PART III

1. Each approved mark shall be completed by the packer who marks the eggs by inserting at (*a*) the registration number allotted by the Board to the packing station where the eggs are marked.

2. All letters and figures in each approved mark shall be not less than one-sixteenth of an inch high.

3. The circle forming part of the approved mark in Part II hereof shall be not less than one-half of an inch in diameter.

EXPLANATORY NOTE

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

This Order—

(1) requires packers to grade and mark with an approved mark all hen and duck eggs which are eligible for subsidy and are sold to the British Egg Marketing Board through packing stations;

(2) requires packers to keep records of the purchase, sale and use by them of all hen and duck eggs; and

(3) permits authorised officers to inspect records and stocks and take samples of hen and duck eggs on any land used for the storage, grading, packing or sale otherwise than by retail of such eggs.

This Order supports the guarantee arrangements for eggs having effect under Part I of the Agriculture Act, 1957 and will replace the Eggs Order, 1957 (S.I. 1957/1097), made under the Defence (General) Regulations, 1939.

1958 No. 958

The Fatstock (Protection of Guarantees) Order, 1958

Made - - - -	11*th June*, 1958
Laid before Parliament	17*th June*, 1958
Coming into Operation	30*th June*, 1958

The Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with agriculture in Scotland and Northern Ireland acting jointly in exercise of the powers conferred upon them by section five and subsection (4) of section nine of the Agriculture Act, 1957(a), and of all other powers enabling them in that behalf, hereby make the following Order:—

1. This Order may be cited as the Fatstock (Protection of Guarantees) Order, 1958; and shall come into operation on the 30th day of June, 1958.

2.—(1) In this Order—

"the appropriate Minister", in relation to any part of the United Kingdom, means either that one of the Ministers who is concerned with agriculture in that part, or that Minister and either or both of the others acting jointly;

(a) 5 & 6 Eliz. 2. c. 57.

" approved animal " means any animal approved by the proper officer for certification for a guarantee payment ;

" approved carcase " means any carcase approved by the proper officer for certification for a guarantee payment ;

" certified ", in relation to an animal or carcase, means certified by the proper officer as being eligible for a guarantee payment and " certification " shall be construed accordingly ;

" deadweight certification centre " means any place for the time being approved by the appropriate Minister for the certification of the carcases of livestock for a guarantee payment ;

" fatstock " means fat cattle, fat sheep, and fat pigs and the carcases of such animals ;

" guaranteed payment " means any sum payable by the appropriate Minister under the provisions of the Fatstock (Guarantee Payments) Order, 1957(**a**) or any Order amending or replacing it ;

" liveweight certification centre " means any place for the time being approved by the appropriate Minister for the certification of livestock for a guaranteed payment ;

" the Ministers " means the Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with agriculture in Scotland and Northern Ireland ;

" proper officer " means, in relation to any purpose referred to in this Order, a person for the time being authorised by the appropriate Minister to act for that purpose.

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

3. Every approved animal and every approved carcase before being removed from a liveweight or a deadweight certification centre, as the case may be, at which such animal or carcase has been approved, shall be marked by or under the supervision of the proper officer with one of the appropriate marks prescribed in the Schedule to this Order.

4. No person shall—

(*a*) remove any approved animal from a liveweight certification centre or, within a liveweight certification centre, from a pen or other place which is allocated for the marking of livestock ;

(*b*) remove any approved carcase from a deadweight certification centre

unless such approved animal or approved carcase, as the case may be, has been marked in accordance with Article 3 of this Order.

Prohibition relating to approved fatstock

5.—(1) No person shall—

(*a*) present for certification any approved animal or approved carcase or the carcase of any approved animal ;

(*b*) use or permit or cause to be used any approved animal for breeding or milking or permit or cause any such approved animal to have access to any animal with which it may mate.

(**a**) S.I. 1957/370 (1957 I, p. 93). (**b**) 52 & 53 Vict. c. 63.

(2) In any proceedings in respect of a contravention of any of the provisions of paragraph (1) of this Article, if any animal or any carcase bears one of the marks prescribed for live animals in the Schedule hereto, it shall be deemed to be an approved animal or the carcase of an approved animal, as the case may be, and if any carcase bears one of the marks prescribed for carcases in the Schedule hereto it shall be deemed to be an approved carcase, unless the contrary be proved.

Records

6. Every person who buys, sells or transports any fatstock and who is required by virtue of the Movement of Animals (Records) Order of 1925(a) to keep a record of the movement of animals shall produce on request such record for inspection by a person authorised by or on behalf of the appropriate Minister for the purposes of this Order.

7.—(1) Every person who presents any fatstock for certification shall keep an accurate record, showing, in respect of every purchase and sale by him of such fatstock,

(*a*) the date of the transaction and description of fatstock ;

(*b*) in the case of a purchase or sale of a live animal by auction at an auction market, the name and address of the auctioneer, and in any other case the name and address of the other party to the transaction ; and

(*c*) the price paid or received in respect of the fatstock.

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

(3) Every person who is required by this Article to keep any record shall retain it for at least two years from the date of the transaction to which it relates and shall produce it for inspection if so required by any person authorised by or on behalf of the appropriate Minister to require its production.

8. Any person who carries on any undertaking by way of trade or business in the course of which he buys or sells any approved animal or approved carcase shall if a notice in writing is served upon him by or on behalf of the appropriate Minister keep such books accounts or records relating to the purchase sale or use of livestock or the carcases of livestock or the slaughter of livestock as may be specified in the notice and shall produce such books accounts or records for inspection if required to do so by any person authorised by or on behalf of the appropriate Minister to require their production.

Powers of entry and to obtain evidence

9.—(1) Any authorised officer of the appropriate Minister may at all reasonable times enter upon land used for the production, slaughter or sale of livestock or for the storage, grading, packing or sale of the carcases of livestock and may inspect any livestock or carcases found thereon.

(2) In any case where an authorised person has reason to suspect that there has been a contravention of this Order, or of section 7 of the Agriculture Act,

(a) S.R. & O. 1925/1350 (Rev. II, p. 421: 1925 p. 69).

1957 or that a guarantee payment has been illegally obtained or that there has been an attempt to obtain a guarantee payment illegally he may—

(*a*) take possession of any ear of any carcase presented for certification for a guarantee payment ; and

(*b*) take possession of any book, account or record required to be kept by or under this Order or take any copy or extract from any such book, account or record.

(3) In paragraph (2) of this Article—

" authorised person " means in relation to sub-paragraph (*a*) of that paragraph any person authorised by or on behalf of the appropriate Minister or a proper officer for the purpose of the approval for certification for a guarantee payment of any carcase of any livestock ; and in relation to sub-paragraph (*b*) of that paragraph any person authorised by or on behalf of the appropriate Minister.

General provisions

10.—(1) Any notice required or authorised by this Order to be given to or served on any person shall be sufficiently given or served if it is delivered to him personally or left at his last known place of abode or business or sent by post addressed to him at the aforesaid place of abode or business.

(2) Any notice required or authorised by this Order to be given to or served on an incorporated company or body shall be sufficiently given or served if given to or served on the secretary or clerk of the company or body. For the purposes of this Order and of section 26 of the Interpretation Act, 1889, the proper address of such secretary or clerk shall be that of the registered or principal office of the company or body.

11. The functions of the appropriate Minister under this Order may be exercised in relation to Northern Ireland by the Minister of Agriculture for Northern Ireland.

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

(L.S.)

John Hare,
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland this eleventh day of June, nineteen hundred and fifty-eight.

(L.S.)

John S. Maclay,
Secretary of State for Scotland.

Given under the hand of the Secretary of State for the Home Department this eleventh day of June, nineteen hundred and fifty-eight.

R. A. Butler,
Secretary of State for the Home Department.

THE SCHEDULE

APPROPRIATE MARKS FOR THE PURPOSES OF ARTICLE 3 AND ARTICLE 5 OF THIS ORDER

1. For live cattle: either of the following marks—

(*a*) a circular punch hole of approximately one half inch diameter, or

(*b*) a circular punch hole of approximately one half inch diameter surrounded by a tattoo mark consisting of dots in a circular or rectangular pattern measuring approximately one inch across the diameter or diagonal as the case may be,

such mark to be placed—

(*a*) in the case of home-bred cattle, in the left ear and in addition, at the discretion of the proper officer, in the right ear if that ear does not bear a circular punch hole of at least one half inch diameter;

(*b*) in the case of imported cattle, in the right ear.

2. For live sheep: any one of the following marks—

(*a*) a tattoo mark consisting of dots in a rectangular pattern measuring approximately three quarters of an inch across the diagonal, or

(*b*) a circular punch hole of approximately a quarter of an inch diameter surrounded by a tattoo mark consisting of dots in a rectangular pattern measuring three quarters of an inch across the diagonal, or

(*c*) a circular punch hole of approximately half an inch diameter surrounded by a tattoo mark consisting of dots in a circular or rectangular pattern measuring approximately one inch across the diameter or diagonal as the case may be

such mark to be placed—

(*a*) in the case of home-bred sheep, in the right ear,

(*b*) in the case of imported sheep, in the left ear.

3. For live pigs: any one of the following marks—

(*a*) a slap mark consisting of the letters and numerals "M55F" approximately three quarters of an inch in height applied to the right shoulder, or

(*b*) a circular punch hole of approximately a quarter of an inch diameter surrounded by a tattoo mark consisting of dots in a rectangular pattern measuring approximately three quarters of an inch across the diagonal applied to the right ear of the pig, or

(*c*) a circular punch hole of approximately one half inch diameter surrounded by a tattoo mark consisting of dots in a circular or rectangular pattern measuring approximately one inch across the diameter or diagonal, as the case may be, applied to the right ear of the pig.

4. For the carcases of cattle, sheep and pigs:

(*a*) approved in England and Wales—a mark comprising a circle of approximately one and one half inch diameter with the letters and word "M.A.F.F. Certified" on the inner circumference around the number allocated to the proper officer for the time being using the instrument which applies the mark. Such mark to be applied at least once to the outer surface of the carcase;

(*b*) approved in Scotland—a mark comprising a diagonal (or St. Andrew's) cross within a circle of approximately one and a half inch diameter. Such mark to be applied at least once to the outer surface of the carcase and in addition the ear or ears of the carcase to be removed or mutilated;

(*c*) approved in Northern Ireland—a mark comprising a diagonal (or St. Andrew's) cross within a circle of approximately one and a half inch diameter. Such mark to be applied at least once to the outer surface of the carcase.

EXPLANATORY NOTE

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

This Order, made under sections 5 and 9 of the Agriculture Act, 1957, makes provision for the protection of the fatstock guarantee payments.

The principal provisions

(*a*) require the marking of any animal or carcase approved for certification for a guarantee payment and the keeping and production of specified records;

(*b*) prohibit the presentation for a guarantee payment of any animal or carcase previously approved for certification or the use for breeding or milking of an approved animal;

(*c*) provide for entry on land used for the production and sale of livestock or carcases by duly authorised officers.

The Order replaces the Fatstock (Guarantee Payments) (Marking) Order, 1955 (S.I. 1955/852) made under the Defence (General) Regulations, 1939.

1958 No. 558

The Imported Livestock Order, 1958

Made - - - -	31*st March*, 1958
Laid before Parliament	2*nd April*, 1958
Coming into Operation	14*th April*, 1958

The Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with agriculture in Scotland and Northern Ireland acting jointly in exercise of the powers conferred upon them by sections five, six, subsection (4) of section nine and subsection (4) of section thirty-six of the Agriculture Act, 1957(a), and of all other powers enabling them in that behalf, hereby make the following Order:—

1. This Order may be cited as the Imported Livestock Order, 1958: and shall come into operation on the 14th day of April, 1958.

2.—(1) In this Order—

"the appropriate Minister", in relation to any part of the United Kingdom, means that one of the Ministers who is concerned with agriculture in that part, or that Minister and either or both of the others acting jointly;

"authorised officer" means any person authorised by the appropriate Minister and shall be deemed to include any constable or police officer, and in Northern Ireland any member of the Royal Ulster Constabulary or a Special Constable on full time police duty;

"landing place" means that part of a port mentioned in the First Schedule to this Order at which imported livestock are required to be landed;

"livestock" means cattle, sheep and pigs and in Northern Ireland includes the carcases of pigs;

(a) 5 & 6 Eliz. 2. c. 57.