(x) SALVAGED GOODS

The Salvaged Goods Order, 1948

1948 No. 2141

Made - - - -	*17th September,* 1948
Laid before Parliament	*21st September,* 1948
Coming into Operation	*1st October,* 1948

In exercise of the powers conferred upon him by Regulations 55, 55AA and 55AB of the Defence (General) Regulations, 1939(**a**), as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945(**b**), as extended by the Supplies and Services (Extended Purposes) Act, 1947(**c**), and of all other powers him enabling, the Minister of Food hereby makes the following Order:—

Interpretation.

1. In this Order:—

" The Minister " means the Minister of Food.

" Catering Establishments " and " Institutions " have the meanings assigned to them respectively by Article 1 of the Food (Licensing of Establishments) Order, 1948(**d**).

" Cereals " means any threshed wheat, barley, oats, rye, maize, dari and any other threshed grain (other than rice).

" Food " means any article used as food or drink for human consumption, other than drugs or water, and includes any substance which is intended for use in the composition or preparation of food, any flavouring matter or condiment, and any colouring matter intended for use in food.

" Meat (other than canned) " means beef, mutton, lamb, pork, veal, whether fresh, chilled or frozen, and the edible offals thereof.

" Pulses " means beans, lentils or peas.

" Specified quantity " in relation to any description of salvaged goods, means the quantity specified in Column 2 of the Schedule to this Order in respect of that description.

" Rationed food ", " rationed soap " and " points rationed food ", mean respectively any food or soap which is prescribed by the Minister as rationed or points rationed, as the case may be, and includes any food or soap which is allocated to traders under any scheme of distribution operated by or under the supervision of the Ministry of Food.

(**a**) *See* Note, p. 15 above.
(**b**) 9 & 10 Geo. 6. c. 10; and S.R. & O. (Nos. 1611 and 1615–25) II, pp. 39 and 45–56.
(**c**) 10 & 11 Geo. 6. c. 55. (**d**) S.I. 1948 No. 368, p. 404 above.

" Sale at first hand " means the first sale of any food or soap after it has become salvaged.

" Salvaged goods " includes any food or soap which is:—

(*a*) held without account by H.M. Postmaster General, or by any carrier of goods, whether by air, road, rail or inland water transport, or by any warehousekeeper, wharfinger, or other bailee;

(*b*) lost or stolen property in the hands of the police;

(*c*) held after seizure or requisition by H.M. Customs or by the Minister;

(*d*) the property of a shipowner by way of ships' stores, and being surplus to the requirements of the shipowner;

(*e*) in the hands of insurers or their agents as the result of damage by fire, water, or other insurable peril;

(*f*) in the possession or control of the Receiver of Wrecks;

(*g*) surplus stock in the possession or control of a Government Department;

(*h*) in the possession or control of a manufacturer, and which is unfit for the purpose for which it was acquired by him: provided that the manufacturer is not licensed to trade in the article in question otherwise than as a processed or manufactured article;

(*i*) described as salvaged goods by the Minister at the time of the disposal thereof by him.

" Salvage dealer " means in relation to any description of food or soap, a person who holds a licence granted under any Order made by the Minister (if such a licence is required) to sell by wholesale that description of food or soap, and who deals or is prepared to deal in that description of food or soap as salvaged goods.

Sale of salvaged goods at first-hand.

2.—(1) Where the sale of any description of food or soap is subject to any restriction imposed by any other Order made by the Minister, a person lawfully in possession or control of any such food or soap as salvaged goods may sell it at first hand as salvaged goods free from any such restriction, provided that he sells it to—

(*a*) a salvage dealer; or

(*b*) in the case of any goods specified in Column 1 of the Schedule to this Order and if the lot or consignment offered for sale is not less than the specified quantity, to the Minister;

and a salvage dealer may purchase on a first-hand sale any description of salvaged goods free from any such restriction as aforesaid.

(2) Where the sale of any description of food or soap is not subject to any restriction imposed by any other Order made by the Minister, or by any Act, Order, Regulation or Bye-law for the time being in force, a person lawfully in possession or control of any such food or soap as salvaged goods may sell it as such at first-hand to any buyer, subject to any restriction which is specified in relation to the sale of salvaged goods of that description in Column 3 of the Schedule to this Order.

Sales of salvaged goods by a salvage dealer.

3.—(1) A salvage dealer shall not sell or otherwise dispose of any salvaged goods, being goods of a description specified in Column 1 of the Schedule to this Order, except to the Minister, where the quantity of that description of salvaged goods at the disposal of the salvage dealer for sale at any time is not less than the specified quantity.

(2) Where a restriction is specified in Column 3 of the said Schedule in relation to the sale to, and use by, buyers of any description of salvaged goods sold to buyers other than the Minister, a salvage dealer shall not sell or otherwise dispose of any such goods, and a buyer of any such goods shall not use or dispose of them, except in accordance with the said restriction.

(3) Subject as aforesaid, a salvage dealer may sell or otherwise dispose of any salvaged goods as follows:—

(*a*) in the case of rationed food, rationed soap, or points rationed food (including chocolate and sugar confectionery), only to hospitals or to such canteens as are approved by the Minister for this purpose, for consumption or use therein; or, when specifically authorised to do so by a Food Control Committee, to any other institution or catering establishment for consumption or use therein. Sales or other disposals of any description of food or soap under the provisions of this paragraph shall be free from any restriction or requirement (other than price control) imposed upon the sale or other disposal of such food or soap, or upon sellers or buyers thereof, by any other Order made by the Minister, and the licensee of an establishment obtaining such salvaged goods shall be exempted from the provisions of Article 13 of the Food Rationing (General Provisions) Order, 1948, as amended(**a**), in respect of such goods;

(*b*) in the case of any other food or soap, to any buyer, subject to any restrictions or requirements imposed by any Act, Order, Regulation or Bye-law for the time being in force.

4. On a sale of any description of salvaged goods by a salvage dealer, the price shall not exceed the maximum or fixed price (if any) prescribed in any Order made by the Minister in relation to the like sale of goods of that description not being salvaged goods.

Compliance with the Food and Drugs Act.

5. Nothing in this Order shall relieve any person from compliance with the provisions of the Food and Drugs Act, 1938(**b**), or of any regulations made thereunder or, save as expressly provided herein, from compliance with the provisions of any other Act, Order, Regulation or Bye-law for the time being in force.

Records and returns.

6.—(1) Every salvage dealer shall keep or cause to be kept an accurate record of all purchases and sales by him of salvaged goods, that record to include in respect of each purchase and sale the name and address of the person from whom he bought the salvaged goods and of the person to whom they were sold, the date of sale and particulars of the price paid or charged.

(2) Every salvage dealer shall furnish at such times and in such manner as may be prescribed by the Minister by a notice served under this Order such estimates, returns or information relating to his dealings in salvaged goods as may be so prescribed.

(**a**) S.I. 1948 Nos. 1631 and 1885, pp. 427–46 above. (**b**) 1 & 2 Geo. 6. c. 56.

(3) Every invoice furnished by a salvage dealer to a buyer from him of salvaged goods shall include a reference to this Order and a clear indication that the goods sold are salvaged goods; and where a restriction is specified in Column 3 of the Schedule to this Order in relation to the sale and use of salvaged goods sold to buyers other than the Minister, the invoice shall state the restriction on the use by the buyer of such goods.

(4) Retention by a salvage dealer of an invoice or copy of an invoice shall, as respects the particulars mentioned in that document, be a sufficient compliance with the provisions of paragraph (1) of this Article.

(5) Every salvage dealer shall retain any record kept by him pursuant to this Article for not less than one year from the date of the transaction to which it relates.

Artificial transactions and unreasonable charges.

7. A person shall not in connection with the sale or disposition or proposed sale or disposition of any goods to which this Order relates enter or offer to enter into any artificial transaction or make or demand any unreasonable charge.

Directions, authorisations and licences.

8.—(1) The provisions of this Order are subject to any direction 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 that licence or authorisation.

Infringements.

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

Revocation.

10. The Salvaged Goods (Terms of Sale) Order, 1945(a) is hereby revoked, but without prejudice to any proceedings in respect of any contravention thereof: provided that any warranty or condition given under the provisions of the said Order shall be deemed to have effect for the period for which it was given, notwithstanding that the expiry of the period shall occur after the date of the revocation of the Order.

Commencement and citation.

11. This Order shall come into force on the 1st day of October, 1948, and may be cited as the Salvaged Goods Order, 1948.

By Order of the Minister of Food.

Edith Summerskill,
Parliamentary Secretary.

Dated the 17th day of September, 1948.

(a) S.R. & O. 1945 (No. 1091) II, p. 546.

THE SCHEDULE

Column 1 Description of Goods	Column 2 Specified Quantity	Column 3 Restrictions on sale to and use by buyers other than the Minister
Bacon and ham ...	28 lb.	—
Barley meal, clipped barley and flaked barley.	288 lb.	—
Blackcurrant puree...	1 cwt.	—
Blackcurrant syrup...		
Butter	28 lb.	*If damaged but not condemned as unfit for human consumption*—to be sold with consent of Local Authority only to food manufacturers for the manufacture of food products.
Cereals	224 lb.	—
Cheese	28 lb.	—
Cocoa beans... ...	28 lb.	To be sold only to manufacturers of chocolate for the manufacture of their products.
Cocoa butter... ...	28 lb.	To be sold only to manufacturers of chocolate or sugar confectionery for the manufacture of those products.
Cocoa powder ...	5 cwts.	—
Chocolate and sugar confectionery (including couverture) and drinking chocolate.		
Edible oils and fats (excluding butter).	28 lb.	—
Eggs—dried... ...	1 case containing 72 × 5 oz. packets or 28 lb.	To be sold only to leather tanners for use in the preparation of leather or to manufacturers of embrocation for the manufacture of that product.
Eggs—frozen liquid	30 lb.	
Eggs—shell	1 case (360 eggs)	—
Flour within the meaning of the Flour Order, 1947.	288 lb.	—
Fruit—canned or bottled—imported.	100 whole cases or 2 tons of loose tins, bottles or part cases.	—
Fruit—dried... ...	2 cwts.	*If damaged but not condemned as unfit for human consumption*—to be sold with consent of Local Authority only to manufacturers of flour confectionery or biscuits or pickles and sauces for the manufacture of those products respectively.
Fruit juices, essential oils, pectins or pomace.	1 cwt.	—
Glucose	1 cwt.	—
Jam and marmalade—imported.	100 whole cases or 2 tons of loose tins, bottles or part cases.	—

Column 1 Description of Goods	Column 2 Specified Quantity	Column 3 Restrictions on sale to and use by buyers other than the Minister
Meat—canned ...	6 *lb. cans*—5 whole cases or 2½ cwts. of loose tins or part cases. *Smaller size cans*—10 whole cases or 2½ cwts. of loose tins or part cases.	—
Meat—other than canned.	28 lb.	—
Milk—condensed and evaporated.	28 lb.	—
Milk powder, including whey powder and buttermilk powder, but excluding proprietary infant milk foods.	28 lb.	—
Nut kernels—edible	1 cwt.	*If damaged but not condemned as unfit for human consumption*—to be sold with consent of Local Authority only to manufacturers of flour confectionery or biscuits or chocolate and sugar confectionery or pickles and sauces for the manufacture of those products respectively.
Oatmeal, oat flakes and oat flour.	228 lb.	—
Pepper and spices ...	5 cwts.	—
Potato mash powder	3 cwts.	—
Pulses	224 lb.	—
Rice and rice products (except starch).	5 cwts.	*If damaged*—to be sold only to manufacturers of starch or of compound animal feeding stuffs for the manufacture of those products respectively.
Soap, soap flakes and soap powders—rationed.	5 cwts.	—
Starch	2 cwts.	—
Sugar...	1 cwt.	—
Syrup and treacle ...	1 cwt.	—
Tea	40 lb.	*If damaged*—to be sold only to chemical manufacturers for CAFFEINE extraction.
Tomato purée ...	100 whole cases or 2 tons of loose tins, bottles or part cases.	—
Vegetables—canned	100 whole cases or 2 tons of loose tins, or part cases.	—

EXPLANATORY NOTE

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

This Order prescribes channels of disposal for salvaged food and soap (i.e., any food or soap which is outside the normal channels of distribution or is damaged or unsuitable for the purposes for which it was acquired).

It enables persons not otherwise licensed to deal in foodstuffs, but in possession of salvaged food or soap, to dispose of it either to the Minister or to Salvage Dealers.

It provides:—

1. that Salvage Dealers
   (*a*) shall sell certain specified goods only to the Minister;
   (*b*) shall sell any rationed or controlled foods or soap not required by the Minister only to buyers approved by the Minister;
   (*c*) may dispose freely of any other salvaged food or soap subject to compliance with any conditions imposed by other Statutory Instruments or Acts of Parliament.
2. for exemption from the requirements of Rationing Orders, both as regards sellers and buyers, in the case of sales of salvaged goods to buyers approved by the Minister.
3. for sales of salvaged goods to be subject to existing price controls.

The Order revokes the Salvaged Goods (Terms of Sale) Order, 1945.

(xi) SEASONAL ALLOWANCES

The Food (Seasonal Allowances) Order, 1948

1948 No. 1823

Made - - - -	*3rd August,* 1948
Laid before Parliament	*3rd August,* 1948
Coming into Operation	*9th August,* 1948

In exercise of the powers conferred upon him by Regulation 55 of the Defence (General) Regulations, 1939(**a**), as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945(**b**), as extended by the Supplies and Services (Extended Purposes) Act, 1947(**c**), and of all other powers him enabling, the Minister of Food hereby makes the following Order:—

1. Where any person employs, gratuitously or for reward, any worker for the carrying out of any seasonal operation on agricultural land that person shall, not later than 24 hours prior to the commencement of each such operation, complete and deliver to a Food Executive Officer of the Ministry of

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(**a**) *See* Note, p. 15 above.
(**b**) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1611 and 1615–25) II, pp. 39 and 45–56.
(**c**) 10 & 11 Geo. 6. c. 55.