5. The maximum price of homogenised milk shall be a price at the rate of 3s. 1⅜d. per gallon.

6. The maximum price of Kosher milk shall be a price at the rate of 3s. 4⅜d. per gallon.

7. The maximum price of ordinary milk shall be a price at the rate of 3s. 0⅜d. per gallon."

G. Lloyd-George,
Minister of Food.

Dated the 28th day of December, 1951.

EXPLANATORY NOTE

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

This amending Order reduces by ⅜d. per gallon the maximum prices of milk, other than sterilised milk, in England and Wales on sale by wholesale and extends the definition of Channel Islands milk to include such milk labelled "Channel Islands milk" or "Jersey milk" or "Guernsey milk" whichever is appropriate.

The Milk (Control and Maximum Prices) (Northern Ireland) Order, 1951

1951 No. 739

Made - - - -	*26th April,* 1951
Laid before Parliament	*27th April,* 1951
Coming into Operation	*1st May,* 1951

The Minister of Food, in pursuance of the powers conferred upon him by Regulations 53, 55 and 55AB 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 continued in force by the Supplies and Services (Continuance) Order, 1950(c)), and of all other powers him enabling in that behalf, hereby orders as follows:—

PART I—INTERPRETATION

Interpretation

1.—(1) In this Order—

"The Minister" means the Minister of Food.

"The Ministry" means the Ministry of Agriculture for Northern Ireland.

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

"Catering business" means the business or undertaking of an inn, public house, hotel, restaurant, buffet, coffee stall or any place of refreshment open to the public, or of any club, boarding house, refreshment contractor or canteen, and the expression "caterer" shall be construed accordingly.

(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.I. 1950 (No. 1769) III, p. 51.

"Grade A (T.T.) milk", "Grade B milk" and "Pasteurised milk" have the meaning respectively assigned to them under Section 1 of the Milk Act (Northern Ireland), 1950(a).

"Milk" means liquid cow's milk but does not include skimmed milk, separated milk, condensed milk or evaporated milk.

"Milk crate" means a container of a description which is commonly known in the milk trade as a milk crate, and is commonly used in that trade as a receptacle for milk bottles.

"Ministry churn" means any churn belonging to the Minister or to the Ministry and marked "FC", "F—C", "Ministry of Food" or "Ministry of Agriculture NI 1948".

"Sale by retail" means any sale to a person buying otherwise than for the purpose of resale and includes any sale to a person for the purposes of his catering business and any supply of milk to a beneficiary in accordance with the provisions of the Welfare Foods Order, 1947, as amended(b), whether free of cost or at a reduced price, but does not include any sale to a manufacturer for the purposes of his manufacturing business; and the expression "retailer" shall be construed accordingly.

(2) Any reference in this Order to a ration book or ration document means a ration book or ration document for the purposes of the Food Rationing Orders, 1950, which is valid thereunder and under this Order.

PART II—CONTROL OF PRODUCTION AND SALE OF MILK

Acquisition of milk supplies by the Ministry

2.—(1) Every person who produces milk in Northern Ireland is hereby required to place all milk produced by him at the disposal of the Ministry and to deliver the same to the Ministry or to its order.

(2) The provisions of this Article shall not apply to milk produced otherwise than for sale or produced for the purpose of sale by a farmer to his servants or to milk which is not in good merchantable condition.

(3) If any question arises as to whether any milk is in good merchantable condition that question shall be decided by the Ministry whose decision shall be final and conclusive.

PART III—MAXIMUM RETAIL PRICES

Maximum price restriction

3.—(1) No person shall sell or buy milk by retail at a price exceeding the maximum price specified in the Schedule to this Order.

(2) No person shall in connection with the sale or disposition or proposed sale or disposition of any milk by retail enter or offer to enter into any artificial transaction or make or demand any unreasonable charge.

(a) 14 Geo. 6. c. 31. (N.I.)
(b) S.R. & O. 1947 (No. 1673) II, p. 527; S.I. 1948 (No. 791) II, p. 805; and 1949 (No. 1902) II, p. 565.

PART IV—CONTROL OF USE OF MILK CHURNS AND MILK CRATES

Use and possession of milk churns and crates

4. No person shall—

(*a*) use or cause or permit to be used any milk churn or milk crate belonging to any other person except for the collection from or the delivery to the owner of the churn or crate of milk, skimmed milk, separated milk, whey, buttermilk or cream ;

(*b*) keep in his possession or under his control for an unreasonable time any milk churn or milk crate belonging to any other person ;

(*c*) obliterate, deface, cover or alter or cause or permit to be obliterated, defaced, covered or altered, any mark or name on any milk churn or milk crate, provided that nothing in this sub-paragraph shall prohibit the use of such means, whether by labelling or otherwise, as are necessary to secure the proper transit of the milk churn or milk crate but so that no name or mark of a permanent character on the churn is thereby obscured, unless he has (or has reasonable grounds for believing that he has) the consent of the owner of the milk churn or milk crate or of any person authorised by him to give such consent.

Return of Ministry churns

5. Where a person has in his possession, whether on his own behalf or on behalf of some other person, any Ministry churn he shall, if so instructed by or on behalf of the Ministry, immediately on receipt of such instructions, send or deliver the churn to any person or place specified in the instructions.

Damage to milk churns or crates

6. No person shall wilfully damage any milk churn or milk crate or cause or permit to be wilfully damaged any milk churn or milk crate in his possession or control.

PART V—CONTROL OF USE OF MILK BOTTLES

Use and possession of bottles

7. No person shall—

(*a*) use for the sale, supply or delivery of milk, any milk bottle belonging to any other person ;

(*b*) obtain possession of any milk bottle belonging to any other person otherwise than for the purpose of preventing loss of or damage to the bottle or other reasonable cause ;

(*c*) use any bottle belonging to any other person except as a receptacle for milk ;

unless he has (or has reasonable grounds for believing that he has) the consent of the owner of the milk bottle or of any person authorised by him to give such consent—

Provided that nothing in sub-paragraph (*c*) of this Article shall prohibit the doing of any act necessary for the cleaning of any milk bottle or the maintenance thereof in good condition.

Care and return of bottles

8.—(1) Any person who obtains possession or control of a milk bottle belonging to any other person

(*a*) shall take all reasonable care to keep the bottle in a sound and clean condition ;

(*b*) shall not retain the bottle for an unreasonable time provided that it shall be a defence for any person charged with a contravention of this paragraph to prove that he has taken all necessary and reasonable steps to inform the owner or supplier thereof of the place where the bottle may be collected, and that he was at all material times ready and willing to afford all reasonable facilities for the collection thereof by the owner or supplier thereof.

(2) A person who supplies milk in bottles shall, so far as is practicable, recover within a reasonable time any bottles in which milk is so supplied.

Destruction of or damage to bottles

9. No person shall wilfully destroy or wilfully damage any milk bottle, or cause or permit to be wilfully destroyed or wilfully damaged any milk bottle in his possession or control.

PART VI—MISCELLANEOUS

Exemption for caterers

10. The provisions of this Order shall not apply to the supply of milk by a caterer in the course of his catering business.

Return of documents

11.—(1) Every document issued by or on behalf of the Ministry for the purposes of this Order is and shall remain the property of the Minister.

(2) Where any person is in possession of any such document and such possession is not authorised by virtue of this Order then such person shall forthwith deliver the document to the Ministry or otherwise in accordance with the directions contained in such document.

(3) Any person to whom any such document has been issued or who is in possession of any such document shall if requested so to do by or on behalf of the Ministry produce such document or deliver it to such person or to a person of such class or description as may be specified in the request.

Validity of documents

12.—(1) Any document issued by or on behalf of the Ministry for the purposes of this Order or having effect for such purposes shall continue to be valid for such purposes only if and so long as

(*a*) subject as in this Order otherwise provided, it is used or retained by or on behalf of the person in respect of whom it is issued and for the purpose of obtaining milk on his behalf and while such person is living and is in Northern Ireland or on board any ship, other than a foreign-going ship; and

(*b*) it is used in accordance with any instructions or conditions specified thereon and on any document issued in connection therewith.

(2) For the purpose of this Article the expression "foreign-going ship" means a ship for which rationed foods within the meaning of the Food Rationing Orders, 1950, are authorised by the proper officer of Customs and Excise to be obtained under the provision of the Ships Stores (No. 2) Order, 1950(a).

(a) S.I. 1950 (No. 1462) III, p. 471.

Offences

13.—(1) No person shall—

(*a*) in furnishing any information for the purposes of this Order make any statement which he knows to be false in a material particular or recklessly make any statement which is false in a material particular;

(*b*) except when required so to do by or under this Order or any other Order or Direction of the Ministry, alter any document issued or authorised to be used for the purposes of this Order or make or alter any entry therein or deface any such document;

(*c*) personate or falsely represent himself to be the person to whom any such document has been issued or applies;

(*d*) except where he is required or authorised to do so by or under this Order or any other Order or Direction of the Ministry, obtain, use or retain or attempt to obtain, use or retain any such document other than a document issued to him;

(*e*) with intent to deceive, forge or use or lend to or allow to be used by any other person any such document;

(*f*) with intent to deceive, make or cause to be made or have in his possession any document so closely resembling any such document as to be calculated to deceive;

(*g*) use or dispose of any such document otherwise than for the purposes and in accordance with the provisions of this Order or any other Order or Direction of the Ministry.

(2) In this Article the expression "forge" has the same meaning as in the Forgery Act, 1913(**a**).

Revocation

14.—(1) The Milk (Control and Maximum Prices) (Northern Ireland) Order, 1945, as amended(**b**), is hereby revoked but without prejudice to any proceedings in respect of any contravention thereof.

(2) Any licence or other document issued for the purposes of the said Order and subsisting at the commencement of this Order shall continue to have effect as if it had been granted under the corresponding provision of this Order and unless the context otherwise requires any reference therein to that Order shall be construed as a reference to this Order.

Infringements

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

Licences, authorisations or directions

16.—(1) The provisions of this Order are subject to—

(*a*) any Direction which may at any time be given by the Ministry in relation to the articles to which this Order applies, and

(a) 3 & 4 Geo. 5. c. 27.
(b) S.R. & O. 1945 (No. 411) II, p. 895; 1946 (No. 1148) II, p. 670; and 1947 (No. 1222) II, p. 912.

(*b*) to any licence or authorisation which may be granted under this Order by the Ministry

and the Minister hereby delegates to the Ministry the function of giving any Direction or granting any such licence or authorisation.

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

Extent

17. This Order shall apply only to Northern Ireland.

Commencement and citation

18. This Order shall come into operation on the 1st day of May, 1951, and may be cited as the Milk (Control and Maximum Prices) (Northern Ireland) Order, 1951.

Maurice Webb,
Minister of Food.

Dated the 26th day of April, 1951.

THE SCHEDULE

MAXIMUM RETAIL PRICES OF MILK

Description	Maximum price per gallon
	At the rate of—
	s. d.
Grade A (T.T.) milk	3 6
Grade B milk	3 4
Pasteurised milk	3 4

EXPLANATORY NOTE

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

This Order re-enacts in consolidated form the Milk (Control and Maximum Prices) (Northern Ireland) Order, 1945, as amended. It also increases the maximum retail price of milk in Northern Ireland to 3s. 4d. per gallon and of Grade A (T.T.) milk to 3s. 6d. per gallon.

The Order provides revised descriptions of milk in conformity with the provisions of the Milk Act (Northern Ireland), 1950.