

MINISTRY OF FOOD - PRESS NOTICE

The Manufactured and Pre-Packed Foods (Control) Order, 1942

The Ministry of Food has made an Order - The Manufactured and Pre-Packed Foods (Control) Order, 1942 - the chief object of which is to obtain full information about a wide variety of food manufacturing and pre-packing operations over which at present there is no control.

This is necessary in order that the best possible use can be made of all foodstuffs and also of the limited supplies of packaging materials available.

The information will enable the Ministry to take any further action that may be needed to keep up an adequate supply of those manufactured foods which, although small in volume, are essential.

SCOPE OF ORDER

The immediate effect of the Order is to require returns to be made in respect of every food manufactured and/or pre-packed (in the special sense given to those words by the Order) by any undertaking if the food is not specifically exempted. The Order also makes provision for the subsequent licensing of the manufacture or pre-packing of these foods as and when the necessity arises.

The following definitions have effect for the purposes of the Order:-

"Food" means any article used as food or drink for human consumption, except drugs, and includes any article which ordinarily enters into or is used in the composition or preparation of human food, and any flavouring matter or condiment.

"Manufacture" means -

- (i) any form of processing;
- (ii) the mixing of food of one description with food of a different description;

but does not include:

- (i) cleaning or the removal of extraneous or inedible matter;
- (ii) comminuting, grinding, crushing, chopping or any similar process having the effect of reducing to small particles;
- (iii) sifting;
- (iv) cooking;
- (v) drying or dehydrating;
- (vi) curing, pickling or smoking;
- (vii) the blending of one article of food with another article of food of the same description;
- (viii) the processing or mixing of any foods by any person for canning by him.

"Pre-packing" means the packing of any food in advance for retail sale in a wrapper or container. It does not include the canning of any food, nor the packing by a retailer for sale on the premises where the food is packed. Retail sale includes sales to canteens, restaurants, etc.

The provisions of the Order do not apply to any food manufactured by an undertaking incidentally to the preparation by that undertaking of food of a different description. For example, if a baker makes baking powder solely for use in his own cakes, etc. and does not sell it as such, his manufacture of baking powder is outside the scope of the Order. Nor does the Order apply to

the manufacture of any food by a caterer so long as that food is sold only as a meal or part of a meal in the course of carrying on the catering business.

RETURNS

The Order imposes an immediate obligation to make a return upon the person responsible for the management or control of any undertaking which during the 12 months ended September 30th, 1942, manufactured and/or pre-packed (in the sense set out above) any food not specifically exempted. A separate return for each such article of food must be made not later than October 31st, 1942 in a prescribed form. The following points should be noted:-

- (1) A return will be required for any food the preparation of which includes the use of any process within the definition of manufacture, even if it also includes a process such as grinding or sifting which is excluded from the definition.
- (2) If food of the same composition is packed under more than one name or description, each brand requires a separate form of return.
- (3) A return of pre-packing must be made for all foods whether or not they have been subjected to any form of manufacture or processing.

EXEMPTIONS

A return of manufacture is not required for any food set out in Schedules 1 and 2.

A return of pre-packing is not required for any food set out in Schedules 2 and 3.

No return, either of manufacture or pre-packing, is required for any food for which a licence or authorisation is held under one of the Orders in Schedule 4.

LICENSING

At present the licensing provisions of the Order do not apply to any foods for the manufacture or pre-packing (as the case may be) of which a return is required to be made, nor to foods licensed under the Orders mentioned in Schedule 4. This means in effect that a person requires a licence only for the manufacture of any food not manufactured by him before October 1st, 1942, or for the pre-packing of any food not pre-packed by him before that date. Even for these, licences will not be required before November 1st, 1942. A change in the composition or labelling of an old product on or after October 1st, 1942, renders the product subject to the licensing provisions.

If, in the light of the information contained in the returns, it is considered necessary to control the manufacture or pre-packing of any food by licence, an Order will be issued specifying the description of food to be licensed and appointing a day from which manufacture or pre-packing of that food will require a licence.

The exemptions are the same as in the case of returns, except that the licensing provisions of this Order may eventually be applied to food at present licensed under the Orders mentioned in Schedule 4. As and when foods become licensed under the Order, they will become subject to certain further provisions, the principal ones being as follows:-

- (i) the goods may not be sold at a price above that on the label;
- (ii) any other conditions on the label must be observed;
- (iii) the label must not be defaced;
- (iv) it is an offence to sell an article for the manufacture or pre-packing of which a licence is required unless it has been licensed and all the conditions in the licence have been complied with, but a written warranty by the wholesaler or manufacturer that it complies with the Order will be a good defence. This provision is similar to that in the Food and Drugs Act.

SCHEDULES

The full definition or description of the foods named in the Schedules is that contained in any Order which is in force relating to that food. If there is more than one Order, it is the definition or description in the Order which regulates maximum, minimum or fixed prices for that food. The Schedules are set out below. Some of the items are marked with an asterisk and notes on the definitions of these are added.

FORMS OF RETURN

The printed form of return should be used. One form is necessary for each article. Applications for forms of return stating the number required should be sent to - The Ministry of Food, Central Licensing Panel, St. Tudno, Colwyn Bay, to which address all enquiries relating to the Order should be addressed.

The return must be posted so as to reach the Ministry at the above address by October 31st, 1942. Failure to make a return where necessary is an offence under the Order and renders the person responsible liable to penalties under the Defence Regulations.

THE FIRST SCHEDULE

(The provisions of this Order do not apply to the manufacture of the foods specified in this Schedule)

Dehydrated foods Salt

THE SECOND SCHEDULE

(The provisions of this Order do not apply to the manufacture or pre-packing of the foods specified in this Schedule)

Any food manufactured in the course of any undertaking solely for the purposes of sale as a meal or part of a meal in an establishment carried on by the person having control or management of the undertaking.

Any manufactured product containing meat, other than meat extract and desiccated and powdered soup.

* Any single chemical compound other than salt

Arrowroot

* Bread, not including breadcrumbs

* Biscuits

* Butter

Cakes

Cereal breakfast foods

Cheese, including processed cheese, blue vein, soft curd or cream cheese, and cheese made from milk other than cow's milk.

Chocolate and chocolate confectionery

Chocolate couverture

Cocoa and drinking chocolate

Cocoa butter and cocoa bean by-product cake

Coffee, including any mixture containing only coffee and chicory, but not including any other mixture containing coffee.

* Condensed milk

* Cooking fats

* Dextrine

* Dripping

Essential oils

Fish Cakes

Flour (including semolina and self raising flour)

* Fruit curd

Fruit or vegetables, bottled, frozen or otherwise processed, but not including dried fruit

Glucose, liquid, solid or powdered *

Honey and imitation honey

Ice-cream

Intoxicating liquor

Invert sugar

* Jam

Lard

Macaroni, spaghetti, vermicelli, noodles and other similar products

Margarine, including any vegetarian butter other than peanut butter or paste.

Marine oils, including any fish liver oil

* Marmalade

Meat or fish paste

* Mince-meat

Molasses

Nuts

Oatmeal, oat flakes and oat flour

* Pearl barley

x Pepper

- | | |
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| <ul style="list-style-type: none"> # Pickles or sauces Rice and rice products, including cargo-broken rice, rice bran and rice offals Rye flour and rye meal Saccharin tablets and sweetening tablets Sago Shredded Suet made from natural unrendered suet Soya flour # Starch Sugar, including candy sugar # Sugar confectionery | <ul style="list-style-type: none"> # Syrup Tapioca Tea # Treacle Vegetable oils and fats Vegetarian products and British wines as defined in the General Licence dated April 4th, 1942 (a) under the Dried Fruits (Control and Maximum Prices) Order, 1942 and the Nuts (Control and Maximum Prices) Order, 1942. Wheat by-products and wheat gluten Yeast |
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THE THIRD SCHEDULE

(The provisions of this Order do not apply to the pre-packing of the foods specified in this Schedule)

Dried egg
Fish
Milk Powder packed on behalf of the Minister

THE FOURTH SCHEDULE

(A return is not required in respect of foods specified in this Schedule)

Any food for the manufacture or pre-packing of which a licence or authorisation is held under any of the following Orders:-

- The Milk Powder (Licensing and Control) Order, 1940. (S.R. & O. 1940 No. 1912).
- The Food Substitutes (Control) Order, 1941. (S.R. & O. 1941 No. 1606 as amended by 1942 No. 348)
- The Starch Food Powders (Control Order, 1941. (S.R. & O. 1941 No. 1742).
- The Saccharin (Control and Maximum Prices) Order, 1941. (S.R. & O. 1941 No. 2129, as amended by 1942 Nos. 174, 348 and 1106).
- The Flour and Flour Mixtures (Licensing and Control) Order, 1942 (S.R. & O. 1942 No. 348).
- The Coffee Essence (Control) Order, 1942. (S.R. & O. 1942 No. 560).
- The Soya Flour (Control and Maximum Prices) Order, 1942. (S.R. & O. 1942 No. 863).
- The Soft Drinks (Licensing and Control) Order, 1942. (S.R. & O. 1942 No. 1337).

(a) S.R. & O. 1942 No. 645.

NOTES ON DEFINITIONS OR DESCRIPTIONS OF FOODS IN THE SCHEDULES

Any single chemical compound. This term includes single chemical compounds, as distinguished from mixtures, which conform to accepted commercial standards of purity.

Bread includes fancy bread, diabetic breads and rye bread.

Biscuits includes shortbread of an individual weight not exceeding 2 oz., Petit Fours and similar products, wafers, rusks, crispbreads, oatcakes, matzos, broken biscuits and biscuits wholly or partially covered with chocolate, but does not include medicinal biscuits (other than diabetic biscuits) or biscuits of a description used only for feeding animals, or dried bread used in making sausage meat, meat roll or other similar products.

Butter includes whey butter.

Condensed Milk includes sweetened condensed milk.

Cooking Fats includes any shortening, confectionery or other fat suitable for human food or for use in the preparation manufacture or treatment of human food,

made wholly or partly from one or more vegetable or animal oils or fats (including fish and marine animal oils or fats) but does not include butter, vegetarian butter, margarine, animal lard, suet, dripping, the products known as hard butter or any cooking oil.

Dextrine includes soluble starch, and the substance known as "British gum".

Dripping. The clear unbleached and unadulterated fat, untreated by any chemical process, of sweet smell, and produced from or by the rendering of fat and bones of sheep, oxen or pigs, the finished product of such rendering or processing to contain a minimum of 99 per cent, saponifiable matter and a maximum of 2 per cent free fatty acid. It does not include imported Premier Jus.

Fruit Curd. The articles commonly known as lemon cheese and lemon curd, and any substantially similar article made from or so as to produce the flavour of lemons or any other fruit.

Imitation Honey. Any manufactured product, whether or not containing honey, which is made up so as to resemble honey in appearance, consistency and flavour.

Jam includes vegetable jam and jam in the form of jelly.

Marmalade. Any jam or preserved manufactured from citrus fruit with or without the addition of the juice or pectin of fruit other than citrus fruit.

Mince-meat. Any mixture of fresh or dried fruit with other ingredients commonly known as mince-meat and any substantially similar article.

Pearl Barley includes Pot Barley.

Pepper does not include red pepper.

Pickles or Sauces includes all products of a description specified in Part I of the First Schedule to The Pickles and Sauces (Control and Maximum Prices) Order, 1942 (S.R. & O. 1942 No. 594).

Starch means starch made from maize, potatoes, rice, rye, or wheat, and flour or starch made from sago or tapioca (including cassava, manioc, manioca and any similar tapioca plant).

Sugar Confectionery means boiled sugar goods, toffees, panned goods and lozenges, liquorice and cream paste goods, pastilles, clear gums and chewing gum and any other sweet or sugar confectionery.

Sweetening Tablet means a tablet weighing not more than 0.9 of a grain and containing not less than 0.09 of a grain of saccharin and 0.06 of a grain of dulcin mixed with a sufficient quantity of sodium bicarbonate to render the tablet soluble with or without other excipients.

Syrup and Treacle means syrup or treacle, as the case may be, of a character used for human food and manufactured wholly or partly from sugar, glucose, saccharin or molasses.