

## STATUTORY INSTRUMENTS

1977 No. 1492

## FOOD AND DRUGS

**The Welfare Food (Amendment) Order 1977***Made* - - - - 5th September 1977*Laid before Parliament* 12th September 1977*Coming into Operation* 3rd October 1977

The Secretary of State for Social Services and the Secretary of State for Wales in exercise of powers conferred by sections 4 and 7 of the Emergency Laws (Re-enactments and Repeals) Act 1964(a) and now vested in them(b), acting with the Secretary of State for Scotland jointly in exercise of those powers and of all other powers enabling them in that behalf, hereby order as follows:—

*Title, commencement and extent*

1.—(1) This order may be cited as the Welfare Food (Amendment) Order 1977 and shall come into operation on 3rd October 1977.

(2) This order shall not extend to Northern Ireland.

*Interpretation*

2. In this order “the principal order” means the Welfare Food Order 1977(c) and other words and expressions have the same meanings as in the principal order.

*Amendment of the principal order*

3.—(1) In article 2(1) of the principal order after the words “all but” in sub-paragraph (b) of the definition of “beneficiary” there shall be inserted the words “the oldest”.

(2) For article 5 (Entitlement to welfare food other than welfare milk) of the principal order there shall be substituted the following article—

“5.—(1) A person of a class specified in column (1) of Schedule 1 shall be entitled—

(a) if he is a person or a member of a class described in sub-paragraph (a), (b) or (c) of the definition of beneficiary in article 2(1), to receive free of charge the welfare food specified in his case in column (2) in the quantity specified in column (4) of that Schedule;

(b) in any other case, subject to paragraph (2) of this article, to buy the welfare food specified in his case in column (2) at the price specified in column (3) of that Schedule.

(a) 1964 c. 60.

(b) See Secretary of State for Social Services Order 1968 (S.I. 1968/1699 (1968 III, p. 4585)). Article 2.

(c) S.I. 1977/25 (1977 I, p. 48).

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(2) Paragraph (1)(b) of this article shall not apply in respect of any welfare food where by reason of a shortage stocks of that food are not available in sufficient quantities to meet the requirements of the persons entitled by virtue of paragraph (1)(a) and the expected requirements of all the persons who but for this provision would be entitled by virtue of paragraph (1)(b) of this article.”

(3) In Schedule 2 to the principal order (which specifies the modified dried milk approved for the purposes of that order)—

(i) in column (1) below the words “New Improved Formula Ostermilk 2” there shall be inserted the word “Osterfeed”;

(ii) in column (2) opposite the word “Osterfeed” there shall be inserted the words “Farley Health Products Ltd”.

*David Ennals,*

Secretary of State for Social Services.

30th August 1977.

*John Morris,*

Secretary of State for Wales.

5th September 1977.

*Bruce Millan,*

Secretary of State for Scotland.

5th September 1977.

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#### EXPLANATORY NOTE

*(This Note is not part of the Order.)*

Article 3 of this Order amends the Welfare Food Order 1977 by—

- (1) clarifying the definition of “beneficiary” in that Order to indicate that where a family with more than two young children includes two who are not beneficiaries for the purposes of the Order those two are the two oldest;
- (2) providing that should supplies of welfare foods other than welfare milk become insufficient to meet the requirements of those entitled to free supplies and those who would otherwise be entitled to buy them, the normal entitlement to purchase does not apply; and
- (3) adding an additional brand of modified dried milk to the list of those approved for the purposes of that Order.



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