1954 No. 386

The Milk (Northern Ireland) 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:—

PART I.—COMMENCEMENT, CITATION, EXTENT AND INTERPRETATION

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

2. This Order shall apply only to Northern Ireland.

3. In this Order—

"The Minister" means the Minister of Food.

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

"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.

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

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

"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".

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

PART II.—CONTROL OF PRODUCTION AND SALE OF MILK

4.—(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.

(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) N.I., 1950, c. 31.

PART III.—MAXIMUM PRICES

5.—(1) No person shall sell milk 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 enter or offer to enter into any artificial transaction or make or demand any unreasonable charge.

PART IV.—CONTROL OF USE OF MILK CHURNS

6. No person shall—

(*a*) use or cause or permit to be used any milk churn belonging to any other person except for the collection from or the delivery to the owner of the churn 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 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, 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 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 of any person authorised by him to give such consent.

7. 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.

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

PART V.—MISCELLANEOUS

Exemption for caterers

9. 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

10.—(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.

Licences, authorisations or directions

11.—(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

(*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.

Revocation

12.—(1) The Milk (Northern Ireland) Order, 1953(**a**), 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 or having effect by virtue thereof, 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.

Dated the 25th day of March, 1954.

G. Lloyd-George,
Minister of Food.

THE SCHEDULE

MAXIMUM PRICES OF MILK

Description	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
Grade A (T.T.) milk	6¼	6¼	7¼
Pasteurised milk ...	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 (Northern Ireland) Order, 1953. The principal changes are as follows:—

1. Maximum retail prices have been replaced by maximum prices which may not be exceeded on any sale.
2. Seasonal prices have again been prescribed but for different periods.
3. Provisions relating to milk crates, the validity of certain documents and incidental provisions have been omitted.

(**a**) S.I. 1953/727 (1953 II, p. 2142).