STATUTORY INSTRUMENTS

1971 No. 1037

FOOD AND DRUGS

MILK AND DAIRIES

The Milk (Northern Ireland) Order 1971

Made - - -	*22nd June* 1971
Laid before Parliament	*30th June* 1971
Coming into Operation	*4th July* 1971

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

Citation, commencement and extent

1.—(1) This order may be cited as the Milk (Northern Ireland) Order 1971, and shall come into operation on 4th July 1971.

(2) This order shall apply only to Northern Ireland.

Interpretation

2. 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, staff dining room or canteen, or of any school feeding centre, school premises or other educational establishment where milk is provided for pupils ; and "caterer" shall be construed accordingly ;

"farm bottled milk" and "pasteurised milk" have the meaning respectively assigned to them under sections 1 and 3 of the Milk Act (Northern Ireland 1950(b) as amended by the Milk (Amendment) Act (Northern Ireland) 1963(c) ;

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

"the Ministry" means the Ministry of Agriculture for Northern Ireland ;

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

(a) 1964 c. 60. (b) 1950 c. 31 (N.I.). (c) 1963 c. 11 (N.I.).

Maximum prices and exemptions

3.—(1) No person shall sell any milk at a price exceeding the maximum price specified in relation thereto in the Schedule to this order:

Provided that where any milk is sold in a quantity of one-third of a pint or half a pint and, in either case, the maximum price therefor in accordance with the foregoing provisions of this article would include an odd fraction of a new penny, other than one-half of a new penny, that maximum price shall be increased to the next higher half of a new penny if the said fraction is less than one-half or to the next higher whole new penny if the said fraction is greater than one-half.

(2) No person shall in connection with the sale or disposition or proposed sale or disposition of any milk in relation to which a maximum price applies 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, or (*b*) from any 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 the Ministry.

(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 Ministry; 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 Ministry, 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 Milk (Northern Ireland) Order 1965(a), the Milk (Northern Ireland) (Amendment) Order 1969(b), and the Milk (Northern Ireland) (Amendment) Order 1970(c) are hereby revoked:

Provided that unless any contrary intention appears any licence or authorisation granted under the Milk (Northern Ireland) Order 1965, as amended, 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 Ministry 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 22nd June 1971.

(L.S.)

J. M. L. Prior,
Minister of Agriculture, Fisheries and Food.

(a) S.I. 1965/1412 (1965 II, p. 4176).
(b) S.I. 1969/973 (1969 II, p. 2859).
(c) S.I. 1970/1079 (1970 II, p. 3341).

SCHEDULE

Article 3(1)

MAXIMUM PRICES OF MILK

Milk	Maximum Price (Rate per Pint)
	p
Farm bottled milk	5½
Pasteurised milk	5½

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order, which comes into operation on 4th July 1971,—

(*a*) supersedes the Milk (Northern Ireland) Order 1965 as amended;

(*b*) prescribes a new maximum price for Pasteurised milk on sales in Northern Ireland;

(*c*) extends the definition of "catering business" to cover school premises or other educational establishments where milk is provided for pupils;

(*d*) permits the maximum price of one-third of a pint of milk to be rounded up to the nearest new halfpenny or new penny, as the case may be, if that maximum price would otherwise include an odd fraction of a new penny other than a new halfpenny.