# STATUTORY RULES AND ORDERS OF A GENERAL CHARACTER ISSUED IN 1958

## AGRICULTURE


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### Marketing of Eggs

RULES, DATED THE 11TH DAY OF AUGUST, 1958, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION TWENTY-ONE OF THE MARKETING OF EGGS ACT (NORTHERN IRELAND), 1957.

1958. No. 134 **[C]**

The Ministry of Agriculture in exercise of the powers conferred on it by Section twenty-one of the Marketing of Eggs Act (Northern Ireland), 1957(a) and of every other power enabling it in that behalf, hereby makes the following Rules:—

PART I

GENERAL

*Short Title and Commencement*

**1.** These Rules may be cited as the Marketing of Eggs Rules (Northern Ireland), 1958, and shall come into operation on the 25th day of August, 1958.

*Definitions*

**2.** In these Rules, unless the context otherwise requires:—

"The Act" means the Marketing of Eggs Act (Northern Ireland), 1957;

"Carrying Company" means any company, person or body of persons carrying eggs for hire or reward;

"Licence-holder" means the holder of a wholesale dealer's licence under Section two of the Act, or the holder of a retailer's licence under Section five of the Act;

"Ministry" means the Ministry of Agriculture for Northern Ireland;

"Producer" in relation to any eggs means the owner of the hens or ducks by which the eggs were produced;

(a) 1957. c. 27.

"Test" in relation to any eggs means test singly by artificial light by means of the apparatus known as a "Daylight Tester" or by means of some other apparatus approved by the Ministry;

"The Board" means the British Egg Marketing Board;

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

*Revocation of Existing Rules*

**3.** The Statutory Rules and Orders set out in the First Schedule are revoked from the dates specified.

*Forms*

**4.** The forms set out in the Second Schedule hereto, or forms to the like effect, shall be used in the cases to which they are respectively expressed to be applicable, and shall for the purposes of the Act and of these Rules be deemed to be the prescribed forms.

*Application for Licences*

**5.**—(1) Every applicant for a Class A licence or a Class B licence or a Class C licence or a Retailer's licence under Section one of the Act shall make application to the Ministry in the prescribed form, and each such application shall be accompanied by the appropriate fee prescribed in the First Schedule to the Act.

(2) The fee for a Class B licence shall be £5.

*Exceptions under Section 7(2) of the Act*

**6.** For the purpose of sub-section (2) of Section seven of the Act the following classes of eggs shall not be deemed to be stale:—

(1) Cold-stored eggs.

(2) Chemically-stored eggs.

(3) Eggs with an air space greater than $\frac{1}{4}$" which conform to the standard of quality prescribed in Rule 19 for hen eggs of second quality.

*Responsibility of Licence-Holders*

**7.** Anything in these Rules required to be done by a licence-holder may be done by the licence-holder or, on his behalf and responsibility, by a person authorised by him in that behalf.

*Exempted Days*

**8.** For the purpose of calculating the periods prescribed in Rules 19, 26, 31 and 34, there shall not be taken into account Sundays, Easter Monday, the 12th July, Christmas Day or any other public general holiday.

## PART II

### REGISTRATION OF PREMISES USED BY THE LICENSED WHOLESALE DEALERS

*Application for Registration of Premises*

**9.** An application for the registration under Section three of the Act of any premises used by a licensed wholesale dealer shall be made to the Ministry in the prescribed form.

*Conditions applicable to Registered Premises*

**10.**—(1) All premises owned or occupied by a licensed wholesale dealer for any purpose of his trade shall—

(*a*) afford such space and be furnished with such equipment as will enable the trade to be conducted efficiently and expeditiously;

(*b*) be sound, dry, well ventilated and of substantial construction, insulated against climatic extremes;

(*c*) be kept in a clean and sanitary condition, and be free from any odour likely to contaminate eggs or packing material.

(2) In addition, all premises owned or occupied by a licensed wholesale dealer of Class A shall—

(*a*) have suitable covered access for vehicles for the intake and despatch of eggs, provided that the Ministry may exempt from this requirement existing licence-holders where it can be proved to the satisfaction of the Ministry that it is not practicable to comply with it, such exemption to be reviewed from time to time;

(*b*) have a grading floor on one level of such dimensions as will satisfy the Ministry that the operations connected with the intake, testing, grading, packing and disposal of eggs can be conducted with reasonable facility and despatch;

(*c*) be provided with a reliable supply of electricity and water and adequate drainage facilities;

(*d*) be provided with suitable separate equipment for the use of the Ministry's officers in carrying out quality tests.

(3) Any premises registered under Section three of the Act and used by a licensed wholesale dealer of Class A or of Class B for the purposes of his licence shall not be used for any other purpose, except with the permission of the Ministry.

(4) The owner or occupier of any premises registered under Section three of the Act shall give notice to the Ministry of any proposed structural alterations which would affect the registered premises.

*Register of Premises*

**11.**—(1) The Ministry shall prepare and keep a register of all premises registered under Section three of the Act and the register shall show in respect of any premises registered therein:—

(*a*) the name and address of the licensed wholesale dealer by whom the premises are used;

(*b*) the class of licence which has been granted to him under Section two of the Act;

(*c*) the address of the premises and such description of the premises as may be necessary for the purpose of identification; and

(*d*) the class of business in eggs for which the premises may be used.

(2) A licensed wholesale dealer shall forthwith notify the Ministry if any registered premises occupied by him have ceased to be used by him for the purpose of his trade as a licensed wholesale dealer, and the Ministry shall remove the entry relating to such premises from the register.

*Certificates of Registration*

**12.**—(1) The Ministry shall issue to the owner or occupier of any premises registered as aforesaid a certificate of registration, and such certificate shall include all the particulars required to be entered in the register kept by the Ministry in accordance with the last preceding Rule.

(2) The licensed wholesale dealer using any registered premises shall cause the certificate of registration relating thereto to be displayed in those premises in a prominent manner.

## PART III

### CONDITIONS APPLICABLE TO LICENSED WHOLESALE DEALERS OF CLASS A AND CLASS B

*Collection*

**13.** Where a licence-holder provides an itinerant collection service, such service shall be made available to producers at regular intervals of not more than seven days. Where a licence-holder provides facilities for the receipt of eggs from producers who deliver their eggs to the licence-holder's registered premises, the facilities shall be such as to enable the producers to deliver their eggs at regular intervals of not more than seven days.

*Collection Cases and Labels*

**14.**—(1) A licence-holder who receives eggs from any producer shall, unless the eggs are tested on delivery by the producer at the premises of a licensed wholesale dealer of Class A, pack them forthwith in a collection case complying with the specification prescribed in the Third Schedule. Existing stocks of collection case No. 1, made to the specification contained in the Marketing of Eggs Rules (Northern Ireland), 1938(a) may continue to be used.

(2) A licence-holder may use for the packing of eggs in a collection case either fillers and flats or egg trays according to the specification in the Third Schedule, but shall not use any packing material other than of these specified types. Where egg trays are used, the trays shall be of the large size and the cases shall be according to the specification contained in the Third Schedule.

(3) A licence-holder shall not pack hen eggs and duck eggs in the same collection case.

(4) A licence-holder shall pack all eggs broad-end uppermost.

(5) A licence-holder shall not use for the packing of eggs any collection cases, fillers or flats or egg trays which have not been provided by him and are not his own property.

(a) S.R. & O. 1938. No. 10.

(6) Where a licence-holder permits a producer to pack eggs on the producer's premises, the licence-holder shall, for the purposes of this Rule, be deemed to have packed the eggs himself.

*Identification*

**15.** A licence-holder shall identify all eggs received by him from producers in accordance with either Method 1 or Method 2 described in this Rule, but shall not employ a combination of both.

*Method* 1

(1) (*a*) He shall, before packing any eggs in a collection case, insert in the label-holder a label in the prescribed form containing the following particulars:—

(i) the name of the licence-holder (in block letters);

(ii) the packing-number of the collection case as defined in (*b*);

(iii) the date of receipt from the producer (including day of the week); and

(iv) the initials of or other reference which shall identify the person by whom the eggs were received from the producer.

(*b*) He shall number consecutively in the order in which they are filled the collection cases used by him on any day for the packing of eggs, and the number so applied to any case shall be the packing-number of that case.

(*c*) He shall not pack in any collection case any eggs received by him on any date other than that set forth as the date of receipt on the label attached to the case.

(2) (*a*) He shall, on receipt of the eggs by him from the producer, place with each lot of eggs an identification receipt in the prescribed form on which shall be entered in a clear and indelible manner the following particulars:—

(i) the name and licence number of the licence-holder;

(ii) the initials of or other reference which shall identify the person by whom the eggs were received from the producer;

(iii) the date of receipt;

(iv) the name and address of the producer; and

(v) the number of the hen eggs received from the producer; or

(vi) the number of duck eggs received from the producer.

(*b*) He shall place each receipt with the lot of eggs to which it refers in such manner as will enable the said lot to be identified, and such receipt shall not be removed until the eggs are being unpacked for the purpose of being tested in accordance with the provisions of these Rules.