2. *This Order* shall come into operation on the 1st day of January, 1949, and may *be cited* as the Dried Fruits (Control and Maximum Prices) Order, 1948 (Amendment) Order, 1948.

By Order of the Minister of Food.

Edith Summerskill,
Parliamentary Secretary.

Dated the 22nd day of December, 1948.

EXPLANATORY NOTE

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

This amending Order permits the manufacture of date paste and the sale of it for use in the manufacture of flour confectionery, chocolate confectionery or sugar confectionery, or for export, or for resale for any of such purposes.

(D) FRUIT PULP

The Fruit Pulp Order, 1948

1948 No. 1639

Made - - - -	*14th July,* 1948
Laid before Parliament	*15th July,* 1948
Coming into Operation	*18th July,* 1948

In exercise of the powers conferred upon him by Regulations 55, 55AA and 55AB 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:—

Interpretation.

1. In this Order—

" The Minister " means the Minister of Food.

" Buy " includes offer or agree to buy, and " sell " includes offer or agree to sell or expose for sale.

" Fruit pulp " and " fruit purée " mean fruit pulp and fruit purée manufactured in the United Kingdom, and " purée " includes paste.

Restriction on manufacture of fruit pulp and purée.

2. Except under and in accordance with the terms of a licence granted for the purposes of this Article by or on behalf of the Minister, no person shall engage in the manufacture of fruit pulp or fruit purée:

Provided that nothing in this Article shall prohibit the manufacture of fruit pulp or fruit purée—

(*a*) by any person during the period of twelve months beginning on the 5th day of August in any year if the total amount of fruit used by him for the purposes of such manufacture during that period does not exceed 20 cwt.; or

(*b*) otherwise than for the purpose of sale (including sale after processing or manufacture).

(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.

Returns to be made.

3.—(1) Every person licensed under Article 2 of this Order shall furnish to the Minister a return in respect of each week (ending at midnight on Saturday), showing the quantities and descriptions of fruit delivered to him during that week; and such return shall be so furnished not later than the end of the week following the week to which it relates.

(2) Every person who on the last Saturday of each calendar month, or such other date or dates as the Minister may from time to time prescribe, owns any fruit pulp or any containers that have been used for the packing of fruit pulp shall furnish to the Minister forthwith after each such date a return showing—

(*a*) the quantity of each description of fruit pulp owned by him on that date;

(*b*) the number and description of any such containers owned by him on that date;

(*c*) the place or places where such fruit pulp and containers were stored or kept at that date; and

(*d*) such other particulars as the Minister may require.

Keeping of records.

4.—(1) Every person licensed under Article 2 of this Order shall keep or cause to be kept an accurate record of—

(*a*) all purchases by him of fruit; and such record shall include, in respect of each purchase, the date thereof, the name and address of the person from whom the fruit was purchased, the quantity of each description of fruit purchased and the price paid or charged; and

(*b*) the quantity of each description of fruit pulp or fruit purée manufactured by him and the quantity of fruit used in its manufacture.

(2) Every person who in the course of any trade or business buys or sells fruit pulp or fruit purée shall keep or cause to be kept an accurate record of—

(*a*) all purchases and sales by him of fruit pulp and fruit purée; and such record shall include, in respect of each purchase or sale, the date thereof, the name and address of the person from whom the pulp or purée was purchased or to whom it was sold, the quantity of each description of pulp or purée purchased or sold and the price paid or charged; and

(*b*) the stocks of fruit pulp and fruit purée held by him from time to time:

Provided that nothing in this paragraph shall require any person to keep a record in respect of a retail sale of blackcurrant purée.

(3) The retention by any person of an invoice or a copy of an invoice shall as regards the particulars mentioned therein be a sufficient compliance by him with the provisions of this Article.

(4) Every person who is required by this Article to keep any record shall retain it for one year from the date of the transaction to which it relates, or, in the case of a record of stocks, from the date to which the record relates, or, in the case of a record relating to manufacture, from the end of the period to which the record relates.

Directions, licences and authorisations.

5.—(1) The provisions of this Order are subject to any directions that may at any time be given by or on behalf of the Minister, and to any licence or authorisation that 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 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.

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

Revocation.

7.—(1) The Fruit Pulp Order, 1945, as amended(a), is hereby revoked, but without prejudice to any proceedings in respect of any contravention thereof;

Provided that paragraph 1 (*a*) (ii) of Part II of the Second Schedule thereto shall continue to have effect so far as is necessary to enable a seller who has provided returnable containers thereunder during the currency of the said Order to make the deductions therein provided for in respect of any such containers that have not been returned by the buyer.

(2) Every person shall, notwithstanding the revocation of the said Order, retain any record required to be kept by him thereunder for one year from the date of the transaction to which it relates, or, in the case of a record of stocks, from the date to which the record relates, or, in the case of a record relating to manufacture, from the end of the period to which the record relates.

(3) Any licence or authorisation granted under the said Order shall, if subsisting at the date of coming into force of this Order, continue to have effect as if granted under this Order.

Citation and commencement.

8. This Order may be cited as the Fruit Pulp Order, 1948; and shall come into operation on the 18th day of July, 1948.

By Order of the Minister of Food.

Edith Summerskill,
Parliamentary Secretary.

Dated the 14th day of July, 1948.

EXPLANATORY NOTE

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

This Order replaces the Fruit Pulp Order, 1945, as amended.

The provisions relating to the licensing of manufacturers and to the keeping of records and returns have been retained, but no fruit pulp is now subject to price-control.

Licences granted under the replaced Order are kept in force.

(a) S.R. & O. 1945 (No. 911) II, p.789; and 1947 (Nos. 1318 and 1863) II, pp. 754–5.