1971. No. 96 **[C]**

MARKETING OF EGGS

RULES, DATED THE 24TH DAY OF MARCH 1971, MADE BY THE MINISTRY OF AGRICULTURE UNDER THE MARKETING OF EGGS ACTS (NORTHERN IRELAND) 1957 AND 1969.

The Ministry of Agriculture in exercise of the powers conferred on it by Section 21 of the Marketing of Eggs Act (Northern Ireland) 1957(**a**) and Sections 1, 2, 3 and 4 of the Marketing of Eggs (Amendment) Act (Northern Ireland) 1969(**b**) (hereinafter referred to as the "1969 Act") and of every other power enabling it in that behalf hereby makes the following Rules:—

Citation and commencement

1. These Rules may be cited as the Marketing of Eggs (Amendment No. 4) Rules (Northern Ireland) 1971 and shall come into operation on the 28th day of March 1971.

Amendments to the 1966 *Rules*

2. The Marketing of Eggs Rules (Northern Ireland) 1966(**c**) as amended by the Marketing of Eggs (Amendment) Rules (Northern Ireland) 1968(**d**), and the Marketing of Eggs (Amendment No. 2) Rules (Northern Ireland) 1969(**e**) and the Marketing of Eggs (Amendment No. 3) Rules (Northern Ireland) 1970(**f**) shall be further amended in accordance with these Rules.

3.—(1) The following definitions in Rule 2 thereof shall be omitted:—

"BEMB No." means in relation to a producer, that producer's registered number with the Board;

"registered number" means in relation to a Class A licence-holder that licence-holder's registered number with the Board;

"the Board" means the British Egg Marketing Board.

(2) To Rule 2 thereof the following definition shall be added:—

"flock" means a group of hens in the ownership of a producer and may include a group of hens whose eggs are identified by the producer separately from all other eggs produced by hens owned by him.

(3) In sub-paragraph (3)(*b*) of Rule 5 thereof the words "together with the total number of first quality duck eggs" shall be omitted.

(4) For sub-paragraph (3)(*c*) of Rule 5 thereof there shall be substituted the following sub-paragraph:—

"(*c*) The fees shall be payable in respect of the throughput of eggs during each weekly period ending on a Saturday."

(5) For Rule 16 thereof there shall be substituted the following Rule:—

(**a**) 1957. c. 27.
(**b**) 1969. c. 33 (N.I.).
(**c**) S.R. & O. (N.I.) 1966, No. 150.
(**d**) S.R. & O. (N.I.) 1968, No. 280.
(**e**) S.R. & O. (N.I.) 1969, No. 259.
(**f**) S.R. & O. (N.I.) 1970, No. 7.

"Identification

16. A licence-holder shall:—

(1) ensure that each consignment of eggs received by him shall be accompanied by a document (in these Rules referred to as the document of identification) which shall clearly identify the eggs in the consignment as being from the producer who supplied such eggs; and

(2) give the producer a receipt containing the following particulars:—

(*a*) the name and licence number of the licence-holder;

(*b*) the name and address of the producer;

(*c*) the quantity of hen eggs or the quantity of duck eggs received from that producer;

(*d*) the date of collection or delivery of such eggs;

(*e*) the signature of the collector of such eggs.

(3) keep a copy of the document of identification used for the purposes of paragraph 1 of this Rule and a copy of the identification receipt used for the purposes of paragraph 2 of this Rule for a period of two years for record purposes."

(6) For Rule 21 thereof the following Rule shall be substituted:—

"**21.** A licensed wholesale dealer of Class A shall, forthwith after testing, grade all first quality hen eggs which are $1\frac{1}{2}$ oz or more in weight and all soiled hen eggs otherwise of first quality which are $1\frac{1}{2}$ oz or more in weight into such grades and in accordance with such directions as may be prescribed in the Eggs (Protection of Guarantees) Order 1971(**g**) or such substituting Order as may be, for the time being, in force."

(7) In paragraph (1) of Rule 22 thereof for the word "Board" there shall be substituted the word "Ministry".

(8) For Rule 23 thereof there shall be substituted the following Rule:—

"Return of testing and grading results to each producer

23.—(1) A licensed wholesale dealer of Class A shall, within eight days after a consignment of eggs has been tested, classified and graded in accordance with Rules 20 and 21, give a notification in writing (in this Rule and Rule 33 referred to as "a grading notification") to the producer who supplied such eggs of the number of eggs placed in each classification and in each grade and of the prices to be paid.

(2) A licensed wholesale dealer of Class A shall within three days after receipt of the eggs by him give to each licensed wholesale dealer of Class B from whom he received the eggs one copy of the grading notification relating to such eggs of the producer.

(3) A licensed wholesale dealer of Class A shall retain one copy of each grading notification relating to eggs received by him either direct from a producer or from a licensed wholesale dealer of Class B for a period of two years for record purposes."

(9) For paragraph (1) of the Rule 26 thereof there shall be substituted the following paragraph:—

(**g**) S.I. 1971, No. 475.

"(1) (*a*) Every case containing hen eggs which weigh not less than 1½ oz each and which are either of first quality or soiled but otherwise of first quality shall be marked—

(i) on each end with the licence-holder's licence number in a manner approved by the Ministry with letters which shall be not less than half an inch in height; and

(ii) in such manner and with such approved mark relating to the eggs packed therein as may be prescribed in the Eggs (Protection of Guarantees) Order 1971 or such substituting Order as may be, for the time being, in force; and

(iii) in a manner approved by the Ministry with the date of testing which may be indicated by means of a code approved by the Ministry on either each side or each end of the case with letters which shall be not less than half an inch in height.

(*b*) Every case containing all other eggs shall be marked in such manner and with such mark as the Ministry may from time to time direct."

(10) Rule 27 thereof is hereby revoked.

(11) For Rule 33 thereof there shall be substituted the following Rule:—

"Return of testing and grading results to each producer

33. A licensed wholesale dealer of Class B shall give to each person from whom he received eggs, within eight days of the date of their receipt by him, the grading notification relating to such eggs which was given to him by the licensed wholesale dealer of Class A to whom he delivered such eggs."

(12) Form No. 4 in Schedule 2 thereof is hereby revoked.

4. At the end of Part IX there shall be added the following parts:—

"PART X

WASHED EGGS

Producer's declaration of washed eggs

44.—(1) For the purposes of Section 4(1)(*b*) of the 1969 Act a producer supplying washed eggs to a licensed wholesale dealer shall place inside each container which contains the washed eggs a certificate signed by himself or his agent certifying that the eggs have been washed and giving the following particulars:—

(*a*) the producer's name and address;

(*b*) the quantity of eggs in the container concerned:

Provided that a container in which washed eggs supplied by a producer to a licensed wholesale dealer have been packed shall have associated with it in the prescribed manner a certificate in the prescribed form if the following conditions are fulfilled, that is to say, if each copy of the document of identification in respect of such eggs has in addition to the particulars specified at (*a*) and (*b*) of this paragraph the words "WASHED EGGS" legibly and indelibly marked on it and the producer's signature.

(2) A certificate as in (1) shall not be removed from the container until the eggs are being unpacked for the purpose of being tested in accordance with Rule 20 and such a certificate shall be retained by the licensed wholesale dealer for a period of two years as part of his records.