3. In this licence—

"Approved buyer" has the meaning assigned to it in Article 1 of the Feeding Stuffs (Licensing) Order, 1950(a).

"Feeding stuff" means any feeding stuff specified in the Schedule to the Principal Order.

"Wet grains" means brewers' wet grains (including wet grains produced in the manufacture of malt extract or vinegar), and distillers' wet grains (including wet distillery dreg).

4. This licence—

(*a*) shall not operate to relieve any person from any obligation imposed by any other Article of the Principal Order or from any other Order of the Minister for the time being in force;

(*b*) may be revoked at any time by the Minister either generally or in relation to any particular person.

5. This Order may be cited as the Feeding Stuffs (Licensing) (General Licence) Order, 1950; and shall come into operation on the 1st day of February, 1950.

Dated the 26th day of January, 1950.

John Strachey,
Minister of Food.

EXPLANATORY NOTE

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

This Order replaces the General Licence made under the Feeding Stuffs (Licensing and Control) Order, 1943. Individual licences are not now required for retail sales of National Poultry Balancer Meal to Domestic Poultry Keepers which are now permitted under this Order.

The Feeding Stuffs (Licensing) Order, 1950

1950 No. 138

Made - - - -	*26th January,* 1950
Laid before Parliament	*27th January,* 1950
Coming into Operation	*1st February,* 1950

In exercise 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(b) as extended by the Supplies and Services (Extended Purposes) Act, 1947(c), and of all other

(a) S.I. 1950 No. 138 below.
(b) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1611 and 1615–25) II, pp. 39 and 45–56.
(c) 10 & 11 Geo. 6. c. 55.

powers him enabling, the Minister of Food hereby makes the following Order:—

PART I.—DEFINITIONS

1. In this Order—

(*a*) " The Minister " means the Minister of Food.

(*b*) " Approved buyer " means a person licensed by or on behalf of the Minister as an approved buyer for the purposes of any Order made by the Minister regulating the sale or distribution in Great Britain of barley, beans, dredge corn, oats, rye, threshed home grown peas, feeding peas or wheat, grown in each case in the United Kingdom or the Isle of Man.

" Buy " includes obtain, or offer or agree to buy or obtain.

" Compound " and " concentrate " have the meanings assigned to them in the Feeding Stuffs (Manufacture) Order, 1949(a).

" Consumer " means a person buying a feeding stuff otherwise than for sale after processing or manufacture.

" Isle of Man approved buyer " means, in relation to any feeding stuff, a person licensed by or on behalf of the Lieutenant-Governor of the Isle of Man as an approved buyer of that feeding stuff for the purposes of any Order made by the Lieutenant-Governor of the Isle of Man regulating the purchase and sale of that feeding stuff.

" Industrial purpose " means use in the manufacture or preparation of any article other than—

(i) a feeding stuff, or

(ii) an article intended for human consumption.

" Livestock " means horses, mules, asses, cattle, sheep, pigs, goats, chickens, fowls, ducks, turkeys, guinea-fowls and geese.

" Poultry " means chickens, fowls, ducks, turkeys, guinea-fowls and geese.

" Sell " includes supply, or offer or agree to sell or supply, or expose for sale.

" Wholesale dealer ", " distributing dealer " and " retailer " mean respectively persons licensed as such under or by virtue of the provisions of this Order, and " retailer " includes any person authorised by General Licence under this Order to sell feeding stuffs to consumers.

PART II.—TRADING IN FEEDING STUFFS SITUATE IN GREAT BRITAIN*

2. Except under and in accordance with the terms of a licence granted under this Article, no person shall buy or sell any feeding stuff specified in the Schedule to this Order and situate in Great Britain, provided that—

(*a*) a consumer may buy any such feeding stuff from a person authorised under this Order to sell that feeding stuff;

(*b*) any person may buy or sell—

(i) any such feeding stuff intended for human consumption, for use as seed or for any industrial purpose,

(a) S.I. 1949 (No. 1067) II, p. 339.

* Trading in feeding stuffs situate in Northern Ireland is controlled by the Feeding Stuffs (Control) (Northern Ireland) Order, S.R. & O. 1944 (No. 114) II, p. 701.

(ii) any mixture intended as an animal medicine or a condiment,

(iii) any mixture intended for feeding to dogs, cats or birds (other than poultry),

(iv) any mixture containing poison or virus and intended to destroy vermin;

(*c*) any person may buy any such feeding stuff for use by him in the manufacture of—

(i) a mixture intended as an animal medicine or a condiment,

(ii) a mixture intended for feeding to dogs, cats or birds (other than poultry),

(iii) a mixture containing poison or virus and intended to destroy vermin;

(*d*) a grower may sell grain or pulse grown by him in Great Britain to—

(i) a consumer, provided that the sale is not prohibited under any other Order of the Minister,

(ii) an approved buyer of the grain or pulse in question,

(iii) a wholesale dealer or distributing dealer, provided that where any Order of the Minister so requires the dealer is licensed as an approved buyer of that feeding stuff, and any person to whom a grower may sell grain or pulse as aforesaid may buy such grain or pulse from him;

(*e*) an approved buyer may—

(i) buy from or sell to another approved buyer thereof any grain or pulse grown in the United Kingdom or the Isle of Man,

(ii) buy from an Isle of Man approved buyer any grain or pulse grown in the Isle of Man,

(iii) sell any grain or pulse grown in the United Kingdom or the Isle of Man to a wholesale dealer or a distributing dealer if the dealer in question is licensed to trade in such grain or pulse, and any such dealer licensed to trade in any grain or pulse may buy such grain or pulse from an approved buyer thereof.

(*f*) any person may sell—

(i) flour sweepings or sack shakings to a wholesale dealer or distributing dealer if the dealer in question is licensed to trade therein and such dealer may buy the same from any person for resale to a manufacturer of compounds*;

(ii) to a manufacturer of compounds, and such manufacturer may buy from any person, any flour sweepings or sack shakings for use in the manufacture of compounds*;

(*g*) any person authorised by the Board of Trade to obtain or supply molasses may buy or sell molasses in accordance with such authority.

Part III.—General Provisions

3.—(1) Every person licensed under this Order shall keep or cause to be kept an accurate record of his dealings in any feeding stuff specified in the Schedule to this Order, such record to include the following particulars:—

(*a*) in respect of each purchase—

(i) the date of the purchase,

* No compounds may be manufactured except in accordance with the provisions of the Feeding Stuffs (Manufacture) Order, 1949 (S.I. 1949 (No. 1067) II, p. 339).

(ii) the name and address of the person from whom he purchased the feeding stuff,
(iii) the quantity and description of each feeding stuff purchased, and
(iv) the price paid for each feeding stuff and details of any charges for transport paid or incurred by him;

(*b*) in respect of each sale to a person other than a consumer—
(i) the date of the sale,
(ii) the name and address of the person to whom he sold the feeding stuff,
(iii) the quantity and description of each feeding stuff sold, and
(iv) the price charged for each feeding stuff and details of any charges for transport made, paid or incurred by him.

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

(3) Every person required by this Article to keep any record shall retain it for one year from the date of the transaction to which it relates.

4.—(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 therein stated, 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) Where a sampling officer within the meaning of the Food and Drugs (Adulteration) Act, 1928(**a**), or the Food and Drugs Act, 1938(**b**), or an inspector within the meaning of the Fertilisers and Feeding Stuffs Act, 1926(**c**), or the Sale of Food (Weights and Measures) Act, 1926(**d**), is authorised under the respective Act to purchase or take a sample, it shall be lawful for him on producing a document duly authenticated for the purpose of such Act and identifying him as such sampling officer or inspector to purchase or take such sample notwithstanding any restriction contained in this Order upon the buying or selling of the feeding stuff in question.

5. For the avoidance of doubt it is hereby declared—

(*a*) that the provisions of this Order apply to any feeding stuff whether or not the same is damaged or reconditioned;

(*b*) that nothing contained in this Order shall be construed as relieving any person from compliance with any other Order of the Minister for the time being in force.

(**a**) 18 & 19 Geo. 5. c. 31. (**b**) 1 & 2 Geo. 6. c. 56. (**c**) 16 & 17 Geo. 5. c. 45. (**d**) 16 & 17 Geo. 5. c. 63.

DIRECTIONS, LICENCES AND AUTHORISATIONS

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 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 this Order shall comply with every condition imposed by that licence or authorisation.

INFRINGEMENTS

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

8.—(1) The Feeding Stuffs (Licensing and Control) Order, 1943, as amended(a); and the General Licence (Retailers) dated 21st day of October, 1943(b), are hereby revoked but without prejudice to any proceedings in respect of any contravention thereof.

(2) Notwithstanding the revocation of the Feeding Stuffs (Licensing and Control) Order, 1943, any licence (other than the General Licence referred to in paragraph (1) of this Article) or any authorisation granted or having effect under the said Order and subsisting immediately before the coming into effect of this Order, shall continue to have effect as though granted under the Order.

(3) Notwithstanding the revocation of the said Orders, any person required thereunder to keep any record shall retain the same for one year from the date of the transaction to which it relates.

9. This Order shall not apply to Northern Ireland.

10. This Order may be cited as the Feeding Stuffs (Licensing) Order, 1950; and shall come into operation on the 1st day of February, 1950.

John Strachey,
Minister of Food.

Dated the 26th day of January, 1950.

THE SCHEDULE

1. CEREAL FEEDING STUFFS namely:—

Any of the following or any product or by-product thereof:—

Barley,	Lentils,
Beans,	Maize,
Dari,	Oats,
Dredge corn,	Peas,
Gram,	Rye,
Grain Sorghums (including milo, kaffir corn and guinea maize),	Soya beans,
	Wheat.

(a) S.R. & O. 1943 (No. 1500) II, p. 1003; 1947 (No. 716) II, p. 617 and S.I. 1949 Nos. 1021 and 1583.
(b) S.R. & O. 1943 (No. 1501) II, p. 1009.

2. OILSEED CAKES AND MEALS, namely:—

Any cake or extracted meal produced from one or more of the following or any meal produced from any such cake:—

Cacao beans,
Coconut (copra),
Cotton seed,
Groundnut,
Hempseed,
Kapokseed,
Linseed,
Niger seed,
Palm kernels,
Poppyseed,
Rapeseed,
Sesame seed (including til seed and gingelly seed),
Sheanut,
Soya beans,
Sunflowerseed.

3. LOCUST BEANS AND LOCUST BEAN PRODUCTS, namely:—

Locust beans. Locust beans, kibbled. Locust bean meal.

4. RICE, RICE BRAN AND OTHER RICE OFFALS, namely:—

Cargo broken rice,
Rice bran,
Rice meal,
Parboiled rice bran,
Parboiled rice meal,
Any other rice offals (including rice dust).

5. ANIMAL PROTEIN FEEDING STUFFS, namely:—

Dried liver meal,
* Feeding bone flour,
* Feeding dried blood,
* Feeding meat and bone meal,
Feeding meat and bone greaves (unground feeding meat and bone meal),
* Feeding meat meal,
Feeding meat greaves (unground feeding meat meal),
Fish meal,
* Ground bone,
Herring meal,
Whale guano,
Whale meat and bone meal,
Whale meat meal.

6. MISCELLANEOUS FEEDING STUFFS, namely:—

Brewers' grains, dried or wet (including grains produced in the manufacture of malt extract or vinegar).

Distillers' grains, dried or wet (including distillery dreg).

Dried milk products (including dried butter milk, whey powder and whey paste).

Flour sweepings and sack shakings.

Tapioca root or cassava root, unground or ground (including tapioca flour, manioc meal, mandioca meal and tapioca ampas).

Malt, malt culms, malt dust, malt screenings, rock culms, kiln dust and any other by-product of the manufacture of malt.

Malt bran or any other product or by-product produced in the milling of malted cereals.

Molasses.

Potato products, dried.

Sugar beet pulp, dried (plain or molassed).

8. Any compound, or concentrate, or any other mixture which includes any of the feeding stuffs in this Schedule.

* As defined in Part II of the Fourth Schedule to the Fertilisers and Feeding Stuffs Act, 1926, as amended.

EXPLANATORY NOTE

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

This Order replaces the Feeding Stuffs (Licensing and Control) Order, 1943, as amended. Some feeding stuffs have been removed from the Schedule and are therefore freed from licensing control. A number of the remaining items have been re-named.

The Feeding Stuffs (Licensing) (Amendment) Order, 1950

1950 No. 440

Made - - - -	*24th March*, 1950
Laid before Parliament	*25th March*, 1950
Coming into Operation	*1st April*, 1950

In exercise of the powers conferred upon him by Regulation 55 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 of all other powers him enabling, the Minister of Food hereby makes the following Order:—

1. The Feeding Stuffs (Licensing) Order, 1950(**c**) shall be amended as follows:—

(*a*) by substituting in Article 1 (*b*) thereof for the definition of "Consumer" the following definition—

> "Consumer" means a person buying a feeding stuff otherwise than for resale or otherwise than for sale after processing or manufacture".

(*b*) by deleting sub-paragraph (*g*) of Article 2 thereof.

2. This Order may be cited as the Feeding Stuffs (Licensing) (Amendment) Order, 1950 and shall come into operation on the 1st day of April, 1950.

Dated the 24th day of March, 1950.

Maurice Webb,
Minister of Food.

EXPLANATORY NOTE

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

This Order amends the Feeding Stuffs (Licensing) Order, 1950 by

(1) changing the definition of consumer, and

(2) deleting the proviso which exempted holders of a Board of Trade authorisation under the Molasses Order, 1949(**d**) (now revoked) from the necessity of obtaining a licence under the Feeding Stuffs (Licensing) Order, 1950.

(**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. 138, p. 535 above.
(**d**) S.I. 1949 (No. 1001) II, p. 603.