(*d*) by adding to the said Table C the following item:—

" Column 1	Column 2
Flour... ... ... National Flour ... ... National Brown Flour	The Flour Order, 1953(a)."

G. Lloyd-George,
Minister of Food.

Dated the 22nd day of December, 1953.

EXPLANATORY NOTE

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

This amending Order—

(*a*) permits the use of the description "Atholl Brose" for a product consisting of malt whisky, oatmeal, honey and cream and containing not less than 25 per cent. proof spirit;

(*b*) permits flour, National Flour and National Brown Flour to be sold without a declaration of ingredients in so far as they comply as regards composition with the requirements of the Flour Order, 1953;

(*c*) removes from Table C of the First Schedule to the principal Order specific reference to soft drinks, saccharin tablets and sweetening tablets which are now the subject of Standards Orders and therefore fall within the first item in Table C, which is a Table of pre-packed foods of which the ingredients need not be specified on the label.

1953 No. 246

The Offals in Meat Products Order, 1953

Made - - - -	18*th February*, 1953
Laid before Parliament	18*th February*, 1953
Coming into Operation	1*st March*, 1953

The Minister of Food, in pursuance of the powers conferred upon him by Regulation 2 of the Defence (Sale of Food) Regulations, 1943(**b**), as continued in force by the Emergency Laws (Continuance) Order, 1952(**c**), and of all other powers him enabling in that behalf, hereby orders as follows:—

1. This Order shall come into operation on the 1st day of March, 1953, and may be cited as the Offals in Meat Products Order, 1953.

2. In this Order—

"The Minister" means the Minister of Food.

(a) S.I. 1953/1282; 1953 II, p. 2094.
(b) S.R. & O. 1943/1553; 1945/1454: 1943 II, p. 70; 1945 II, p. 95.
(c) S.I. 1952/2095; 1952 I, p. 945.

"Meat" means bacon, ham, beef, mutton, lamb, veal, pork, edible offals, poultry, game, rabbit, hare and venison.

"Open meat product" means any food used, manufactured or prepared for human consumption which is manufactured or prepared from meat and another ingredient or other ingredients and which is not and has not been canned.

"Prohibited offals" means brains, feet, fries, gut (including chitterlings), manifolds, paunches, udders, sweetbreads, tripe, melts or lites, spinal cord, uteri, pigs' maws and calves' vells.

"Uncooked" means not subjected to a process of cooking throughout the whole substance so as to render unnecessary any further cooking before being used for human consumption.

3. No person shall use or cause or permit to be used any prohibited offal in the composition or preparation of any uncooked open meat product intended for sale or sold for human consumption.

4. For the purposes of this Order any uncooked open meat product which is found on premises used for the preparation, storage or sale of any article of food commonly used for human consumption shall be presumed, until the contrary is proved, to be intended for sale for human consumption.

5.—(1) In any proceedings in respect of an infringement of this Order the production by one of the parties of (i) a document purporting to be a certificate of a public analyst or the Government Chemist or (ii) a document supplied to him by the other party as being a copy of such a certificate shall be sufficient evidence of the facts stated therein, unless in the case mentioned under head (i) above the other party requires that the person making the analysis shall be called as a witness.

(2) In any such proceedings—

(*a*) if the prosecution intends to produce a certificate of a public analyst or the Government Chemist, a copy of such certificate shall be served with the summons; and

(*b*) if a defendant intends to produce a certificate of a public analyst or the Government Chemist, or to require that the person making the analysis shall be called as a witness, he shall give to the other party at least three clear days' notice of his intention,

and if any of these requirements is not complied with the court may if it thinks fit adjourn the hearing on such terms as it deems proper.

6.—(1) A person against whom proceedings are brought in respect of an infringement of this Order shall, upon information duly laid by him and on giving to the prosecution not less than three clear days' notice of his intention, be entitled to have any person to whose act or default he alleges that the contravention of the provisions in question was due brought before the court in the proceedings, and if, after the contravention has been proved, the original defendant proves that the contravention was due to the act or default of that other person, that other person may be convicted of the offence, and, if the original defendant further proves that he has used all due diligence to secure that the provisions in question were complied with, he shall be acquitted of the offence.

(2) Where the defendant seeks to avail himself of the provisions of the preceding paragraph—

(*a*) the prosecution, as well as the person whom the defendant charges with the offence, shall have the right to cross-examine him, if he gives evidence, and any witness called by him in support of his pleas, and to call rebutting evidence ;

(*b*) the court may make such order as it thinks fit for the payment of costs by any party to the proceedings to any other party thereto.

(3) Where it appears to the Minister or other authority entitled to bring proceedings for an infringement of this Order, that an offence has been committed in respect of which proceedings might be taken for an infringement of this Order against some person and the Minister or other authority is reasonably satisfied that the offence of which complaint is made was due to the act or default of some other person and that the first-mentioned person could establish a defence under paragraph (1) of this Article, he or they may cause proceedings to be taken against that other person without first causing proceedings to be taken against the first-mentioned person.

In any such proceedings the defendant may be charged with and, on proof that the contravention was due to his act or default, be convicted of, the offence with which the first-mentioned person might have been charged.

7. This Order shall in its application to Scotland have effect subject to the following modifications:—

(*a*) Article 6 shall not apply ;

(*b*) for the references to a summons and to a hearing there shall be substituted respectively a reference to a complaint and to a diet.

8. This Order shall in its application to Northern Ireland have effect subject to the modification that for the reference in Article 5 to the Government Chemist there shall be substituted a reference to the Government Chemist for Northern Ireland.

9. Proceedings in England and Northern Ireland for an infringement of this Order may be brought by a Food and Drugs Authority without the consent of the Minister.

G. Lloyd-George,
Minister of Food.

Dated the 18th day of February, 1953.

EXPLANATORY NOTE

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

This Order prohibits the use of certain offals in the composition or preparation of uncooked open meat products intended for sale or sold for human consumption.