1953 No. 1282

The Flour Order, 1953

Made - - - -	17*th August*, 1953
Laid before Parliament	18*th August*, 1953
Coming into Operation	30*th August*, 1953

The Minister of Food, in pursuance 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(**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, 1952(**d**)), and of all other powers him enabling in that behalf, hereby orders as follows:—

Citation, Commencement and Interpretation

1. This Order may be cited as the Flour Order, 1953; and shall come into operation on the 30th day of August, 1953.

2. In this Order:—

"The Minister" means the Minister of Food.

"Flour" means the product derived from or separated during the milling or grinding of wheat (other than wheat offals and wheat germ separated for disposal as such) but does not include flour derived wholly or partly from wheat that, before being ground or milled, has been malted or subjected to any process other than cleaning, blending or conditioning, and includes meal but does not include semolina.

"National Flour" means flour complying with the following conditions:—

(i) it shall contain the maximum quantity of wheat germ which, having regard to the type of milling, can be included in such flour;

(ii) it shall not include any coarse or added bran; and

(iii) it shall consist of wheat flour and shall either be of 80 per cent. extraction or shall be of substantially the same nature and contain substantially the same quantities and proportions of constituents as flour of 80 per cent. extraction.

"National Brown Flour" means flours complying with the following conditions:—

(i) they shall contain the maximum quantity of wheat germ which, having regard to the type of milling, can be included in such flour; and

(ii) they shall consist of wheat flour and shall either be of an extraction rate higher than 80 per cent. or shall be of substantially the same nature and composition as such a flour.

"Creta praeparata" means the substance so described in the British Pharmacopœia or the British Pharmaceutical Codex and conforming to the standards laid down therein.

(a) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945/1611, 1618; 1945 II, pp. 39, 48.
(b) 10 & 11 Geo. 6. c. 55. (c) 14 & 15 Geo. 6. c. 25. (d) S.I. 1952/2094; 1952 III, p. 3006.

" Per cent. extraction " means, in relation to flour obtained from wheat, the percentage that the weight of the flour separated in the milling bears to the total weight of all products obtained in the milling and all screenings, seeds and dust extracted from the wheat by the miller before the milling.

Compulsory additions to Flours

3.—(1) Except under and in accordance with the terms of a licence granted by or on behalf of the Minister, no person shall manufacture, import, buy, sell or supply flours which do not contain the required compulsory additions set out in the Schedule to this Order.

(2) Paragraph (1) of this Article shall not apply to flour containing the whole of the products derived from the milling of wheat which has not been subjected to any process or treatment other than cleaning, blending, dressing and conditioning, and containing no addition whatsoever.

Marking of Containers

4. No person shall supply otherwise than by retail any container containing National Flour or National Brown Flour unless such container is clearly marked or labelled National Flour or National Brown Flour as the case may be :

Provided that this Article shall not apply to the supply of National Flour or National Brown Flour packed in advance ready for retail sale.

Defence as to Ingredients

5. Where in any prosecution a person is charged with an infringement of this Order and it is necessary for the prosecution to prove that any flour sold by such person did not comply as respects its ingredients with the provisions of the Schedule to this Order, it shall be a defence for him to prove that when he purchased the flour he did so in the bona fide belief that it complied in every respect with the provisions of this Order and that he had no reason to believe at the time of the commission of the alleged offence that it did not so comply.

Records

6.—(1) Every person who manufactures or imports flour shall :—

(*a*) keep or cause to be kept at some convenient place accurate records of the amount of flour manufactured or imported by him together with all books, documents and accounts relating thereto ; and

(*b*) furnish to the Minister, at such times and in such manner and in such form as may be specified in a notice served upon him by or on behalf of the Minister, such estimates, returns or information relating to his dealings in flour as may be so specified.

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

Evidence of certificates of analysis

7.—(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 (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 or requirement;

and, if any of these provisions is not complied with, the Court may, if it thinks fit, adjourn the hearing on such terms as it deems proper.

(3) In this Article "public analyst" has, in relation to England and Wales, the meaning assigned to it by the Food and Drugs Act, 1938(**a**), in relation to Scotland the meaning assigned to it by the Food and Drugs (Adulteration) Act, 1928(**b**) and in relation to Northern Ireland, the meaning assigned to it by the Sale of Food and Drugs Acts (Northern Ireland), 1875 to 1939; and "Government Chemist" means, in relation to Northern Ireland, the Government Chemist for Northern Ireland.

Directions, authorisations and licences

8.—(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 or authorisation 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 or deliver it to such person or to a person of such class or description and within such time as may be specified in the request.

Infringements

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

10.—(1) The Flour Order, 1952(**c**), the Flour (Amendment No. 4) Order, 1952(**d**) and the Flour (Amendment) Order, 1953(**e**) are hereby revoked but without prejudice to any proceedings in respect of any contravention thereof.

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

By Order of the Minister of Food.

Charles Hill,
Parliamentary Secretary.

Dated the 17th day of August, 1953.

(**a**) 1 & 2 Geo. 6. c. 56. (**b**) 18 & 19 Geo. 5. c. 31. (**c**) S.I. 1952/749; 1952 III, p. 3147.
(**d**) S.I. 1952/2041; 1952 III, p. 3168. (**e**) S.I. 1953/582.

THE SCHEDULE

COMPULSORY ADDITIONS

Type of Flour	Required Addition
All Flour	Creta Praeparata of granularity standard (i) not more than 0·1 per cent. to remain on 100 mesh sieve, and (ii) not more than 0·2 per cent. to remain on 240 mesh sieve. At the rate of 14 oz. per 280 lb.
Flours of an extraction rate less than 80 per cent.	Milligrams Iron ... ... In sufficient quantity to ensure a minimum content of 1·65 Vitamin B_1 ... 0·24 Nicotinic Acid ... 1·60 per 100 grams of flour in a form authorised by the Minister and conforming to the standards of the British Pharmacopœia or the British Pharmaceutical Codex.

EXPLANATORY NOTE

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

This Order revokes and replaces the Flour Order, 1952, as amended.

The principal changes are:—

(1) The existing control of production and packing is abolished, as also are the controls on distribution, use and price.

(2) The addition of creta praeparata to all flour is now required unless it is flour which contains the whole product of the milling of wheat and no additions whatsoever.

(3) The restoration of certain specified nutrients is required to be made to all flours of an extraction rate of less than 80 per cent.

(4) Containers containing National Flour or National Brown Flour for sale otherwise than by retail must be marked or labelled to show their contents.