XII. EGGS

OMITTED ORDERS.—The following Orders of 1948 were revoked and replaced by the respective 1949 Orders referred to and are therefore omitted from this volume.

The Eggs (Control and Prices) (Great Britain) Order, 1946 (Amendment No. 6) Order, 1948 [S.I. 1948 No. 150] revoked (February 27, 1949) by S.I. 1949 No. 272.

The Eggs (Control and Prices) (Great Britain) Order, 1946 (Amendment No. 7) Order, 1948 [S.I. 1948 No. 592] revoked (March 31, 1949) by S.I. 1949 No. 612.

The Eggs (Control and Prices) (Northern Ireland) Order, 1947 (Amendment No. 2) Order, 1948 [S.I. 1948 No. 151] revoked (March 6, 1949) by S.I. 1949 No. 306.

The Eggs (Control and Prices) (Northern Ireland) Order, 1947 (Amendment No. 3) Order, 1948 [S.I. 1948 No. 593] revoked (March 31, 1949) by S.I. 1949 No. 613.

The Eggs (Control and Prices) (Northern Ireland) Order, 1947 (Amendment No. 4) Order, 1948 [S.I. 1948 No. 2236] revoked (March 31, 1949) by S.I. 1949 No. 613.

XIII. FEEDING STUFFS

[Flour, *see* p. 590 below ; Meat, *see* p. 714 below ; Rationing, *see* p. 487 above.]

(A) *Generally.* | (C) *Pigeon Feeding Stuffs*, p. 564.

(B) *Hay*, p. 547.

(A) GENERALLY

(a) *Manufacture.* | (b) *Maximum Prices*, p. 546.

(a) MANUFACTURE

The Feeding Stuffs (Regulation of Manufacture) Order, 1948

1948 No. 1099

Made - - - -	*26th May*, 1948
Laid before Parliament	*26th May*, 1948
Coming into Operation	*31st May*, 1948

In exercise of the powers conferred upon him by Regulations 55 and 55AA of the Defence (General) Regulations, 1939(**a**), as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945(**b**) as extended

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(**a**) *See* Note, p. 15 above.

(**b**) 9 & 10 Geo. 6. c. 10 ; and S.R. & O. 1945 (Nos. 1611 and 1615-25) II, pp. 39 and 45–56.

by the Supplies and Services (Extended Purposes) Act, 1947(a), and of all other powers him enabling, the Minister of Food hereby makes the following Order:—

PART I—DEFINITIONS

1. In this Order—

" The Minister " means the Minister of Food.

" Animal protein rich substance " means any substance (other than dried blood) derived from any animal or fish and containing not less than 40 per cent. albuminoids (protein).

" Cereal " means wheat, maize, barley, oats, rye, dari, peas, lentils and beans and any other pulse or grain.

" Compound " means—

(*a*) any feeding stuff for livestock, in cake, meal or any other form (other than a concentrate) which contains not less than four of the ingredients specified in Part A of the First Schedule to this Order in proportions of not less than 5 per cent. each and which contains not less than 2½ per cent. oil and 12 per cent. albuminoids (protein): provided that a different variety or quality or a different product or by-product (of whatever variety or quality) of the same ingredient so specified shall not for the purposes of this definition constitute another ingredient;

(*b*) National Poultry Balancer Meal.

" Concentrate " means any feeding stuff for livestock which contains not less than four of the ingredients specified in Part B of the First Schedule to this Order and which is manufactured for the purpose of being mixed with other substances for the production of a complete ration for feeding to livestock.

" ' D ' flour " means flour designated as such by or on behalf of the Minister.

" Feeding stuff " means any substance or mixture of substances which is used as food for any animal (including any bird).

" Fine wheatfeed " means wheatfeed, of which the fibre content does not exceed 7½ per cent. at 15 per cent. moisture.

" High protein oilseed cake " means oilseed cake, oilseed cake meal or extracted oilseed meal (or any one or more of them) containing more than 35 per cent. albuminoids (protein).

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

(*a*) a feeding stuff, or

(*b*) an article intended for human consumption.

" Licensed concentrate " means a concentrate which a person is authorised to manufacture in accordance with the terms of a licence granted or continuing to have effect under this Order.

" Licensed molassed feeding stuff " means a molassed feeding stuff which a person is authorised to manufacture in accordance with the terms of a licence granted or continuing to have effect under this Order.

(a) 10 & 11 Geo. 6. c. 55.

" Livestock " means horses, mules, asses, cattle, sheep, pigs, goats and poultry.

" Livestock mixture " means any mixture which is used as food for livestock but does not include any compound or concentrate.

" Low protein oilseed cake " means oilseed cake, oilseed cake meal or extracted oilseed meal (or any one or more of them) containing less than 22 per cent. albuminoids (protein).

" Manufacture " means manufacture by way of trade and includes prepare by way of trade.

" Medium protein oilseed cake " means oilseed cake, oilseed cake meal or extracted oilseed meal (or any one or more of them) containing not less than 22 per cent. and not more than 35 per cent. albuminoids (protein).

" Molassed feeding stuff " means a livestock mixture which contains not less than 30 per cent. molasses.

" National Poultry Balancer Meal " means national poultry balancer meal which a person is authorised to manufacture under and in accordance with the terms of a licence granted or continuing to have effect under this Order.

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

" Wheat by-products " means by-products obtained in the production of flour by milling and includes millers' offals and wheat offals, both as defined in Part II of the Fourth Schedule to the Fertilisers and Feeding Stuffs Act, 1926(a), as amended, and fine wheatfeed, straight run bran, coarse bran, fine bran, pollards, middlings and wheat germ.

PART II.—GENERAL CONTROL OF MANUFACTURE

2.—(1) Except under and in accordance with the terms of a licence or other authority granted by or on behalf of the Minister for the purposes of this Article, no person shall manufacture any feeding stuff:

Provided that nothing contained in this Article shall prohibit:—

(*a*) the processing of oilseeds, sugar beet, cereals or vegetables for any industrial purpose, or for the purpose of producing articles intended for use as human food, notwithstanding that any by-products of such processing would constitute any feeding stuff;

(*b*) the manufacture of kitchen waste (other than dried kitchen waste, as defined in the Kitchen Waste (Maximum Prices) (No. 1) Order, 1942(b)), and dried blood;

(*c*) the manufacture of feeding stuffs for a grower from cereals grown by him and belonging to him;

(*d*) the drying of grass, the chopping of hay and straw and the boiling of slaughterhouse offals.

(a) 16 & 17 Geo. 5. c. 45.
(b) S.R. & O. 1942 (No. 669) II, p. 1983.

(2) A licence granted under this Article on form No. C.18/L.50 or granted on such form under Article 2 of the Feeding Stuffs (Regulation of Manufacture) Order, 1942(a), 1943(b), 1944(c), or 1947(d), shall, save as the Minister may otherwise authorise or direct, be deemed to be granted upon and shall take effect subject to the condition that the holder be a member of Conpro Ltd., so however that a licence granted under this Article may contain such other conditions as the Minister may consider expedient.

3. Pursuant to Article 2 of this Order the Minister hereby authorises any person to manufacture any feeding stuff (other than dried kitchen waste as defined in the Kitchen Waste (Maximum Prices) (No. 1) Order, 1942) provided that:—

(*a*) such authority shall extend only to persons engaged in such manufacture immediately before 1st September, 1941;

(*b*) no person shall by virtue of such authority manufacture—

(i) during any calendar month a total weight of feeding stuffs (including compounds and livestock mixtures and feeding stuffs for cats and dogs) exceeding 40 tons, or during any period of twelve calendar months a total weight thereof exceeding 250 tons; provided that in calculating any such total weight no account shall be taken of any feeding stuff consisting solely of dried grass, hay chaff or chop, straw chaff or chop, boiled slaughterhouse offals, dried blood or dried potato products;

(ii) during any calendar month a total weight of feeding stuffs for cats and dogs of more than 10 tons, or during any period of twelve calendar months a total weight thereof exceeding 100 tons;

(iii) during any calendar month a total weight of meat meal, meat and bone meal, bone meal and greaves of more than 5 tons, or during any period of twelve calendar months a total weight thereof exceeding 50 tons; or

(iv) during any calendar month a total weight of fish meal and herring meal of more than 5 tons, or during any period of twelve calendar months a total weight thereof exceeding 50 tons.

4. The authority conferred by Article 3 of this Order—

(*a*) may be revoked at any time either generally or as respects any particular person or class of persons;

(*b*) is granted solely in respect of Article 2 of this Order and shall not relieve any person from compliance with any other provision of this Order.

5.—(1) No person shall accept payment by way of toll for the manufacture of any feeding stuff.

(2) For the purpose of this Article " accept payment by way of toll " means accept any feeding stuff as payment or part payment.

(a) S.R. & O. 1942 (No. 2031) II, p. 1095.
(b) S.R. & O. 1943 (No. 1237) II, p. 986.
(c) S.R. & O. 1944 (No. 1086) II, p. 682.
(d) S.R. & O. 1947 (No. 1263) II, p. 600.

6.—(1) Every person carrying on any undertaking in the course of which he manufactures feeding stuffs shall—

(*a*) keep or cause to be kept accurate records relating to and incidental to such manufacture at each mill or factory under his control or management, as the case may be, including particulars of—

(i) the quantities and description of all feeding stuffs and raw materials delivered at such mill or factory;

(ii) the quantities and description of all feeding stuffs and raw materials used in such mill or factory;

(iii) the quantities and description of each feeding stuff manufactured therein; and

(iv) the stocks of raw materials and finished products situate therein;

(*b*) furnish to the Minister at such time, in such manner and in such form as may be prescribed by a notice served on him by or on behalf of the Minister, such returns or information relating to the undertaking as may be so prescribed.

(2) Every person required by this Article to keep any record shall retain it for not less than one year from the date of the matter to which it relates.

Part III.—Manufacture of Compounds, Concentrates and Livestock Mixtures

7. Except under and in accordance with the terms of a licence granted by or on behalf of the Minister for the purposes of this Article, no person shall—

(*a*) in any mill or factory under his control or management, manufacture during the twelve months 1st January to 31st December, 1948, or any subsequent period of twelve months

(i) a greater quantity of compounds excluding National Poultry Balancer meal;

(ii) a greater quantity of concentrates;

(iii) a greater quantity of livestock mixtures excluding National Horse-chop Mixtures and National Horse Feed Mixture

than was manufactured in that mill or factory during the twelve months beginning 1st July, 1938, and ending 30th June, 1939;

(*b*) manufacture—

(i) any compound or livestock mixture not being a compound or livestock mixture specified in Part A or Part B of the Second Schedule to this Order;

(ii) any compound or livestock mixture specified in Part A or Part B of the said Second Schedule, except in accordance with the conditions applicable to such compound or livestock mixture under the said Part A or Part B, as the case may be;

(iii) any concentrate; or

(*c*) use in the manufacture of any compound or concentrate any ingredient other than an ingredient specified in Part A of the Third Schedule to

this Order, or use as aforesaid any ingredient mentioned in the first column of Part B of the said Third Schedule except as specified opposite to such ingredient in the second column thereof.

8.—(1) Every person manufacturing any compound, concentrate or livestock mixture shall keep or cause to be kept accurate records showing—

(*a*) the formula of each such product manufactured by him from time to time;

(*b*) the cost of manufacture of each such product manufactured by him from time to time.

(2) Every person required by this Article to keep any record shall retain it for not less than one year from the date of the matter to which it relates.

9. No person selling any compound or livestock mixture shall, if the weight thereof exceeds 56 lb., supply the same unless there is affixed to each container thereof or furnished to the buyer on an invoice a statement specifying the description of the compound or mixture as set out in Part A or Part B of the Second Schedule to this Order or in a licence granted under Article 7 (*b*) of this Order, as the case may be, and the name of the person on whose behalf the compound or mixture was manufactured.

10. No person shall, for the purpose of resale, in any way alter the composition of any compound or livestock mixture bought by him, or sell or offer or agree to sell any such compound or mixture so altered.

PART IV.—INFRINGEMENTS, REVOCATIONS, TITLE AND COMMENCEMENT

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

12.—(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.

13. For the avoidance of doubt it is hereby declared that nothing contained in this Order shall be construed as relieving any person from the duty of

furnishing a statutory statement in accordance with Section 1 of the Fertilisers and Feeding Stuffs Act, 1926, or from the obligation to comply with the provisions of any Act, Order, Regulation or Bye-Law for the time being in force.

14.—(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 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 such licence or authorisation.

(3) Every licence 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 such licence or authorisation or deliver the same to such person or to a person of such class or description and at such time as may be specified in the request.

15. The Feeding Stuffs (Regulation of Manufacture) Order, 1947, as amended(**a**), is hereby revoked, but without prejudice to any proceedings in respect of any contravention thereof, provided that any licence granted under that Order, or continuing to have effect by virtue of that Order, and subsisting immediately before the coming into force of this Order, shall continue to have effect as though granted under this Order.

16. The provisions of this Order shall not apply to National Priority Pigeon Mixture.

17. This Order shall not apply to Northern Ireland.

18. This Order shall come into force on the 31st day of May, 1948, and may be cited as the Feeding Stuffs (Regulation of Manufacture) Order, 1948.

By Order of the Minister of Food.

Edith Summerskill,
Parliamentary Secretary.

Dated the 26th day of May, 1948.

[*New Schedules I-III substituted, see pp.* 536-45 *below.*]

EXPLANATORY NOTE

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

This Order replaces the Feeding Stuffs (Regulation of Manufacture) Order, 1947, as amended.

(**a**) S.R. & O. 1947 (Nos. 1263 and 2816) II, pp. 600–10.

It increases the tonnage of compounds, concentrates and livestock mixtures which it is permissible to manufacture in any factory in 1948 or subsequent years to an amount equal to that manufactured in the twelve months ending 30th June, 1939.

It amends the percentages of ingredients contained in certain compounds and livestock mixtures.

The Feeding Stuffs (Regulation of Manufacture) Order, 1948 (Amendment) Order, 1948

1948 No. 2388

Made - - - -	*1st November,* 1948
Laid before Parliament	*2nd November,* 1948
Coming into Operation	*8th November,* 1948

In exercise of the powers conferred upon him by Regulations 55 and 55AA of the Defence (General) Regulations, 1939(**a**), 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 powers him enabling, the Minister of Food hereby makes the following Order:—

1. The Feeding Stuffs (Regulation of Manufacture) Order, 1948(**d**), shall be amended by substituting for the Schedules thereto the Schedules to this Order.

2. This Order may be cited as the Feeding Stuffs (Regulation of Manufacture) Order, 1948 (Amendment) Order, 1948 and shall come into force on the 8th day of November, 1948.

Dated the 1st day of November, 1948.

John Strachey,
Minister of Food.

(**a**) *See* Note, p. 15 above.
(**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. (**d**) S.I. 1948, No. 1099, p. 529 above.

NOTE.—**Heavy type** in the Schedules which follow indicates changes made by this Order.