2. This Order shall come into force on the 1st day of June, 1950, and may be cited as The Rabbits and Hares (Revocation of Control) Order, 1950.

Dated the 26th day of May, 1950.

Maurice Webb,
Minister of Food.

The Rice Order, 1950

1950 No. 1617

Made - - - -	*30th September,* 1950
Laid before Parliament	*2nd October,* 1950
Coming into Operation	*8th October,* 1950

In exercise of the powers conferred upon him by Regulations 55, 55AA 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 of all other powers him enabling, the Minister of Food hereby makes the following Order:—

Interpretation

1. In this Order—

(*a*) "The Minister" means the Minister of Food.

(*b*) "Buy" includes offer or agree to buy, and "sell" includes offer or agree to sell or expose for sale.

"Catering business" includes 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 the word "caterer" shall be construed accordingly.

"First hand distributor" means any person to whom rice was sold and delivered by the Minister after the 26th day of January, 1942.

"Manufacturer" means any person who for the purposes of his trade or business, other than a catering business, uses any rice in the composition, manufacture or preparation of any other product.

"Pre-packed" means, in relation to rice, packed (otherwise than by a retailer for the purpose of retail sale by him on the premises on which the rice is so packed) in advance ready for retail sale in a wrapper or container containing not more than 1 lb.

"Rice" means any rice or rice product of a description set out in Column 1 of Part I of the Schedule to this Order.

"Sale by retail" means any sale to a person buying otherwise than for the purpose of resale, and includes any sale to a person for the purposes of his catering business but does not include a sale to a manufacturer for the purposes of his manufacturing business; and "sell by retail" and "retailer" shall be construed accordingly.

"Sale by wholesale" means any sale other than a sale by retail; and "sell by wholesale" shall be construed accordingly.

(a) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1611 and 1615–25) II, pp. 39 and 45–56.
(b) 10 & 11 Geo. 6. c. 55.

Restriction on buying and selling broken rice

2. Except under and in accordance with the terms of a licence or other authority granted by or on behalf of the Minister under this Order, no person shall buy any broken rice except from the Minister or sell any broken rice except to the Minister.

Maximum prices

3.—(1) No person shall buy or sell any rice at a price exceeding the price applicable in accordance with the Schedule to this Order.

(2) Where the maximum price on a sale by retail calculated in accordance with this Order includes any fraction of a farthing, such fraction shall be regarded as one farthing.

Furnishing of invoices

4. On the occasion of a sale by wholesale of any rice, the seller shall furnish the buyer with an invoice specifying—

(*a*) the description (as set out in Column 1 of Part I of the Schedule to this Order) of the rice sold;

(*b*) each and every charge in addition to the maximum price made by him under Part II of the Schedule to this Order.

Keeping of records

5.—(1) Every person who carries on any undertaking by way of trade or business in the course of which he sells any rice by wholesale, shall keep or cause to be kept an accurate record of all purchases and sales thereof by him; and such record shall include, in respect of each sale, the following particulars:—

(*a*) the date of the purchase or sale;

(*b*) the name and address of the person from whom he purchased or to whom he sold;

(*c*) the description or descriptions and quantity purchased or sold;

(*d*) the price paid or charged; and

(*e*) each and every addition to the maximum price made by him under Part II of the Schedule to this Order.

(2) Every person who carries on any undertaking by way of trade or business in the course of which he sells any rice by retail, shall keep or cause to be kept an accurate record of all purchases thereof by him; and such record shall include, in respect of each purchase, the date thereof, the name and address of the person from whom the rice was purchased, the description or descriptions and quantity purchased, the price paid or charged, and particulars of each and every addition to the maximum price made under Part II of the Schedule to this Order.

(3) The retention by any person of an invoice or a copy of an invoice shall as regards the particulars mentioned therein be a sufficient compliance by him with the provisions of this Article.

(4) Every person who is required by this Article to keep any record shall retain it for one year from the date of the transaction to which it relates.

Exemption for caterers

6. This Order shall not apply to the sale of any rice as a meal or part of a meal served by a caterer in the course of his catering business.

Artificial transactions; unreasonable charges

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

Evidence of certificates of analysis

8.—(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 (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 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.

(3) In this Article "public analyst" has, in relation to England and Wales, the meaning assigned to it by the Food and Drugs Act, 1938(**a**); in relation to Scotland, the meaning assigned to it by the Food and Drugs (Adulteration) Act, 1928(**b**); and, in relation to Northern Ireland, the meaning assigned to it by the Sale of Food and Drugs Acts (Northern Ireland), 1875 and 1939; and "Government Chemist" means in relation to Northern Ireland the Government Chemist for Northern Ireland.

Directions, licences and authorisations

9.—(1) The provisions of this Order are subject to any directions which may at any time be given by or on behalf of the Minister and to any licence or authorisation which may be granted by or on behalf of the Minister under this Order.

(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 being 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.

Infringements

10. Infringements of this Order are offences against the Defence (General) Regulations, 1939.

(**a**) 1 & 2 Geo. 6. c. 56. (**b**) 18 & 19 Geo. 5. c. 31.

Revocation

11.—(1) The Rice (Control and Maximum Prices) Order, 1943 as amended(**a**) is hereby revoked, but without prejudice to any proceedings in respect of any contravention thereof; provided that any licence or authorisation granted or having effect under that Order, and subsisting immediately before the coming into force of this Order, shall continue to have effect as though granted under this Order.

(2) Notwithstanding the revocation of the said Order, every person shall retain, for one year from the date of the transaction to which it relates, any record required to be kept thereunder and remaining in his possession.

Citation and commencement

12. This Order may be cited as the Rice Order, 1950; and shall come into operation on the 8th day of October, 1950.

Maurice Webb,
Minister of Food.

Dated the 30th day of September, 1950.

THE SCHEDULE

PART I

MAXIMUM PRICES

Column 1	Column 2			Column 3
	Sales by Wholesale			
Description of Rice	(*a*) On a sale by a miller or grinder to a first-hand distributor	(*b*) On any sale by wholesale other than a sale mentioned in column (*a*) or (*c*)	(*c*) On a sale to a retailer or manufacturer	On a sale by retail
	Rate per cwt. s. d.	Rate per cwt. s. d.	Rate per cwt. s. d.	Rate per lb. d.
Any description of whole rice (including Board of Trade) ...	69 0	71 0	74 9	10
Ground Rice ...	60 3	62 3	66 0	9
Rice Flour ...	60 3	62 3	66 0	9
Rice Cones ...	58 3	60 3	64 0	9
Granulated Rice...	62 9	64 9	68 6	9
Flaked Rice ...	66 9	68 9	72 6	10

(**a**) S.R. & O. 1943 (No. 1505) II, p. 1430; and S.I. 1948 (No. 1748) II, p. 753.

PART II

ADDITIONS TO THE MAXIMUM PRICES

Transport and Delivery

1. The maximum price on any sale by wholesale may be increased by the amount of any costs and charges reasonably paid or incurred in respect of the transport of the rice to the place at which delivery thereof is given by the seller to the buyer:—

(*a*) in the case of rice milled or manufactured in the United Kingdom from the mill where such rice was milled or manufactured;

(*b*) in the case of rice other than that mentioned in paragraph (*a*) above, from the quay, wharf, warehouse or mill at which delivery is given by the Minister;

and, except as provided in this paragraph, no additional charge shall be made by the seller on a sale by wholesale in respect of transport or delivery.

Breaking Bulk and Packing

2. Where on any sale by wholesale there is sold at the request of the buyer a lesser quantity than that contained in a bulk package in which the rice was contained, the maximum price of such rice may be increased by a sum at a rate not exceeding 1s. 0d. per cwt. or where the quantity so sold is less than 28 lb. by the sum of 3d.

3. Where any rice has been pre-packed after allocation by the Minister, the maximum price thereof on a sale by wholesale or on a sale by retail may be increased by a sum at a rate not exceeding 2d. per lb. or in the case of flaked rice 3d. per lb.

4. Except as provided in paragraphs 2 and 3 hereof, no additional charge shall be made by the seller on a sale of rice in respect of packing or packages.

Sales by Retail

5.—(*a*) On a sale by a retailer on the mainland of Scotland north of the Caledonian Canal or in the counties of Orkney and Zetland or in the Islands of the Pentland Firth or in The Scilly Isles, the maximum price may be increased by a sum not exceeding ¼d. per lb.

(*b*) On a sale by a retailer in the Islands of the West of Scotland, other than those in the Firth of Clyde, the maximum price may be increased by a sum not exceeding ½d. per lb.

EXPLANATORY NOTE

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

This Order replaces the Rice (Control and Maximum Prices) Order, 1943 as amended. The principal changes are:—

(1) the restrictions on buying and selling rice and rice products for manufacturing purposes are removed—but broken rice may still only be bought from or sold to the Minister of Food;

(2) maximum prices for rice and rice products controlled by the replaced Order are increased, maximum prices for certain rice products are imposed at all stages of distribution, and maximum retail prices are imposed for ground rice and rice flour; and

(3) additional charges are allowed for pre-packing.