

STATUTORY INSTRUMENT

1953 No. 5

REVOKED by S.I. 49 (1953)

THE MEAT PRODUCTS (BAILLIWICK OF GUERNSEY) (NO. 3) ORDER, 1952.

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

Interpretation.

1. (1) In this Order -

"The Committee" means the States of Guernsey Committee for the Control of Essential Commodities;

"Beef sausages" means sausages which are ordinarily known and sold as beef sausages and the casings of which are hog or sheep casings, and includes sausages, the meat in which is not beef alone;

"Beef sausage meat" means sausage meat which is ordinarily known and sold as beef sausage meat and includes sausage meat, the meat in which is not beef alone;

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

"Canned" means packed in a tin, jar or other airtight container by any means involving the application of heat whether before, during, or after packing in the container; provided that any reference to a canned meat product shall, unless the context otherwise requires, be deemed to refer also to that meat product after removal from the original container;

"Catering business" includes the business or undertaking of an inn, public house, hotel, restaurant, buffet, coffee stall, or of any place of refreshment open to the public, or of any club, boarding house, refreshment contractor or canteen, and the expression "caterer" shall be construed accordingly;

"Home produced" means manufactured in the United Kingdom, the Isle of Man or Jersey;

"Imported" means imported into the Bailiwick of Guernsey from a place outside the United Kingdom, the Isle of Man and the Channel Islands but does not include direct imports from France;

"Locally produced" means manufactured in the Bailiwick of Guernsey.

"Meat" means beef, mutton, lamb, veal, pork, and edible offals, whether raw, cooked, smoked or otherwise processed or prepared;

"Meat content" means the percentage of the weight of all meat when raw contained in any quantity of a specified food relative to the total weight of that quantity;

"Pork sausages" means sausages which are ordinarily known and sold as pork sausages, and the casings of which are hog or sheep casings;

"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, and the expression "retailer" shall be construed accordingly;

"Sale by wholesale" means any sale other than a sale by retail, and the expression "wholesaler" shall be construed accordingly;

"Slicing sausage" means uncooked beef sausage meat or uncooked pork sausage meat, whether filled or not filled into a natural or artificial casing or loose wrapper or container, and ordinarily known and sold as slicing sausage.

"Specified food" means any article of food specified in the First Schedule to this Order;

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

Restriction on Manufacture and Sale: Meat Content.

2. No person shall by way of trade prepare or manufacture or sell or have in his possession for sale any specified food shown in column 1 of the First Schedule hereto, the meat content of which is less than the minimum meat content prescribed in respect of such specified food in column 2 of the said First Schedule.

Maximum Prices.

3. No person shall sell or buy any specified food at a price in excess of the appropriate price shown in columns 3, 4, 5, 6, 7 or 8 of the First Schedule to this Order -

Provided that the prices shown in columns 3, 4, 5, 6, 7 and 8 of the First Schedule may be increased by the additions shown in the Second Schedule to this Order.

Restriction on the Use of Offals.

4. A person shall not by way of trade prepare or manufacture or sell or have in his possession for sale, any uncooked beef or pork sausages or beef or pork sausage meat containing any of the following offals, namely:- brains, feet, fries, gut (including chitterlings) manifolds, paunches, udders, sweetbreads, tripe, melts or lites, spinal cord and uteri.

Statement of Net Weight.

5. (1) The net weight of any canned specified food stated upon the container thereof, or upon the label or wrapper of that container, shall, for the purposes of this Order, be deemed to be the net weight of the contents of the container;

Provided that this paragraph shall not apply to any such canned specified food sold otherwise than in the original container.

- (2) A person shall not, with intent to deceive, remove, alter or render illegible any statement of net weight appearing on the container of any canned specified food or upon the label or wrapper of that container.

Farthings.

6. In calculating the maximum price of any specified food on a sale by retail any fraction of a farthing shall be regarded as one farthing.

Caterers.

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

Tickets or Labels.

8. Any person who exposes for sale by retail any sausage or sausage meat shown in the First Schedule shall clearly indicate the description of the sausage or sausage meat by means of a ticket or label attached or displayed in close proximity thereto so as to be legible by intending purchasers.

Defences.

9. (1) Where in any prosecution a person is charged with an infringement of any provision of this Order in relation to any article it shall be a defence for the defendant to prove -
- (a) that he purchased that article with a written warranty to the effect that it complied with the provision in question; and
 - (b) that he had no reason to believe at the time of the commission of the alleged offence that the article in question was not as warranted.
- (2) A warranty shall not be a defence to such proceedings unless the defendant has, within seven days of the service of the summons, sent to the prosecutor a copy of the warranty with a notice stating that he intends to rely on it, and specifying the name and address of the person from whom he received it, and has also sent a like notice of his intention to that person.
- (3) Where the defendant is a servant of the person who purchased the article in question under a warranty, he shall be entitled to rely upon the provisions of this Article in the same way as his employer would have been entitled to do if he had been the defendant.
- (4) The person by whom the warranty is alleged to have been given shall be entitled to appear at the hearing and to give evidence.
- (5) For the purposes of this Article any statement in an invoice or similar document relating to any article mentioned in that invoice or document, or on a label affixed to the wrapper or container of any such article shall in respect of that article be deemed to be a written warranty as to the matters mentioned in the statement.

Evidence of Analysis.

10. (1) In any proceedings in respect of an infringement of this Order in which the composition of any article of food is in question, 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 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 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 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.

Artificial Transactions and Unreasonable Charges.

11. A person shall not in connection with the sale or disposition or proposed sale or disposition of any article of food 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.

12. (1) The provisions of this Order are subject to -
- (a) any direction which may at any time be given by or on behalf of the Committee; and
 - (b) any licence or authorisation which may be granted under this Order by or on behalf of the Committee.
- (2) Every person holding a licence or authorisation granted under this Order shall comply with every condition imposed by that licence or authorisation.

Infringements.

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

Revocation.

14. The Meat Products (Bailiwick of Guernsey) (No. 2) Order, 1952, dated 14th June, 1952 (a), the Meat Products (Bailiwick of Guernsey) (No. 2) (Amendment) Order, 1952, dated 6th September, 1952 (b) and the Meat Products (Bailiwick of Guernsey) (No. 2) (Amendment No. 2) Order, 1952, dated 2nd October, 1952 (c) are hereby revoked but without prejudice to any proceedings in respect of any contravention thereof.

Citation and Commencement.

15. This Order may be cited as the Meat Products (Bailiwick of Guernsey) (No. 3) Order, 1952, and shall come into operation on the 1st day of January, 1953.

Dated this 27th day of December, 1952.

R. P. WALKER.

Chairman,
Alderney Committee for the Control
of Essential Commodities.

A. FALLA.

President,
States' Committee for the Control
of Essential Commodities.

(a) S.I. 1952 No. 115. ✓
(b) S.I. 1952 No. 162. ✓
(c) S.I. 1952 No. 168. ✓

THE FIRST SCHEDULE.

MINIMUM MEAT CONTENTS AND MAXIMUM PRICES OF SPECIFIED FOODS.

Description.	Minimum Meat Content.	Locally Produced.		Home Produced.		Imported.	
		On a sale by wholesale.	On a sale by retail.	On a sale by wholesale.	On a sale by retail.	On a sale by wholesale.	On a sale by retail.
		Col. 3.	Col. 4.	Col. 5.	Col. 6.	Col. 7.	Col. 8.
Col. 1.	Col. 2.	per lb.	per lb.	per lb.	per lb.	per lb.	per lb.
		s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
<u>OPEN MEAT PRODUCTS.</u>							
<u>Uncooked sausages and sausage meat -</u>							
Pork sausages.	65 per cent (of which not less than 80 per cent shall be pork).	2 0 $\frac{1}{2}$	2 3	2 4 $\frac{3}{4}$	2 7 $\frac{1}{2}$	2 5 $\frac{1}{4}$	2 8 $\frac{1}{2}$
Beef sausages.	50 per cent.	1 5 $\frac{1}{4}$	1 7 $\frac{1}{2}$	1 8 $\frac{1}{2}$	1 10 $\frac{1}{2}$	1 9 $\frac{1}{2}$	1 11 $\frac{1}{2}$
Pork sausage meat, including pork slicing sausage.	65 per cent (of which not less than 80 per cent shall be pork).	1 9 $\frac{1}{2}$	2 0	2 2 $\frac{1}{4}$	2 5	2 3 $\frac{1}{4}$	2 6
Beef sausage meat, including beef slicing sausage.	50 per cent.	1 2 $\frac{3}{4}$	1 4 $\frac{1}{2}$	1 6	1 8	1 7	1 9
<u>CANNED MEAT PRODUCTS.</u>							
Corned beef, mutton or pork.		- -	- -	2 3 $\frac{3}{4}$	2 8	2 3 $\frac{3}{4}$	2 8

THE SECOND SCHEDULE.

Permitted Additions to the Maximum Prices Prescribed in the First Schedule.

Sausages in Sheep Casings.

1. On a sale of any pork sausages or beef sausages filled in sheep casings and sold at not less than ten to the pound weight, the maximum price may in each case be increased by a sum not exceeding 1¹/₂d. per lb.

Containers.

2. The maximum prices include all costs and charges in respect of packing and packages or containers and no additional charge shall be made by the seller in respect thereof.

Delivery.

3. The maximum prices prescribed in the First Schedule on a sale by wholesale includes all costs and charges of and incidental to delivery by the seller at the buyer's premises and no additional charge shall be made for or in respect of delivery.

EXPLANATORY NOTE.

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

This Order replaces the Meat Products (Bailiwick of Guernsey) (No. 2) Order, 1952, as amended. Control is retained only over uncooked pork and beef sausages and sausage meat, the price and meat content being prescribed. Price control is also retained over canned corned meat.