

STATUTORY INSTRUMENT  
THE BREAD (GUERNSEY AND ALDERNEY) ORDER, 1956.

1956 No. 31

Repealed  
 by Ord  
 xvii/91

Made ... ..  
 Coming into operation

20th November, 1956.  
 2nd December, 1956.

SPENT

As Competent Authorities as respects the Bailiwick of Guernsey excluding the Island of Alderney and as respects the Island of Alderney respectively in relation to Regulation 55 of the Defence (General) (Guernsey) Regulations, 1945, we hereby make the following Order:-

1. In this Order:-

"The Board" means the States of Guernsey Board of Administration;

"Bread" includes rolls, but does not include fruit loaves or bun loaves;

"Buy" includes offer or agree to buy; and "sell" includes offer or agree to sell or expose for sale;

"By retail" means, in relation to a sale of bread, a sale to a person buying otherwise than for the purpose of resale, and includes a sale to a caterer for the purposes of his catering business;

"Catering business" includes the business or undertaking of an inn, public house, hotel, restaurant, cafe, tea-shop, buffet, coffee-stall or of 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;

"Loaf" includes wrapped sliced bread;

"Standard bread" means bread in the production of which no ingredients have been used other than "Baker's Flour" and one or more of the substances specified in the Schedule to this Order;

"Standard brown bread" means bread in the production of which no ingredients have been used other than "Baker's Brown Flour" and one or more of the substances specified in the Schedule to this Order;

"Baker's Flour" means proprietary brands of flour which have been approved by the Board of Administration for use in the manufacture of Standard Bread;

"Baker's Brown Flour" means proprietary brands of flour which have been approved by the Board of Administration for use in the manufacture of Standard Brown Bread;

"Week" means a period of 7 days ending at midnight between Saturday and Sunday.

2. The Interpretation (Guernsey) Law, 1948, applies to the interpretation of this Order as it applies to the interpretation of a Guernsey enactment.

3. Provisions as to Weight and Legal Proceedings.

(1) No person shall sell or have in his possession for sale any loaf or roll of bread (including any bun) unless its weight is 14 ounces or a multiple of 14 ounces or is 10 ounces or less.

(2) Where in any proceedings a person is charged with a contravention of this Article in respect of the weight of any bread:-

(a) the Court shall disregard any inconsiderable variation in the weight of a single loaf or roll of bread, and shall have regard

to the average weight of a reasonable number of loaves or rolls of the same kind (if any) sold by the person so charged, or in his possession for the purpose of sale, on the same occasion, and generally to all the circumstances of the case; and

- (b) if the person so charged proves to the satisfaction of the Court that such deficiency was due to a bona fide mistake or accident, or to other causes beyond his control, and that it occurred in spite of all reasonable precautions being taken and all due diligence being exercised by him to prevent its occurrence, or that it was due to the action of some person over whom he had no control, the person so charged shall be discharged from the prosecution.

4. Restriction on Sale of Bread.

No person shall sell by retail any bread unless at the time of such sale the seller has standard bread available for sale in the form of loaves each weighing 14 ounces or a multiple of 14 ounces: provided that this Article shall not apply to a sale by retail of standard brown bread.

5. Prohibition on Exchange of Standard Bread and Standard Brown Bread.

No trader shall exchange or offer or agree to exchange any standard bread or standard brown bread which he has sold or delivered.

6. Keeping of Records.

- (1) Every person who produces standard bread or standard brown bread for sale shall keep accurate records showing -
- (a) his stocks of Baker's flour and Baker's brown flour respectively at the end of each week;
  - (b) the quantities of Baker's flour and Baker's brown flour respectively bought and sold by him during each week;
  - (c) the quantities of standard bread and standard brown bread respectively produced by him during each week and the quantities of Baker's flour and Baker's brown flour respectively used therein.
- (2) The retention by any person of an invoice or of a copy of an invoice shall as regards the particulars mentioned therein be sufficient compliance by him with the provisions of this Article.
- (3) 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 or, in the case of a record of stocks, from the date when he took delivery of such stocks.
- (4) The preceding paragraphs of this Article shall not apply to bread produced by a caterer and served as a meal or part of a meal in the course of his catering business.

7. Certificate of States Analyst.

- (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 the States Analyst 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 the States Analyst, a copy of such certificate shall be served with the summons; and
- (b) if a defendant intends to produce a certificate of the States Analyst, or to require that the person making the analysis shall be called as a witness, he shall give 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.

8. Artificial Transactions.

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

9. Directions, Authorisations and Licences.

- (1) The provisions of this Order are subject to any directions that may at any time be given by or on behalf of the Board, and to any licence or authorisation that may be granted by or on behalf of the Board 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 Board; 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 Board, 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.

10. Exemptions.

- (1) The provisions of this Order shall not apply to protein-enriched breads, that is to say, bread containing at the time of sale not less than 20 per cent by weight of protein. For this purpose the amount of protein shall be deemed to be equivalent to 5.7 times the amount of nitrogen contained in the bread.
- (2) Article 4 of this Order shall not apply to (i) any sale of a loaf or roll (including a bap) which does not exceed two ounces in weight; and (ii) a sale by a caterer of bread as a meal or part of a meal served in the course of his catering business.

11. Infringements.

Infringements of this Order are offences against the Defence (General) (Guernsey) Regulations, 1945.

12. Revocation.

The Bread (Bailiwick of Guernsey) Order, 1953, and the Bread (Bailiwick of Guernsey) Order, 1953, (Amendment) Order, 1955, are hereby revoked in their application to the Bailiwick of Guernsey excluding the Island of Sark.

13. Extent.

The provisions of this Order shall not apply to the Island of Sark.

14. This Order may be cited as the Bread (Guernsey and Alderney) Order, 1956, and shall come into operation on the 2nd day of December, 1956.

Dated this 20th day of November, 1956.

R. H. JOHNS  
President,  
States of Guernsey  
Board of Administration.

C. G. KAY MOUAT  
Chairman,  
States of Alderney  
Finance Committee.

THE SCHEDULE

Substances other than Baker's flour which may be included in standard bread and which (in addition to Baker's brown flour or a mixture of Baker's flour and Baker's brown flour) may be included in Standard brown bread.

Oils and fats.  
Water.  
Salt.  
Yeast.  
Improvers of the nature of yeast food.  
Any acid or acidic substances suitable for regulating  
the acidity of the dough.  
Barm.  
Any substance required by the Flour (Bailiwick of Guernsey)  
Order, 1956, to be added to Baker's flour or brown flour.

EXPLANATORY NOTE

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

The Order repeals the Bread (Bailiwick of Guernsey, Order, 1953, as amended and provides definitions of "Standard" bread, "Standard" brown bread, "Baker's" Flour and "Baker's Brown" Flour.