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 Pigeon Feeding Stuffs (Returns) Order, 1941(c) is hereby revoked, but without prejudice to any proceedings in respect of any contravention thereof.

2. This Order may be cited as the Pigeon Feeding Stuffs (Returns) (Revocation) Order, 1950; and shall come into operation on the 1st day of October, 1950.

Dated the 18th day of September, 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 (which results from the coming into operation on 1st October, 1950 of the Feeding Stuffs (National Pigeon Mixture) (Revocation) Order, 1950(d)) removes restrictions on the sale of maple peas, cinquantina maize, tic beans, dun peas, and Bombay blacks.

## The Fish (Returnable Containers) Order, 1950

### 1950 No. 560

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|---|---|
| *Made* - - - - | 3*rd April*, 1950 |
| *Laid before Parliament* | 4*th April*, 1950 |
| *Coming into Operation* | 15*th 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. In this Order:—

"Fish" means any fish found in the sea other than shell fish, and includes any such fish which has been frozen, smoked, cured, salted, pickled or otherwise processed, and any part of a fish, but does not include canned fish or processed fish packed in advance ready for retail sale in containers made wholly or mainly of metal, glass or earthenware, cooked fish, or any manufactured product containing fish.

"Box Pool" means an undertaking, incorporated or unincorporated, carrying on the business of owning, hiring or supplying to fish traders returnable containers for the transport of fish.

(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.R. & O. 1941 (No. 747) II, p. 823.
(d) S.I. 1950 No. 993, p. 559 above.

**2.**—(1) Where on a sale of fish the seller delivers the fish to the buyer in a container which at the time of despatch is of such strength or construction that it might reasonably be expected to be fit, after transit to the buyer's premises, for use for the safe transport of fish, that container shall not be supplied by the seller except as a returnable container, and upon the terms that a minimum sum of five shillings per container shall be charged to the buyer, that charge to be repayable to the buyer in accordance with paragraph (2) (*b*) of this Article. Should the buyer fail or refuse to redeliver the container, the sum so charged shall be forfeited to the seller.

(2) Any sum charged in respect of a returnable container in accordance with this Article shall—

(*a*) be specified as a separate item on an invoice which shall be furnished by the seller to the buyer within three days of the delivery of the fish; and

(*b*) be repaid by the seller to the buyer on the redelivery by the buyer of the container in respect of which the charge is made in such condition as is reasonable having regard to its condition when supplied and to ordinary wear and tear.

(3) Where any person to whom a returnable container has been supplied (including a person to whom fish has been sent in the container for sale by him as an agent on commission) shall receive from the seller a written request for the redelivery thereof, he shall redeliver or secure the redelivery of the container forthwith to the seller unless he shows reasonable cause for failure to do so.

(4) For the purposes of this Article redelivery of a returnable container means delivery to the seller either at the buyer's premises, if the seller so elects, or at the seller's premises or to a carrier for conveyance to any other destination agreed with the seller.

(5) This Article shall not apply to—

(*a*) any container of a capacity not exceeding one stone of fish; or

(*b*) any container in which fish has been imported or brought into the United Kingdom.

(6) Where, pursuant to any arrangement with a fish trader, a Box Pool supplies a returnable container for the carriage of fish sold by the trader direct to the buyer of that fish, the Box Pool shall for the purposes of this Article be deemed to be the seller of the fish.

**3.** No person shall use or cause to be used any container which has been used as a returnable container for the transport of fish except for the purpose of the transport, storage, or display for sale, of fish; provided that it shall be a defence in any proceedings for an infringement of this Article for the defendant to prove that the container in question was no longer reasonably fit for any of the said purposes.

**4.**—(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 under this Order by or on behalf of the Minister.

(2) Every person holding a licence or authorisation granted under this Order shall comply with every condition imposed by that licence or authorisation.

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

**6.** This Order shall come into force on the 15th day of April, 1950, and may be cited as the Fish (Returnable Containers) Order, 1950.

Dated the 3rd day of April, 1950.

*Maurice Webb,*
Minister of Food.

EXPLANATORY NOTE

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

The Fish (Maximum Prices) Order, 1948, which is revoked as from the 15th/16th April, 1950, contained certain provisions relating to the supply and return of returnable fish containers, and to the charging of a deposit upon them. The present Order continues those provisions in force, with certain minor modifications.

## The Fish (Revocation of Controls) Order, 1950

## 1950 No. 559

*Made - - - -* 3*rd April,* 1950
*Laid before Parliament* 4*th April,* 1950
*Coming into Operation on the dates specified in Article* 2 *of the Order.*

In exercise of the powers conferred upon him by Regulations 55 and 98 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 Orders specified in the Schedule hereto are hereby revoked, but without prejudice to any proceedings in respect of any contravention thereof.

**2.** This Order shall come into operation as regards Part I of the Schedule on the 15th day of April, 1950, and as regards Part II of the Schedule on the 16th day of April, 1950, and may be cited as the Fish (Revocation of Controls) Order, 1950.

Dated the 3rd day of April, 1950.

*Maurice Webb,*
Minister of Food.

THE SCHEDULE

PART I

The White Fish (Distribution) Order, 1945, as amended(**c**).

The Fish (Licensing of Dealers and Processors) Order, 1947(**d**).

The Fish (Maximum Prices) Order, 1948(**e**), in so far as it relates to first hand sales, to sales by wholesalers and manufacturers to other wholesalers and manufacturers, and to all sales by wholesale at the port where the fish was landed.

The Fish (Port Allocation Committees) Order, 1949(**f**).

(**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.R. & O. 1945 (No. 1136) II, p. 649; 1947 (Nos. 741 and 2068) II, pp. 639–40.
(**d**) S.R. & O. 1947 (No. 1332) II, p. 637.
(**e**) S.I. 1948 (No. 2610) II, p. 569.
(**f**) S.I. 1949 No. 1297.