate counterfoil " means a counterfoil issued by or on behalf of the Minister upon which the word " Eggs " is marked or such other counterfoil as the Minister may authorise.

(4) No producer and no person normally resident in his household shall register with a retailer for the supply of eggs, but such producer shall forward his ration book and the ration books of any such persons so normally resident as aforesaid to the appropriate Food Control Committee for cancellation of the appropriate counterfoil; provided that the foregoing restrictions shall not apply to a domestic poultry keeper registered as such with the Ministry of Agriculture and Fisheries or with the Department of Agriculture for Scotland, or to any person normally resident in his household.

(5) An individual shall not register for the purposes of this Order with more than one retailer and, where a retailer has more than one place of business, an individual shall not be so registered at more than one of such places of business.

(6) Except with the authority of the Minister or of a Food Control Committee, an individual who is registered with a retailer for the purposes of this Order shall not transfer that registration to any other retailer.

Obtaining of eggs by establishments

6. Eggs shall not be obtained or supplied for the purposes of an establishment except under and in accordance with the terms of a buying permit or other authorisation granted by or on behalf of the Minister, provided that the restrictions imposed by this Article shall not apply to eggs supplied to an institution by a producer having under his care, control or management not more than twenty-five head of poultry, if the eggs are the produce of such poultry.

Use of eggs by manufacturers

7. Except under and in accordance with the terms of a licence or other authority granted by or on behalf of the Minister, no person shall for the purposes of his trade or business, other than that of a catering establishment, use any eggs in the composition, manufacture or preparation of any other article.

Marking of eggs

8. No person shall, except under and in accordance with the terms of a licence granted for the purposes of this Article by or on behalf of the Minister, mark any eggs with an approved mark, and no person shall mark any eggs with any mark so closely resembling an approved mark as to be calculated to deceive.

Control of prices

9.—(1) A person shall not buy or sell any eggs except in accordance with the following provisions:—

(*a*) on a sale by a producer to a licensed buyer or licensed packer the price shall be the fixed price specified in Part I of the Second Schedule to this Order;

(*b*) in any other case the price shall not exceed the appropriate maximum price specified in Parts I or II of the said Second Schedule;

Provided that the said prices specified in Parts I and II of the said Second Schedule shall be subject to such additions and deductions as are applicable in accordance with the provisions of Part III of the said Schedule.

(2) In calculating the fixed or maximum price any fraction of a farthing shall be regarded as one farthing.

(3) The provisions of paragraph (1) of this Article shall not apply to—

(*a*) a sale by retail of eggs by a producer having under his care, control or management twenty-five head of poultry or less if the eggs are the produce of such poultry ;

(*b*) cooked eggs served as a meal or part of a meal.

Categories of eggs

10.—(1) No person shall sell any eggs unless they conform to a category and description mentioned in Part II of the First Schedule to this Order, or sell eggs of one such category mixed with eggs of another of such categories:

Provided that the restrictions imposed by this paragraph shall not apply—

(*a*) on a sale by a producer of eggs produced by him ;

(*b*) on a sale by a licensed buyer to a licensed packer.

(2) No person shall sell by retail any home produced fresh eggs not bearing an approved mark, provided that the restrictions imposed by this paragraph shall not apply on a sale by retail of such eggs by a producer having under his care, control or management twenty-five head of poultry or less if the eggs are the produce of such poultry.

Furnishing of invoices

11. Every person selling eggs otherwise than by retail or to a licensed buyer or a licensed packer shall at the time of or not later than seven days after delivery of the eggs to the buyer furnish to him an invoice specifying the price at which the eggs are sold and the category appropriate to such eggs as set out in Part II of the First Schedule to this Order.

Keeping of records

12.—(1) Every person who carries on any undertaking by way of trade or business in the course of which he buys eggs and sells them otherwise than by retail shall—

(*a*) keep or cause to be kept an accurate record of every purchase and sale thereof by him, such record to include the following particulars :—

(i) the date of the purchase or sale ;

(ii) the name and address of the person from whom he bought or to whom he sold the eggs in question ;

(iii) the category and description of the eggs bought or sold and the quantity of each such category and description thereof bought or sold ;

(iv) the price or prices charged and each and every addition to and deduction from the fixed or maximum prices permitted or, as the case may be, required under this Order ;

(*b*) keep or cause to be kept an accurate record of all stocks of eggs held by him from time to time ;

(*c*) furnish to the Minister, at such times, in such manner and in such form as may be prescribed in a notice served upon him by or on behalf of the Minister under this Order, such estimates, returns or information relating to the undertaking as may be so prescribed.

(2) Every person who carries on any undertaking by way of trade or business in the course of which he sells eggs by retail shall keep or cause to be kept an accurate record of every purchase by him thereof, such record to include the date of the purchase, the name and address of the person from

whom the eggs were bought, the quantity, description and category of the eggs bought, the price or prices charged and each and every addition to and deduction from the maximum prices permitted under this Order.

(3) The retention by any person of an invoice or copy of an invoice shall in relation to the particulars mentioned in such document be a sufficient compliance by that person with the provisions of this Article.

(4) Every person shall retain the record of any transaction required to be kept pursuant to this Article for one year from the date of the transaction.

Artificial transactions, unreasonable charges

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

Warranty defence

14.—(1) Where a person is charged with an infringement of this Order and it is necessary for the prosecution to prove that eggs sold as eggs of a category specified in Part II of the First Schedule to this Order did not conform to the description appropriate to that category it shall be a defence for the defendant to prove—

(*a*) that he purchased the eggs in question with a written warranty to the effect that they were eggs of such category; and

(*b*) that he had no reason to believe at the time of the commission of the alleged offence that such eggs were otherwise than so warranted.

(2) A warranty shall not be a defence to such proceedings unless the defendant has within seven days of the service of the summons sent to the prosecutor a copy of the warranty with a notice, stating that he intends to rely on it, and specifying the name and address of the person from whom he has received it, and has also sent a like notice of his intention to that person.

(3) Where the defendant is a servant of the person who purchased the eggs under a warranty he shall be entitled to rely upon the provisions of this Article in the same way as his employer would have been entitled to do if he had been the defendant.

(4) The person by whom the warranty is alleged to have been given shall be entitled to appear at the hearing to give evidence.

(5) For the purposes of this Article any statement referring to any such category as aforesaid in an invoice or similar document relating to any eggs mentioned in that invoice or document, shall be deemed to be a written warranty that the eggs to which the statement relates are of the category mentioned in the statement.

Conditions of exemption for hatching eggs

15.—(1) The provisions of this Order shall not, subject to the provisions of paragraphs (3) and (4) of this Article, apply to eggs bought or sold for the purpose of hatching, provided that—

(*a*) the buyer shall have furnished the seller with a declaration in writing signed by the buyer stating that the eggs are being bought for the purpose of hatching, the date of purchase, the name and address of the buyer, the quantity of eggs bought and the price or prices charged;

(*b*) each egg shall have been indelibly and legibly marked by the seller with the letter "H".

(2) Every declaration furnished to the seller under paragraph (1) of this Article shall be retained by him for not less than one year from the date of receipt.

(3) No person shall buy or sell any hatching eggs by auction, conduct any auction sale of hatching eggs or authorise any such sale.

(4) No person shall sell any hatching eggs bought by him, provided that this restriction shall not apply if the eggs be sold to a licensed buyer or licensed packer.

Directions, licences and authorisations

16.—(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 licences or authorisations which may be granted by or on behalf of the Minister under this Order.

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

Infringements

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

Revocation

18.—(1) The Eggs (Great Britain) Order, 1950, as amended(**a**), is hereby revoked but without prejudice to any proceedings in respect of any contravention thereof, provided that any licence or registration granted thereunder or having effect by virtue thereof, and subsisting immediately before the coming into force of this Order, shall continue in force as though granted or having effect under this Order.

(2) Every person shall, notwithstanding the revocation of the said Order, retain any record of any transaction required to be kept by him thereunder for one year from the date of the transaction.

Northern Ireland and uncontrolled area

19. This Order shall not apply to Northern Ireland, nor, subject to the provisions of Article 20 of this Order, to the uncontrolled area.

Transport from the uncontrolled area

20.—(1) No person shall transport from the uncontrolled area any eggs produced in such area, provided that it shall be a defence for any person charged with an infringement of this Article to prove that the transport was—

(*a*) incidental to or consequent upon a sale to a licensed buyer or licensed packer ; or

(*b*) incidental to or consequent upon a sale or gift of the eggs by a producer having under his care, control or management not more than twenty-five head of poultry to a person buying or obtaining the eggs otherwise than for resale or otherwise than for use in any trade or business ; or

(*c*) effected by such person in the ordinary course of his business as a carrier and that he had no reason to believe that this Article was being infringed ; or

(*d*) incidental to the use of the eggs by the producer thereof for consumption in his own household or in an institution carried on by him.

(2) A person in the controlled area who has received eggs from the uncontrolled area shall not use the same for the purpose of a catering establishment or manufacturing business and shall not, unless he be a licensed buyer or licensed packer acting in the ordinary course of his business as such, dispose of the same for resale.

G. Lloyd George.
Minister of Food.

Dated the 5th day of December, 1951.

(a) S.I. 1950 (Nos. 1661 and 1958) III, pp. 508 and 530; and 1951 Nos. 426, 845, 1689 and 1843.

THE FIRST SCHEDULE

PART I

Description and Approved Marks applicable on a Sale by a Licensed Packer to the Minister

Column 1 Description		Column 2
State or condition	Weight	Approved Mark
"First Quality" Eggs, i.e., fresh eggs free from taint. Shell clean, sound and of good texture and shape. Contents free from blemish. Yolk central; translucent or faintly but not clearly outlined. White translucent. Air space not exceeding ¼-inch in depth.	Not less than 2 3/16 oz. ...	MF (a) A
	Less than 2 3/16 oz. but not less than 1 7/8 oz.	MF (a) B
	Less than 1 7/8 oz. but not less than 1½ oz.	MF (a) C
	Less than 1½ oz. ...	MF (a) S
"Second Quality" Eggs, i.e., eggs not of "First Quality" but which conform to the following description: Yolk visible, swinging freely; free from mould and showing no blood ring. White clear; free from diffused blood, mould growth and rot.	Any weight	MF (a) S

1. Each approved mark shall be completed by the licensed packer who marks the eggs by inserting at (*a*) the registration number specified in his licence granted under this Order.

2. The circle forming part of the approved mark shall be not less than 7/16 inch in diameter.

PART II

Category and description applicable on any sale of eggs otherwise than—

(*a*) by a producer to a licensed buyer or licensed packer;

(*b*) by a licensed buyer to a licensed packer; and

(*c*) by a licensed packer to the Minister.

TABLE

Column 1 Category	Column 2 Description
I	Home produced fresh eggs marked "A".
II	Home produced fresh eggs marked "B" and sealed eggs marked "A".
III	Home produced fresh eggs marked "C", sealed eggs marked "B" and imported eggs bearing an indication of the country of origin, but not marked "A", "B", "C" or "S".
IV	Imported eggs marked "C".
V	Home produced and imported eggs marked "S" and cooking eggs.

THE SECOND SCHEDULE

PART I

Fixed and Maximum Prices

Column 1	Column 2 Date of Delivery (all dates inclusive)	Column 3 At the rate of: per 120 eggs
		s. d.
1. Fixed price on a sale by a producer to a licensed buyer or licensed packer	6th December, 1951 to 26th December, 1951.	60 10
	27th December, 1951 to 16th January, 1952.	55 10
	17th January, 1952 to 30th January, 1952.	50 10
	On and after 31st January, 1952.	45 10
2. Maximum price on a sale by a licensed buyer to a licensed packer	6th December, 1951 to 26th December, 1951.	61 8
	27th December, 1951 to 16th January, 1952.	56 8
	17th January, 1952 to 30th January, 1952.	51 8
	On and after 31st January, 1952.	46 8

PART II

Maximum Prices on a Sale of Eggs of Categories I–V

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Description of Sale	Category I	Category II	Category III	Category IV	Category V
(*a*) On a sale by a licensed wholesaler or a licensed secondary wholesaler to an establishment or to a retailer.	At the rate of: s. d. 46 9 per 120 eggs	At the rate of: s. d. 41 9 per 120 eggs	At the rate of: s. d. 36 9 per 120 eggs	At the rate of: s. d. 31 9 per 120 eggs	At the rate of: s. d. 26 9 per 120 eggs
(*b*) On a sale by a retailer to an establishment or to a consumer.	5d. each	4½d. each	4d. each	3½d. each	3d. each

PART III

ADDITIONS TO AND DEDUCTIONS FROM THE PRICES SET OUT IN PARTS I AND II OF THIS SCHEDULE

Eggs which are not of first or second quality or in a clean condition

1. The prices specified in Part I of this Schedule, applicable on a sale by a producer to a licensed buyer or licensed packer and by a licensed buyer to a licensed packer are prescribed on the basis that the eggs are of first quality and in a clean condition and accordingly—

(*a*) where the buyer takes delivery of dirty eggs which, if clean, would have been of first quality a deduction from the price shall be made by the buyer at the rate of 1d. for each such egg;

(*b*) where the buyer takes delivery of any other eggs of second quality a deduction from the price shall be made by the buyer at the rate of 1½d. for each such egg;

(*c*) where the buyer takes delivery of eggs which do not conform to the descriptions prescribed in Part I of the First Schedule to this Order for eggs of first or second quality a deduction from the price shall be made of such amount as is reasonable in all the circumstances.

Transport

2. The prices specified in Part I of this Schedule, applicable on a sale by a producer to a licensed buyer and by a licensed buyer to a licensed packer, include all costs and charges of and incidental to delivery of the eggs at the buyer's premises and no additional charge may be made by the seller in respect of delivery, provided that, where at the request of the seller the buyer takes delivery of the eggs at a place other than the buyer's premises, the price may be reduced by the amount of any costs and charges reasonably incurred, paid or payable by the buyer in respect of the transport of the eggs to his premises.

3. The prices specified in Part I of this Schedule, applicable to a sale by a producer to a licensed packer, are fixed on the basis that delivery of the eggs is taken by the buyer at the seller's premises:

Provided—

(i) that if the seller's premises are situate more than ten miles from the buyer's packing station and delivery of the eggs is taken by the buyer at a point more than ten miles from that packing station the fixed price may be reduced by the amount of any costs and charges reasonably incurred, paid or payable by the buyer in transporting the eggs from the point of delivery to the nearest accessible point which is not more than ten miles distant from the said packing station; and

(ii) that if the seller's premises are situate at a point ten miles or less from the buyer's packing station and by mutual agreement between the buyer and the seller delivery is taken by the buyer at a point other than the seller's said premises the fixed price payable by the buyer shall be increased by the amount of any costs and charges reasonably incurred, paid or payable by the seller in transporting the eggs from his premises to the point of delivery.

4. The maximum prices specified in paragraph (*a*) of Part II of this Schedule include all costs and charges of and incidental to delivery of the eggs at the buyer's premises and no additional charge shall be made by the seller in respect of delivery.

5. Where a licensed wholesaler or a licensed secondary wholesaler delivers to a buyer at a point more than 25 miles distant from his warehouse, he may make a charge in addition to the maximum price at a rate not exceeding 3d. per 120 eggs so delivered.

Breaking Bulk

6. Where on the occasion of a sale mentioned in paragraph (*a*) of Part II of this Schedule the seller has opened a trade pack for the purpose of repacking and selling a smaller quantity of eggs than those originally contained in such pack, a charge in addition to the maximum price may be made by the seller at a rate not exceeding 3d. for each 120 eggs subsequently repacked and sold by him.

Containers

7. The maximum prices prescribed on a sale mentioned in paragraph (*a*) of Part II of this Schedule include all costs and charges of and incidental to the provision of packages or containers and no additional charges shall be made by the seller in respect thereof or of any service incidental thereto, provided that—

(*a*) a reasonable charge may be made by the seller for a non-returnable container on any sale of eggs for consumption on a ship, to the extent that the eggs have been authorised for shipment under Article 3 of the Ships' Stores (No. 2) Order, 1950, or have been bought or obtained for consumption or use on any ship while lying in a United Kingdom port or harbour (as prescribed in Article 4 of that Order); and

(*b*) on any sale not mentioned in proviso (*a*) hereof the seller may make a reasonable charge by way of deposit for a returnable container. Any sum so charged shall be repaid by the seller to the buyer on the receipt by the seller of the container in such condition as is reasonable having regard to its condition when supplied and to ordinary wear and tear. All costs and charges of and incidental to the return to the seller of the container shall be for the account of the seller.

THE THIRD SCHEDULE

1. The County of Zetland (excluding the Mainland).

2. The County of Orkney (excluding the Mainland and the Islands of Burray and South Ronaldshay).

3. The County of Sutherland.

4. The following parishes in the County of Ross and Cromarty:—

Kincardine, Lochbroom, Gairloch, Applecross, Lochcarron, Lochalsh, Kintail, Glenshiel and all the islands within the said County.

5. The following parishes in the County of Inverness:—

Urquhart and Glenmoriston, Glenelg, Arisaig and Moidart, Laggan, Alvie, Kingussie and Insh, Boleskine and Abertarff, Kilmonivaig, Kilmallie (part thereof in the said County) and all the islands within the said County.

6. The County of Argyllshire.

7. The County of Bute.

8. The following parishes in the County of Perthshire:—

Kirkmichael, Moulin, Blair Atholl, Balquhidder, Killin, Kenmore, Fortingall, Dull.

9. The Isles of Scilly.

EXPLANATORY NOTE

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

This Order replaces the Eggs (Great Britain) Order, 1950, as amended.

It sets out the prices to be paid for eggs sold by producers to licensed buyers or licensed packers on and after 6th December, 1951.

Persons carrying on undertakings by way of trade or business in the course of which they buy eggs and sell them otherwise than by retail are required to give the Minister such information as to their trade or business as may be required by him.

The Eggs (Northern Ireland) Order, 1951

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Laid before Parliament	*5th December*, 1951
Coming into Operation	*6th December*, 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(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:—

Commencement and citation

1. This Order shall come into operation on the 6th day of December, 1951, and may be cited as the Eggs (Northern Ireland) Order, 1951.

Interpretation

2. In this Order:—

"The Minister" means the Minister of Food.

"The Ministry" means the Ministry of Agriculture for Northern Ireland.

"Approved Mark" means in relation to each of the descriptions of eggs specified in the first column of Part I of the First Schedule to this Order the mark relative to such description specified in the second column of that Part.

"Buy", "obtain", "supply" and "dispose of" include offer or agree to buy, obtain, supply or dispose of respectively, and "sell" includes offer or agree to sell and expose for sale.

"Catering establishment" means a catering establishment licensed or deemed to be licensed as such under the Food (Licensing of Establishments) Order, 1948, as amended(e), and "caterer" shall be construed accordingly.

"Establishments" means catering establishments and institutions.

(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 (Nos. 368 and 2584) II, pp. 404–7.