

THE MILK (GRADE C) REGULATIONS (NORTHERN IRELAND), 1934, DATED 24TH AUGUST, 1934, MADE BY THE MINISTRY OF AGRICULTURE (NORTHERN IRELAND) UNDER SECTION NINE OF THE MILK AND MILK PRODUCTS ACT (NORTHERN IRELAND), 1934 (24 AND 25 GEO. V. CH. 16).

1934. No. 71.

The Ministry of Agriculture for Northern Ireland, in exercise of the powers conferred on it by Section nine of the Milk and Milk Products Act (Northern Ireland), 1934, and of any other powers enabling it in that behalf, hereby makes the following regulations, that is to say :

PART I.

Short Title and Interpretation.

1. These Regulations may be cited as the Milk (Grade C) Regulations (Northern Ireland), 1934.

2.—(1) In these Regulations, unless the context otherwise requires—

“The Ministry” means the Ministry of Agriculture for Northern Ireland ;

“The Act” means the Milk and Milk Products Act (Northern Ireland), 1934 ;

“Producer’s licence” means a licence for the production and sale of milk of Grade C granted in accordance with Section two of the Act, and “producer” means the holder of such a licence ;

“Distributor’s licence” means a licence for the purchase and re-sale of milk of Grade C granted in accordance with Section two of the Act, and “distributor” means the holder of such a licence ;

“Milch cow” means a cow kept for milking purposes ;

“Herd” means the milch cows in respect of which a Producer’s licence has been granted, and includes any other bovine animal for the time being kept in contact with such milch cows while they are in milk ;

Other expressions have the meanings respectively assigned to them in the Act.

(2) The Interpretation Act, 1889(a), as applied to Northern Ireland by the Interpretation Act, 1921(b), shall apply for the purpose of the interpretation of these Regulations as it applies for the purpose of the interpretation of an Act of Parliament.

PART II.

Quality of Milk of Grade C.

3. For the purpose of sub-section (2) of Section one of the Act,

(a) 52-3 V. C. 63.

(b) 12 Geo. V. C. 4. (N.I.)

the standard of cleanliness with which milk of Grade C must comply shall be as follows :—

The milk, when submitted to the Methylene Blue Reductase Test in a manner approved by the Ministry, shall not be reduced in less than four hours.

PART III.

Conditions to be complied with by a Producer.

4. A producer shall not produce milk of Grade D upon premises in respect of which a Producer's licence has been granted to him.

5. A producer shall permit any authorised officer, at any reasonable time and on production of his authority, to inspect the herd, and to examine all premises, receptacles and equipment used by the producer in connexion with the production or sale of milk.

6. An authorised officer making an inspection of a herd may require any animal to be milked in his presence and may take samples of the milk and may require that the milk from any particular teat shall be kept separate, and he may take separate samples thereof.

7. The Ministry, or any authorised officer, may direct a producer to remove any animal from his premises, on the ground that such animal shows evidence of disease which is likely to affect the milk injuriously, and the producer shall comply with such direction forthwith.

8. A producer shall take such measures as may be necessary in order to ensure that the milk from the herd shall, while under his control, be kept separate from all other milk.

9. A producer shall not at any stage treat the milk from the herd by heat or submit it to any process other than cooling, unless his licence specifies that the milk may be sold under the description "Pasteurised."

10.—(1) A producer shall not deliver the milk from the herd to a consumer, to the holder of a Distributor's licence, or to a creamery, otherwise than in receptacles which comply with the requirements of this regulation, and in accordance with any directions given by an authorised officer in pursuance thereof.

(2) Where bottles are used for the delivery of milk they shall be sterilised for that purpose on the premises by steam. Each bottle shall be closed with a suitable tightly fitting disc or cap. The disc or cap shall be red in colour, and shall, subject to the provisions of these Regulations, bear, embossed thereon or inscribed in white

letters, the name and address of the producer or of the premises where the milk is produced, the day of production, and the words "Grade C Milk," the letter "C" being at least half an inch in height, but subject as aforesaid no other words shall be embossed or inscribed upon the disc or cap. There may, in addition, be embossed upon the bottle, or inscribed thereon in red letters any of the particulars which under this regulation are required to be embossed or inscribed upon the disc or cap, but no other words relating to the quality of the milk may be added.

(3) Where the milk is delivered in sealed churns, the seals being unbroken, each churn shall have been thoroughly scalded before use, and shall, subject to the provisions of these Regulations, be labelled in a suitable manner with the name and address of the producer or of the premises where the milk is produced, the day of production (with the words "morning" or "evening" according to the time of milking), and the words "Grade C." The label shall be red in colour, and the churn shall bear upon the neck the words "Grade C" inscribed in red letters at least four inches in height, but subject as aforesaid the churn shall bear no other words relating to the quality of the milk.

(4) Every carton in which the milk is delivered shall be of a type approved by the Ministry and shall have been duly sterilised and sealed. The carton shall be white or cream in colour, and shall, subject to the provisions of these Regulations, bear, in red letters, the name and address of the producer or of the premises where the milk is produced, the day of production and the words "Grade C Milk," but subject as aforesaid no other words relating to the quality of the milk may be added.

(5) Where under these Regulations it is required that the day of production shall be shown on any disc or cap or on any carton it shall be sufficient compliance with this requirement if milk produced after 4 p.m. on any day for sale on the following day is marked with the day of such sale.

(6) Where a producer transfers the milk from churns to cans in the course of delivery to a consumer, each churn or can shall have been thoroughly scalded before use or before leaving the producer's premises and shall bear the letter "C" in red thereon in a prominent position. If the churn or can exceeds six inches in height, the letter "C" shall be at least four inches high, and half an inch wide. If the churn or can is six inches or less in height, the letter "C" shall be at least two inches high, and at least a quarter of an inch wide.

A producer shall comply with such directions as may be given by any authorised officer for the purpose of ensuring that the milk, in the process of being transferred to cans, is not exposed to contamination.

11.—(1) Every producer shall keep a record in respect of each day showing :—

- (a) the names and addresses of the persons to whom milk from the herd was on that day sold or delivered otherwise than to a creamery for the purpose of the extraction of cream for sale as such or for manufacture into butter ;
- (b) the quantity of milk so sold or delivered to each person ; and
- (c) the price or prices at which the milk was sold.

Such record shall distinguish the holders of Distributors' licences from other persons to whom milk was sold.

(2) Every producer shall also keep a record in respect of each day showing :—

- (a) the names of the creameries (if any) to which milk from the herd was on that day sold or delivered for the purpose of the extraction of cream for sale as such or for manufacture into butter ;
- (b) the number of gallons so sold or delivered to each creamery ; and
- (c) the price or prices at which the milk was sold.

12. Every producer shall furnish to the Ministry, not later than the fourteenth day of each month, a return in the form prescribed for the purpose (a), of his sales of milk from the herd during the preceding month, and of the number of cows in the herd on the date upon which the return is made. He shall, at the same time, transmit to the Ministry a Producer's licence fee payable in pursuance of sub-section (5) of Section two of the Act and calculated at the rate of threepence per gallon upon all milk sold or delivered otherwise than to the holder of a Distributor's licence or to a creamery for the purpose of the extraction of cream for sale as such or for manufacture into butter.

PART IV.

Conditions to be complied with by a Distributor.

13. A distributor shall take such measures as may be necessary in order to ensure that the milk for the purchase and re-sale of which his Distributor's licence has been granted (hereinafter in this Part of these Regulations referred to as "the milk") shall be kept separate from all other milk.

14. A distributor shall not at any stage treat the milk by heat or submit it to any process other than cooling, unless his licence specifies that the milk may be sold under the description "Pasteurised."

(a) See Form 5 in Schedule hereto.

15.—(1) A distributor shall not deliver the milk to a purchaser otherwise than in receptacles which comply with the requirements of this regulation, and in accordance with any directions given by an authorised officer in pursuance thereof.

(2) Where bottles are used for the delivery of milk they shall be sterilised for that purpose on the premises by steam. Each bottle shall be closed with a suitable tightly fitting disc or cap. The disc or cap shall be red in colour, and shall, subject to the provisions of these Regulations, bear, embossed thereon or inscribed in white letters, the name and address of the distributor or of the premises where the milk is bottled, the day of production, and the words "Grade C Milk," the letter "C" being at least half an inch in height, but subject as aforesaid no other words shall be embossed or inscribed upon the disc or cap. There may, in addition, be embossed upon the bottle, or inscribed thereon in red letters any of the particulars which under this regulation are required to be embossed or inscribed upon the disc or cap, but no other words relating to the quality of the milk may be added.

(3) Where the milk is delivered in sealed churns, the seals being unbroken, each churn shall have been thoroughly scalded before use and shall, subject to the provisions of these Regulations, be labelled in a suitable manner with the name and address of the distributor or of the premises where the milk is transferred to the churn, the day of production (with the words "morning" or "evening" according to the time of milking), and the words "Grade C." The label shall be red in colour, and the churn shall also bear upon the neck the words "Grade C" inscribed in red letters at least four inches in height, but subject as aforesaid the churn shall bear no other words relating to the quality of the milk.

(4) Every carton in which the milk is delivered shall be of a type approved by the Ministry, and shall have been duly sterilised and sealed. The carton shall be white or cream in colour, and shall, subject to the provisions of these Regulations, bear, in red letters, the name and address of the distributor or of the premises where the milk is transferred to the carton, the day of production and the words "Grade C Milk," but subject as aforesaid no other words relating to the quality of the milk may be added.

(5) Where a distributor transfers the milk from churns to cans in the course of delivery to a consumer, each churn or can shall have been thoroughly scalded before use or before leaving the distributor's premises, and shall bear the letter "C" in red thereon in a prominent position. If the churn or can exceeds six inches in height, the letter "C" shall be at least four inches high, and half an inch wide. If the churn or can is six inches or less in height, the letter "C" shall be at least two inches high, and at least a quarter of an inch wide.

A distributor shall comply with such directions as may be given by any authorised officer for the purposes of ensuring that the milk, in the process of being transferred to cans, is not exposed to contamination.

16. Every distributor shall keep records in respect of each day showing :

- (a) the names and addresses of the producers and distributors from whom he purchased milk of Grade C on that day ;
- (b) the number of gallons so purchased from each producer ;
- (c) the number of gallons so purchased from each distributor ;
- (d) the price or prices at which the milk was purchased ;
- (e) the names and addresses of persons to whom the milk was on that day sold or delivered ;
- (f) the quantity of milk sold to each person ;
- (g) the price or prices at which the milk was sold.

17. Every distributor shall furnish to the Ministry, not later than the fourteenth day of each month, a return in the form prescribed for the purpose(a), of his purchases and sales of milk of Grade C during the preceding month, and shall, at the same time, transmit to the Ministry a sum payable in pursuance of subsection (5) of Section two of the Act in respect of Producers' Licence fees, and equal to threepence for each gallon of milk of Grade C purchased from a producer, the amount of such fees having been duly deducted from the price payable by him to such producer.

PART V.

Conditions in accordance with which the description " Pasteurised " may be applied to milk of Grade C.

18. Where a Producer's or a Distributor's licence specifies that the milk may be sold under the description " Pasteurised " the producer or distributor shall pasteurise and sell the milk in accordance with the following conditions :

- (a) within twenty-four hours after the time of production the milk shall be pasteurised, that is to say, retained at a temperature of not less than 145° and not more than 150° Fahrenheit for at least half-an-hour and be immediately passed to an efficiently protected cooler and the temperature reduced to not more than 50° Fahrenheit :

(a) See Form 6 in Schedule hereto.

- (b) the type of apparatus used for pasteurising and the methods employed shall be such as are approved by the Ministry ;
- (c) the milk shall not be so heated more than once and shall not be otherwise treated by heat ;
- (d) on a sample of the milk being taken immediately after pasteurisation, the milk shall be found not to contain more than 200,000 bacteria per cubic centimetre, or any bacillus coli in one-tenth part of a cubic centimetre ;
- (e) the word "Pasteurised" shall be added after the designation "Grade C," wherever such designation is required to be used in connexion with the sale of such milk or the labelling or marking of receptacles containing such milk, and the day of pasteurisation shall be substituted for the day of production wherever such day is required to be stated in connexion with the sale of such milk and the time of milking shall not be required to be inserted.

PART VI.

Payment of Bonus under Section Eleven of the Act upon milk of Grade C delivered to creameries.

19.—(1) The bonus payable out of the Milk Fund in pursuance of paragraph (b) of sub-section (3) of Section eleven of the Act shall, in respect of milk of Grade C delivered to a creamery by the holder of a Producer's licence and used for the purpose of the extraction of cream for sale as such or for manufacture into butter, be one penny per gallon.

(2) A producer shall, not later than the fourteenth day of each month, make a return to the Ministry, in the form prescribed for the purpose(a), of any deliveries of milk of Grade C made by him to a creamery during the preceding month in respect of which he claims to be entitled to receive the bonus payable in accordance with this Part of these Regulations.

PART VII.

General.

20. The forms set forth in the Schedule hereto, or forms to the like effect, shall be used in the cases to which they are expressed to be applicable, and shall, for the purposes of the Act and of these Regulations, be deemed to be the prescribed forms.

21. Every applicant for a Producer's or a Distributor's licence, or for the renewal of such a licence, shall make application to the Ministry in the prescribed form, and such application shall be accompanied by a fee of two shillings and sixpence in the case of

(a) See Form 7 in Schedule hereto.

an application for a Producer's licence or for the renewal thereof, and of one pound in the case of an application for a Distributor's licence, or for the renewal thereof.

22.—(1) The Ministry shall, before granting a Producer's or a Distributor's licence to any applicant, satisfy itself that the applicant's arrangements for dealing with milk are such as will enable him to comply with the provisions of the Act and of these Regulations relating to the grade of milk in respect of which he is an applicant for a licence.

(2) Where an application is made for a licence for the production and sale of milk of Grade A or Grade B or for a licence for the purchase and re-sale of such milk, or for the renewal of such a licence, and the Ministry is satisfied that the applicant's arrangements for dealing with milk are not such as will enable him to comply with the conditions upon which the licence applied for may be granted, the Ministry may, without requiring the payment of any further application fee, grant the applicant a licence for the production and sale of milk of Grade C, or for the purchase and re-sale of such milk, as the case may be, provided that it is satisfied that the said arrangements are such as will enable the applicant to comply with the conditions upon which such licences may respectively be granted.

(3) When the Ministry suspends or revokes a licence held by any person for the production and sale of milk of Grade A or Grade B, or for the purchase and re-sale of such milk, but is satisfied that that person's arrangements for dealing with milk are such as will enable him to comply with the conditions upon which a licence for the production and sale of milk of Grade C, or for the purchase and re-sale of such milk, as the case may be, may be granted, and that he should be granted such a Producer's or a Distributor's licence, the Ministry may, without requiring the payment of any further application fee, grant him a Producer's or a Distributor's licence.

(4) For the purpose of this regulation the expression "arrangements for dealing with milk" shall, in relation to a licence for the production and sale of milk, or to an application for such a licence, mean arrangements for the production, handling, storage, treatment and distribution of milk, and shall, in relation to a licence for the purchase and re-sale of milk, or to an application for such a licence, mean arrangements for the handling, storage, treatment and distribution of milk.

23. In determining whether an applicant's arrangements are such as will enable him to comply with the conditions upon which the licence applied for may be granted, the Ministry shall have regard *inter alia* to the nature of the receptacles in which the applicant proposes to deliver the milk to purchasers, and the suitability of his arrangements for the sterilisation of such receptacles.

24. The Ministry shall not, save in exceptional circumstances and subject to such special conditions as it may impose, grant a Producer's licence to any person in respect of any premises, if that person holds a licence for the production and sale of milk of Grade A or Grade B in respect of those premises.

25. Before suspending or revoking a Producer's licence or a Distributor's licence, the Ministry shall serve on the holder a notice stating the grounds upon which it is proposed to suspend or revoke the licence, and shall afford him a reasonable opportunity of making such representations to the Ministry in regard thereto as he may think fit.

In Witness whereof the Official Seal of the Ministry of Agriculture for Northern Ireland is hereunto affixed this twenty-fourth day of August, nineteen hundred and thirty-four, in the presence of

(L.S.)

G. S. Robertson,
Secretary.

SCHEDULE.

FORM 1.

M.C. 1.

THE MILK AND MILK PRODUCTS ACT (NORTHERN IRELAND), 1934

THE MILK (GRADE C) REGULATIONS (NORTHERN IRELAND), 1934.

Form of Application for a Producer's Licence (Grade C) or for the renewal of such a licence.

1. I/We.....
(Name in Block Capitals).

hereby apply for a licence for the production and sale of milk of Grade C at my/our premises situated in the †Townland of.....
in the †Rural District of.....
and in the †County of.....

2. I/We attach hereto*.....for 2s. 6d., being the fee prescribed by the above-mentioned Act for the said licence.

3. I/We hereby declare that

(i) I/We † (do not) propose to pasteurise the milk for the production and sale of which application for a licence is made;

(ii) I/We propose to deliver the milk to purchasers in †(bottles)
(churns)
(cartons)
(cans)

‡ and I/We possess a steriliser suitable for the sterilisation of such bottles.

‡4. I/We have †(not) applied for a licence in respect of the above-mentioned premises for the production and sale of milk of Grade †(A or B.)

5. I/We hereby declare that on this date the number of milch cows in respect of which a licence is applied for is.....

6. I/We hereby declare that I/We propose to sell milk of Grade C to

†(i) consumers direct;

(ii) distributors, viz.....

(iii) creameries, viz.....

7. I/We hereby undertake, in the event of a licence being granted to me/us, to comply with such regulations as the Ministry of Agriculture may from time to time make governing the production and sale of milk of Grade C.

Signature of Applicant.....

Full Postal Address.....

To The Secretary, Ministry of Agriculture, Stormont, Belfast, Date.....

†Where the premises are not situated in a rural district, insert the name of the county borough, borough or urban district.

*State whether cheque, money order, or postal order.

†Delete words which are inapplicable.

‡The words which follow should be deleted where churns, cartons or cans are to be used

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FORM 2.

M.C. 2.

THE MILK AND MILK PRODUCTS ACT (NORTHERN IRELAND), 1934.

THE MILK (GRADE C) REGULATIONS (NORTHERN IRELAND), 1934.

Form of Application for a Distributor's Licence (Grade C) or for the renewal of such a licence.

†State whether cheque, money order, or postal order.

*Paragraphs 3 and 3a are alternatives: one and one only should be deleted.

1. I/We.....

(Name in Block Capitals).

hereby apply for a licence for the purchase and re-sale of milk of Grade C at my/our premises situated at.....

2. I/We attach hereto †.....for one pound, being the fee prescribed by the above-mentioned Act for the said licence;

3. * I/We hereby declare that I/We propose to re-sell the milk in the vessels in which it is received from producers;

3A. * I/We hereby declare that—

(i) I/We † (do not) propose to pasteurise the milk for the production and sale of which application for a licence is made;

(ii) I/We propose to deliver the milk to purchasers in †(bottles) (churns) (cartons) (cans)

†Delete words which are inapplicable.

to which I/We have myself/ourselves transferred it, † and I/We possess a steriliser suitable for the sterilisation of such bottles.

†The words which follow should be deleted where churns, cartons or cans are to be used.

4. I/We hereby declare that the average quantity of milk sold by me/us per day is.....gallons.

5. I/We hereby undertake, in the event of a licence being granted to me/us, to comply with such regulations as the Ministry of Agriculture may from time to time make governing the purchase and re-sale of milk of Grade C.

Signature of Applicant.....

Full Postal Address.....

To The Secretary, Ministry of Agriculture, Stormont, Belfast.

Date.....

FORM 3.

M.C. 3.

THE MILK AND MILK PRODUCTS ACT (NORTHERN IRELAND), 1934.

THE MILK (GRADE C) REGULATIONS (NORTHERN IRELAND), 1934.

Producer's Licence (Grade C*).

No.....

The Ministry of Agriculture for Northern Ireland hereby licenses.....

*Insert the word "Pasteurised" where applicable.

to produce and sell Milk of Grade C* at the under-mentioned premises.....

†Insert "and Part V" where the licence specifies that the milk may be sold as "Pasteurised."

This Licence is not transferable and is subject to the conditions prescribed in Part III.† of the above-mentioned Regulations, and, unless previously revoked or suspended, shall remain in force until the 31st day of August, 19

Dated this.....day of.....19.....

Secretary.

THE MILK AND MILK PRODUCTS ACT (NORTHERN IRELAND), 1934.

THE MILK (GRADE C) REGULATIONS (NORTHERN IRELAND), 1934.

Distributor's Licence (Grade C).*

*Insert the word "Pasteurised" where applicable.

No.....

The Ministry of Agriculture for Northern Ireland hereby licenses.....

to purchase and re-sell Milk of Grade C* at the under-mentioned premises.....

This Licence is not transferable and is subject to the conditions prescribed in Part IV. † of the above-mentioned Regulations, and, unless previously revoked or suspended, shall remain in force until the 31st day of August, 19

Dated this.....day of.....19.....

†Insert "and Part V" where the licence specifies that the milk may be sold as "Pasteurised."

Secretary.

THE MILK AND MILK PRODUCTS ACT (NORTHERN IRELAND), 1934.

THE MILK (GRADE C) REGULATIONS (NORTHERN IRELAND), 1934.

Form of Producer's Monthly Return.

Licence No.....

Return of sales of milk of Grade C during the month of.....19... and of the number of cows in the herd.

A. Quantity of milk of Grade C sold or delivered directly to consumers. . .	Gallons.
B. Quantity of milk of Grade C sold or delivered to holders of distributors' licences	
C. Quantity of milk of Grade C sold to a creamery for the purpose of the extraction of cream for sale as such or for manufacture into butter	
D. Total quantity of milk of Grade C sold	
E. Number of cows in the herd on this date	

I/We hereby declare that the above return is correct and I/We transmit herewith in respect of Producer's Licence fees a *..... for †..... being a sum calculated at the rate of threepence per gallon upon milk (as shown at A above) sold or delivered otherwise than to the holder of a Distributor's Licence, or to a creamery for the purpose of the extraction of cream for sale as such or for manufacture into butter.

*State whether cheque, money order, or postal order

†Here insert amount in words.

Signature of Producer.....

Full Postal Address.....

Date.....

FORM 6.

M.C. 6.

THE MILK AND MILK PRODUCTS ACT (NORTHERN IRELAND), 1934.

THE MILK (GRADE C) REGULATIONS (NORTHERN IRELAND), 1934.

Form of Distributor's Monthly Return.

Licence No.....

Return of purchases and sales of milk of Grade C during the month of

.....19.....

<p>1. Name of Person from whom purchased. (The word "producer" should be added after the name of each person who is the holder of a Producer's licence).</p>	<p>Quantity of milk of Grade C purchased during the month.</p>
	<p>Gallons.</p>
<p>TOTAL</p>	

2. Quantity of Milk of Grade C sold.....gallons.

I/We hereby declare that the above return is correct and I/We transmit herewith, in respect of Producer's Licence fees, a*..... for †..... being a sum calculated at the rate of threepence per gallon upon the total quantity of milk shown in the above return as having been purchased from producers, such fees having been deducted from the price paid by me/us to the respective producers indicated in the return.

*State whether cheque, money order, or postal order.

†Here insert amount in words.

Signature of Distributor.....

Full Postal Address.....

Date.....

THE MILK AND MILK PRODUCTS ACT (NORTHERN IRELAND), 1934.

THE MILK (GRADE C) REGULATIONS (NORTHERN IRELAND), 1934.

Form of Producer's Claim for Bonus.

Licence No.....

Return of milk of Grade C delivered to creameries during the month of19..... for the purpose of the extraction of cream for sale as such or for manufacture into butter.

Name of Creamery.	Quantity of milk of Grade C delivered to creameries as above.
	Gallons.
TOTAL	

I/We hereby declare that the above return is correct and I/We hereby claim to be entitled to be paid a bonus in respect of such milk in accordance with the provisions of sub-section (3) of Section Eleven of the Milk and Milk Products Act (Northern Ireland), 1934.

Signature of Producer.....

Full Postal Address.....

Date.....

MINES.

Working Facilities, Support, etc. : Assessors.

THE MINES (WORKING FACILITIES, SUPPORT, ETC.) RULES (NORTHERN IRELAND), 1934, MADE BY THE MINISTRY OF COMMERCE UNDER THE MINES (WORKING FACILITIES, SUPPORT, ETC.) ACT (NORTHERN IRELAND), 1926.

1934. No. 53.

The Ministry of Commerce, with the approval of the Ministry of Finance, in pursuance of the powers conferred by paragraphs (b), (c) and (d) of section 13 of the Mines (Working Facilities, Support, etc.) Act (Northern Ireland), 1926 (hereinafter referred