STATUTORY INSTRUMENTS

1965 No. 1411

FOOD AND DRUGS

MILK AND DAIRIES

The Milk (Great Britain) Order 1965

Made - - - -	15*th July* 1965
Laid before Parliament	23*rd July* 1965
Coming into Operation	1*st August* 1965

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly in exercise of the powers conferred on them by sections 6, 7 and 22(3) of the Emergency Laws (Re-enactments and Repeals) Act 1964(a) and of all other powers enabling them in that behalf, hereby make the following order:—

Citation, commencement and extent

1.—(1) This order may be cited as the Milk (Great Britain) Order 1965; and shall come into operation on 1st August 1965.

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

Interpretation

2.—(1) In this order—

" catering business " means the business or undertaking of an inn, public-house, hotel, restaurant, café, tea-shop, buffet, coffee-stall or any place of refreshment open to the public, or of a club, boarding house, apartment house, refreshment contractor, school feeding centre, staff dining room or canteen; and " caterer " shall be construed accordingly;

" Certified milk " means milk in respect of which the special designation " Certified " is lawfully used pursuant to the Milk (Special Designations) (Scotland) Order 1965(b);

" Channel Islands milk " means—

(*a*) as respects England and Wales, milk which is produced from cows of the Channel Islands breeds and which is labelled " Channel Islands milk ", " Jersey milk " or " Guernsey milk " when sold in a container;

(*b*) as respects Scotland, milk which is lawfully sold as Channel Islands milk pursuant to the Milk and Dairies (Channel Islands and South Devon Milk) (Scotland) Regulations 1958(c), as amended(d);

" 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 ";

(a) 1964 c. 60.
(b) S.I. 1965/253 (1965 I, p. 617).
(c) S.I. 1958/2229 (1958 I, p. 1192).
(d) The amending regulations are not relevant to the subject matter of this order.

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

" the Ministers " means the Minister of Agriculture, Fisheries and Food and the Secretary of State acting jointly ;

" Pasteurised milk " means milk in respect of which the special designation " Pasteurised " is lawfully used pursuant to the Milk (Special Designation) Regulations 1963(a) or, in relation to Scotland, is lawfully used pursuant to the Milk (Special Designations) (Scotland) Order 1965 ;

" Premium milk " means milk in respect of which the special designation " Premium " is lawfully used pursuant to the Milk (Special Designations) (Scotland) Order 1965 ;

" sell " includes offer or agree to sell or expose for sale ;

" South Devon milk " means—

(*a*) as respects England and Wales, milk which is produced from cows of the South Devon breed and which is labelled " South Devon milk " when sold in a container ;

(*b*) as respects Scotland, milk which is lawfully sold as South Devon milk pursuant to the Milk and Dairies (Channel Islands and South Devon Milk) (Scotland) Regulations 1958, as amended ;

" Standard milk " means milk in respect of which the special designation " Standard " is lawfully used pursuant to the Milk (Special Designations) (Scotland) Order 1965 ;

" Sterilised milk " means milk in respect of which the special designation " Sterilised " is lawfully used pursuant to the Milk (Special Designation) Regulations 1963 or, in relation to Scotland, is lawfully used pursuant to the Milk (Special Designations) (Scotland) Order 1965 ;

" Tuberculin Tested milk " means milk in respect of which the special designation " Tuberculin Tested " is lawfully used pursuant to the Milk (Special Designations) (Scotland) Order 1965 ;

" 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) Order 1965 ;

" Untreated milk " means milk in respect of which the special designation " Untreated " is lawfully used pursuant to the Milk (Special Designation) Regulations 1963 ;

" Untreated Milk Farm Bottled " means untreated milk which has been bottled at the place of production and in respect of which the description " Untreated Milk Farm Bottled " is lawfully used pursuant to the Milk (Special Designation) Regulations 1963 ;

(2) Any reference in this order to any regulations or other order shall be construed as a reference to such regulations or order as amended by any subsequent regulations or order, and if any regulations or order referred to in this order are or is replaced by any subsequent regulations or order, the reference shall be construed as a reference to such subsequent regulations or order, as the case may be.

(a) S.I. 1963/1571 (1963 III, p. 2937).

Maximum prices and exemptions

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 Schedule 1 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 Schedule 2 to this order:

Provided that where any milk is sold in a quantity of half a pint and the maximum price therefor in accordance with the foregoing provisions of this article would include an odd quarter of a penny, that maximum price shall be increased by one quarter of a penny.

(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.

(3) The provisions of this article shall not apply as respects any supply of milk (a) by a caterer in the course of his catering business, (b) by a retailer for consumption on his retail premises, or (c) from an automatic vending machine.

Licences or authorisations

4.—(1) The provisions of this order are subject to any licence or authorisation which may be granted under this order by or on behalf of the Ministers.

(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 Ministers; 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 Ministers, 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.

Revocation

5. The orders specified in Schedule 3 to this order are hereby revoked:

Provided that unless any contrary intention appears any licence or authorisation granted under the Milk (Great Britain) Order 1962 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 by the Ministers under the corresponding provision of this order.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 15th July 1965.

(L.S.) *Frederick Peart,*
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland on 15th July 1965.

(L.S.) *William Ross,*
Secretary of State for Scotland.

SCHEDULE 1 Article 3(1)(a)

MAXIMUM PRICES OF MILK IN ENGLAND AND WALES

1. Subject to the provisions of this Schedule, the maximum price of milk on a sale in England and Wales shall be a price in accordance with whichever of the following tables is appropriate:—

TABLE A

Milk other than Channel Islands Milk or South Devon Milk	Maximum Price (Rate per Pint)
	d.
Untreated Milk Farm Bottled	11
Sterilised milk	10
Homogenised milk	10
Untreated milk	9½
Pasteurised milk	9½
Ordinary milk (that is to say, milk in respect of which a maximum price is not for the time being otherwise applicable in accordance with this Schedule)	9½

TABLE B

Channel Islands Milk and South Devon Milk	Maximum Price (Rate per Pint)		
	From 1st August 1965 to 2nd October 1965 inclusive	From 3rd October 1965 to 2nd April 1966 inclusive	From 3rd April 1966 to 1st October 1966 inclusive
	d.	s. d.	d.
Channel Islands Untreated Milk Farm Bottled	11½	1 0	11½
Other Channel Islands milk ...	11	11½	11
South Devon Untreated Milk Farm Bottled	11½	1 0	11½
Other South Devon milk ...	11	11½	11

2. A reasonable charge may be made by the seller in addition to the appropriate maximum price specified in either of the above tables for milk sold by him as Kosher milk or Kedassia milk if—

(*a*) such milk is sold in a container distinctly labelled "Kosher" or "Kedassia", as the case may be; and

(*b*) such milk has been prepared for consumption in accordance with the appropriate Jewish practice relating thereto.

Article 3(1)(b)

SCHEDULE 2

MAXIMUM PRICES OF MILK IN SCOTLAND

1. Subject to the provisions of this Schedule, the maximum price of milk 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, shall be a price in accordance with whichever of the following tables is appropriate:—

TABLE A

Milk other than Channel Islands Milk or South Devon Milk	Maximum Price (Rate per Pint)
PART I	d.
Premium milk	11
Sterilised milk	10
Homogenised milk	10
Standard milk	9½
Pasteurised milk	9½
Ordinary milk (that is to say, milk in respect of which a maximum price is not for the time being otherwise applicable in accordance with this Schedule)	9½
PART II	From 1st August 1965 to 31st December 1965 inclusive
	d.
Certified milk	11
Tuberculin Tested milk	9½
Tuberculin Tested (Pasteurised) Milk	9½

TABLE B

Channel Islands Milk and South Devon Milk	Maximum Price (Rate per Pint)		
PART I	From 1st August 1965 to 2nd October 1965 inclusive	From 3rd October 1965 to 2nd April 1966 inclusive	From 3rd April 1966 to 1st October 1966 inclusive
	d.	s. d.	d.
Channel Islands Premium milk	11½	1 0	11½
Other Channel Islands milk (except Channel Islands Certified milk)	11	11½	11
South Devon Premium milk	11½	1 0	11½
Other South Devon milk (except South Devon Certified milk)	11	11½	11
PART II	From 1st August 1965 to 2nd October 1965 inclusive	From 3rd October 1965 to 31st December 1965 inclusive	
	d.	s. d.	
Channel Islands Certified milk	11½	1 0	
South Devon Certified milk	11½	1 0	

2. A reasonable charge may be made by the seller in addition to the appropriate maximum price specified in either of the above tables for milk sold by him as Kosher milk or Kedassia milk if—

(*a*) such milk is sold in a container distinctly labelled "Kosher" or "Kedassia", as the case may be; and

(*b*) such milk has been prepared for consumption in accordance with the appropriate Jewish practice relating thereto.

SCHEDULE 3 Article 5

Orders revoked	References
The Milk (Great Britain) Order 1962	S.I. 1962/1786 (1962 II, p. 2145).
The Milk (Great Britain) (Amendment No. 2) Order 1964	S.I. 1964/1423 (1964 III, p. 3298).
The Milk (Great Britain) (Amendment) Order 1965	S.I. 1965/77 (1965 I, p. 126).
The Milk (Great Britain) (Amendment No. 2) Order 1965	S.I. 1965/953 (1965 I, p. 2401).

EXPLANATORY NOTE

(*This Note is not part of the order.*)

This order, which comes into operation on 1st August 1965,—

(*a*) re-enacts the Milk (Great Britain) Order 1962, as amended;

(*b*) increases generally by ½d. per pint the maximum prices of milk on sales in Great Britain.