EXPLANATORY NOTE

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

This Order abolishes all price controls on sales of meat (including canned corned meat) and offals in Great Britain and Northern Ireland on the 4th of July, 1954 and until that date amends the Meat (Prices) Orders by removing price control on sales other than by retail of imported meat and home-killed pork.

1954 No. 385

The Milk (Great Britain) Order, 1954

Made - - - -	*25th March*, 1954
Laid before Parliament	*26th March*, 1954
Coming into Operation	*1st April*, 1954

The Minister of Food, in pursuance of the powers conferred upon him by Regulations 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 the Supplies and Services (Defence Purposes) Act, 1951(c), and continued in force by the Supplies and Services (Continuance) Order, 1953(d)), and of all other powers him enabling in that behalf, hereby orders as follows:—

1.—(1) This Order shall come into operation on the 1st day of April, 1954; and may be cited as the Milk (Great Britain) Order, 1954.

(2) This Order shall not extend to Northern Ireland.

2. In this Order—

"The Minister" means the Minister of Food.

"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.

"Certified milk" means milk in respect of which the designation "Certified" is lawfully used pursuant to the Milk (Special Designations) (Scotland) Orders, 1951 and 1952(e).

"Channel Islands milk" means milk—

(*a*) which is produced from cows of the Channel Islands breeds, and

(*b*) which the producer thereof sells by retail or in respect of which he receives a premium paid through the medium of a premium contract issued by the Milk Marketing Board, and

(*c*) which is labelled "Channel Islands milk", "Jersey milk" or "Guernsey milk" when sold in a container.

(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. 1953/1767 (1953 II, p. 1970).
(e) S.I. 1951/644, 1952/2142 (1951 I, p. 1316; 1952 I, p. 1088).

"Homogenised milk" means milk which (i) has been treated by heat (ii) has been so processed as to break up the globules of butterfat and cause them to remain uniformly distributed throughout the milk instead of rising to the surface and (iii) when sold in a container is labelled "Homogenised milk".

"Kedassia milk Farm Bottled" means Kedassia milk which has been bottled at the place of production and which when sold in a container is labelled "Kedassia milk Farm Bottled".

"Kosher milk" and "Kedassia milk" mean respectively milk which has been prepared for consumption in accordance with the Jewish practice relating thereto and which when sold in a container is labelled "Kosher milk" or "Kedassia milk" as the case may be.

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

"Milk Marketing Board" means the Milk Marketing Board constituted under the Agricultural Marketing Acts 1931-1949 to administer the Milk Marketing Scheme, 1933, which applies to England and Wales.

"Pasteurised milk" means milk in respect of which the special designation "pasteurised" is lawfully used pursuant to the Milk (Special Designation) (Pasteurised and Sterilised Milk) Regulations, 1949 to 1953(**a**), or, in relation to Scotland, is lawfully used pursuant to the Milk (Special Designations) (Scotland) Orders, 1951 and 1952.

"Sell" includes offer or agree to sell or expose for sale.

"South Devon milk" means milk—

(*a*) which is produced from cows of the South Devon breed, and

(*b*) which the producer thereof sells by retail or in respect of which he receives a premium paid through the medium of a premium contract issued by the Milk Marketing Board, and

(*c*) which is labelled as "South Devon milk" when sold in a container.

"Sterilised milk" means milk in respect of which the special designation "sterilised" is lawfully used pursuant to the Milk (Special Designation) (Pasteurised and Sterilised Milk) Regulations, 1949 to 1953, or, in relation to Scotland, is lawfully used pursuant to the Milk (Special Designations) (Scotland) Orders, 1951 and 1952.

"Tuberculin Tested milk" means milk in respect of which the special designation "Tuberculin Tested" is lawfully used pursuant to the Milk (Special Designation) (Raw Milk) Regulations, 1949 and 1950(**b**), or, in relation to Scotland, is lawfully used pursuant to the Milk (Special Designations) (Scotland) Orders, 1951 and 1952.

"Tuberculin Tested Milk (Pasteurised)" means milk in respect of which the description "Tuberculin Tested Milk (Pasteurised)" is lawfully used pursuant to the Milk (Special Designation) (Pasteurised and Sterilised Milk) Regulations, 1949 to 1953.

"Tuberculin Tested (Pasteurised) Milk" means milk in respect of which the description "Tuberculin Tested (Pasteurised) Milk" is lawfully used pursuant to the Milk (Special Designations) (Scotland) Orders, 1951 and 1952.

(**a**) S.I. 1949/1589, 1950/409, 1953/1821 (1949 I, p. 1715; 1950 I, p. 754; 1953 I, p. 812).
(**b**) S.I. 1949/1590, 1950/410 (1949 I, p. 1733; 1950 I, p. 756).

"Tuberculin Tested Milk Farm Bottled" means tuberculin tested milk which has been bottled at the place of production and in respect of which the description "Tuberculin Tested Milk Farm Bottled" is lawfully used pursuant to the Milk (Special Designation) (Raw Milk) Regulations, 1949 and 1950.

3.—(1) No person shall sell any milk—

(*a*) on a sale in England and Wales, at a price exceeding the maximum price applicable in accordance with the provisions of the First Schedule to this Order;

(*b*) on a sale in Scotland, excluding the islands other than the islands of Islay, Coll and Gigha in the County of Argyll and those in the counties of Bute and Orkney, at a price exceeding the maximum price applicable in accordance with the provisions of the Second Schedule to this Order.

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

4. No person shall sell—

(*a*) any Channel Islands or South Devon milk at a price exceeding the maximum price for ordinary milk, or

(*b*) any Channel Islands Tuberculin Tested milk or South Devon Tuberculin Tested milk at a price exceeding the maximum price for tuberculin tested milk, or

(*c*) any Channel Islands Tuberculin Tested milk Farm Bottled, or South Devon Tuberculin Tested milk Farm Bottled, at a price exceeding the maximum price for Tuberculin Tested milk Farm Bottled,

unless the milk sold has a butterfat content of not less than 4 per cent.; so however that where a person against whom proceedings are brought in respect of a contravention of any provision of this Article proves to the satisfaction of the Court that he has used all due diligence to secure that the provision in question was complied with and that the contravention was due to the act or default of some other person, the first mentioned person shall be acquitted of the offence.

5. No person shall sell or buy any milk in a bottle of a capacity of one-third of a pint except to, or for the purpose of resale to, any person having the management of any school or any person acting under his authority, for consumption as a beverage by the pupils of that school.

6. The provisions of this Order, with the exception of Article 5, shall not apply (*a*) to the supply of milk by a caterer in the course of his catering business or (*b*) to the supply of milk by a retailer for consumption on his retail premises.

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

(*a*) any direction which may at any time be given by or on behalf of the Minister, and

(*b*) 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 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.

8. The Milk (Great Britain) Order, 1953(**a**), and the Milk (Great Britain) (Amendment) Order, 1953(**b**), are hereby revoked but without prejudice to any proceedings in respect of any contravention thereof:

Provided that unless any contrary intention appears any licence or authorisation granted thereunder or having effect by virtue thereof, and subsisting immediately before the coming into operation of this Order, shall continue to have effect as though granted under this Order.

G. Lloyd-George,
Minister of Food.

Dated the 25th day of March, 1954.

THE FIRST SCHEDULE

Maximum Prices of Milk in England and Wales

The maximum prices of milk on a sale in England and Wales shall be a price in accordance with the following scale:—

Milk	Maximum Price (Rate per Pint)		
	From 1st April, 1954, to 30th April, 1954 (inclusive)	From 1st May, 1954, to 31st July, 1954 (inclusive)	On and after 1st August, 1954
	Pence	Pence	Pence
Channel Islands Tuberculin Tested Milk Farm Bottled	8½	8	9
Other Channel Islands milk ...	7½	7	8
South Devon Tuberculin Tested Milk Farm Bottled	8½	8	9
Other South Devon milk	7½	7	8
Other Tuberculin Tested Milk Farm Bottled	8	7½	8½
Tuberculin Tested milk	7	6½	7½
Tuberculin Tested Milk (Pasteurised)	7	6½	7½
Pasteurised milk	6½	6	7
Homogenised milk...	6¾	6¼	7¼
Sterilised milk	7	6½	7½
Kedassia milk Farm Bottled ...	8	7½	8½
Kosher and Kedassia milk ...	7	6½	7½
Ordinary milk (that is to say, milk other than the above mentioned.)	6½	6	7

(**a**) S.I. 1953/726 (1953 II, p. 2129). (**b**) S.I. 1953/1436 (1953 II, p. 2141).

THE SECOND SCHEDULE

MAXIMUM PRICES OF MILK ON A SALE IN SCOTLAND

The maximum prices of milk on a sale on the mainland of Scotland, in Islay, Coll and Gigha, and the County of Orkney and in the islands of the County of Bute shall be a price in accordance with the following scale:—

Milk	Maximum Price (Rate per Pint)		
	From 1st April, 1954, to 30th April, 1954 (inclusive)	From 1st May, 1954, to 31st July, 1954 (inclusive)	On and after 1st August, 1954
	Pence	Pence	Pence
Tuberculin Tested milk	7	6½	7½
Tuberculin Tested (Pasteurised) Milk	7	6½	7½
Certified milk	8	7½	8½
Pasteurised milk	6½	6	7
Sterilised milk	7	6½	7½
Ordinary milk (that is to say, milk other than the above mentioned.)	6½	6	7

EXPLANATORY NOTE

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

This Order replaces with amendments the Milk (Great Britain) Order, 1953 as amended. The principal changes are as follows:—

1. The provisions relating to the terms and conditions of sale of milk by the Minister and to the control of purchases by retailers have been omitted, upon the Minister ceasing to buy and sell milk in Great Britain from 1st April, 1954.
2. Maximum wholesale and retail price control has been replaced by provisions prescribing one set of maximum prices which may not be exceeded in respect of any sale. Maximum prices are now prescribed for Pasteurised and Tuberculin Tested (Pasteurised) Milk.
3. The provisions relating to churns and crates, and to accounts, records and other documents have been omitted.
4. Seasonal prices are again prescribed, but for different periods.