STATUTORY INSTRUMENTS

1976 No. 1205

FOOD SUBSIDIES
The Food Subsidies (Conditions) (Milk) Order 1976

Made - - - -	*29th July* 1976
Laid before Parliament	*6th August* 1976
Coming into Operation	*3rd October* 1976

The Secretary of State, in exercise of powers conferred by paragraph 2(1) and (5) of the Schedule to the Prices Act 1974(**a**) as amended(**b**) and of all other powers enabling her in that behalf, hereby makes the following Order:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Food Subsidies (Conditions) (Milk) Order 1976 and shall come into operation on 3rd October 1976.

(2) in this Order:—

"the Act" means the Prices Act 1974 as amended;

"conditions notice" means a notice of any condition specified in this Order and which is given under paragraph 2 of the Schedule to the Act;

"liquid milk allowance", in relation to any quantity of milk, means an allowance or payment made by a milk marketing board subject to a condition that the milk shall not be used for manufacture but does not include:—

(*a*) an allowance or payment—

(i) made by reason of the milk in question being subjected to any treatment; or

(ii) made in relation to the sale of milk for further treatment; or

(*b*) a payment which is subject to any additional condition imposed by or under a licence issued by the board, being a condition imposed only on persons selling under such a licence; and

"subsidy payment" means any payment under a scheme relating to milk at any time in operation under section 1 of the Act (which makes provision for the payment of food subsidies) or a liquid milk allowance.

(3) The Interpretation Act 1889(**c**) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Conditions relating to milk

2. Any person—

(*a*) who claims or receives a subsidy payment; or

(*b*) to whom any milk is sold otherwise than by retail and to whom a conditions notice has been given;

shall observe the conditions specified in article 3.

(**a**) 1974 c. 24. (**b**) 1975 c. 32. (**c**) 1889 c. 63.

3. The conditions referred to in article 2 are—

(*a*) a condition that, except in the course of business carried on not with a view to profit, the milk in question shall not be used for manufacture;

(*b*) a condition that the person shall make and shall retain for a period of not less than 24 months from the date when he receives a subsidy payment or from the date when he receives any milk to which a conditions notice relates, as the case may require, records showing the following particulars, that is to say—

(i) particulars of the quantity of milk produced or purchased by him to which any subsidy payment claimed or received by him relates or to which any conditions notice received by him relates, identifying the notice and specifying the person by whom it was given and the date when it was received;

(ii) particulars of the quantity of milk sold by him and in respect of which he has given notice of the conditions specified in this article and, where that article applies, in article 4;

(iii) particulars (by reference to periods not exceeding one month each) of the total quantity of milk to which paragraph (i) above applies sold by him by retail and delivered to the purchaser at premises other than premises of the seller;

(iv) particulars (by reference to periods not exceeding one month each) of the total quantity of milk to which paragraph (i) above applies sold by him by retail at premises of the seller in containers exceeding 2 pints in capacity;

and shall for the like period retain all such documents as are referred to in or are required to vouch those records.

4. Any person—

(*a*) who claims or receives a liquid milk allowance; or

(*b*) to whom any milk (being milk in respect of which a liquid milk allowance is claimed or received) is sold otherwise than by retail and to whom a conditions notice has been given;

(in addition to observing the provision of article 2) shall observe the following condition, that is to say, a condition that the milk shall not be exported from the United Kingdom otherwise than as ships' stores or aircraft stores.

Robert Maclennan,
Parliamentary Under-Secretary of State,
Department of Prices and Consumer Protection.

29th July 1976.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order prescribes conditions to be observed by claimants or recipients of subsidy relating to liquid milk and by subsequent owners of such milk to whom notice of the conditions is given.

SI 1976/1205
ISBN 0-11-061205-1

