(c) Earth—1 lb. per 112 lbs.
(d) Other defects—3½ lbs. per 112 lbs., including tubers which pass through 1⅝ inch mesh provided that the total defects do not exceed 6 lbs. per 112 lbs.

SEED POTATOES.
(Standards).

*Grading.*
To be in accordance with terms of contract.
*Packing.*
(a) All packages to be 112 lbs. net weight, except in the case of packages to which labels are attached showing the actual net weight.
(b) All potatoes produced in Northern Ireland and sold or offered or exposed for sale under the name of a particular variety must be the produce of a crop inspected by the Ministry and certified by the Ministry to be of a purity of not less than 99½ per cent. All potatoes so sold or offered or exposed for sale must also be packed in containers which bear either a brand or a label showing the name of the variety and the number of the purity certificate issued by the Ministry for the crop from which the potatoes were produced.
All seed potatoes from uncertified crops must be either labelled or branded as "produce of non-certified crops" or as "mixed varieties."
(c) Any package shall be so packed that any tubers exposed to view or which would be exposed to view if the package were opened in the ordinary manner, fairly represent in size, condition, and variety the entire contents of the package.
*Standard of Quality.*
Potatoes to be—
(a) in clean and sufficiently dry condition to enable defects to be observed, and to prevent heating or decay of potatoes in storage;
(b) free from mixture with foreign matter;
(c) practically free from dirt, misshapen tubers, rot diseases, injurious diseases or damage of any kind that would impair the vitality of the tubers.

*Tolerance for Defects.*
Non-conformity to grade—5 lbs. per 112 lbs.
Frost—Nil.
Soft rot—½ lb. per 112 lbs.
Earth—1 lb. per 112 lbs.
Other defects—3 lbs. per 112 lbs. provided that the total defects other than non-conformity to grade do not exceed 3 lbs.

# PUBLIC HEALTH.

## Imported Food.

THE PUBLIC HEALTH (IMPORTED FOOD) REGULATIONS, 1937, DATED 24TH MAY, 1937, MADE BY THE MINISTRY OF HOME AFFAIRS FOR NORTHERN IRELAND.

1937. No. 53.

The Ministry of Home Affairs in exercise of the powers conferred upon it by the Public Health Act, 1878(a), the Public Health Act, 1896(b), the Public Health (Regulations as to Food) Act, 1907(c), and of all other powers enabling it in that behalf hereby makes the following regulations, with the consent of the Commissioners of Customs and Excise so far as they apply to the officers of Customs and Excise, that is to say :—

PART I.—PRELIMINARY.

**1.** These regulations may be cited as the Public Health (Imported Food) Regulations, 1937, and shall come into operation on the 1st day of January, 1938.

(a) 41 & 42 Vict., c. 52. (b) 59 & 60 Vict., c. 19. (c) 7 Edw. 7, c. 32.

2.—(1) In these regulations unless the context otherwise requires :—

"the Ministry" means the Ministry of Home Affairs for Northern Ireland ;

"officer of Customs and Excise" includes any person acting under the authority of the Commissioners of His Majesty's Customs and Excise ;

"sanitary authority" means a port sanitary authority and the council of a borough or urban or rural district which includes or abuts on any part of a Customs port which part is not within a port sanitary district ;

"district" means the district of a sanitary authority and in the case of a sanitary authority other than a port sanitary authority includes the waters of any Customs port abutting on any part of their district so far as such waters are not within a port sanitary district ;

"medical officer of health" includes any duly qualified medical practitioner and any assistant officer appointed or employed by a sanitary authority to act in the execution of these regulations ;

"local authority" means the council of a borough or urban or rural district, not being a sanitary authority within the meaning of these regulations ;

"ship" includes a vessel or boat ;

"master" used in relation to a ship includes the officer or other person for the time being in charge or command of the ship ;

"British Islands" means Great Britain and Ireland, the Channel Islands and the Isle of Man ;

"oversea" means brought from a place situate elsewhere than in the British Islands ;

"article of food" means an article of food whether oversea or not which, as part of the cargo of a ship or aircraft is brought to, or delivered or landed at a place within Northern Ireland either as a place of actual or appointed destination, or as a place of deposit for the purpose of transmission to a place of actual or appointed destination elsewhere in the British Islands ;

"importer" includes any person who, whether as owner, consignor or consignee, agent or broker, is in possession of or in anywise entitled to the custody or control of any article of food ; and "import" shall be construed accordingly ;

"export" means remove to a place not in the British Islands ;

"animal" includes a bull, cow, ox, heifer, calf, ram, ewe, wether lamb, goat, kid, boar, sow and hog ;

"pig" includes a boar, sow and hog ;

"meat" means the flesh or other edible part of an animal and includes meat which has been cured or smoked but save

as aforesaid does not include meat which has been cooked or otherwise treated or prepared ;

" meat product " means any of the articles specified in the second schedule to these regulations ;

" prohibited meat " means any of the kinds of oversea meat specified in the first schedule to these regulations ;

" competent authority " means an authority having power under the laws in force in any country to examine articles of food and to certify as to their fitness for human consumption ;

" official certificate " means a certificate label mark stamp or other voucher which is affixed by a competent authority to any oversea meat or meat product or to a package containing any such meat or meat product and is for the time being recognised by the Ministry as showing :—

(*a*) that the meat to which it relates or the meat from which the meat product to which it relates was prepared, was derived from animals inspected ante and post mortem and passed in accordance with criteria satisfactory to the Ministry, and

(*b*) that all necessary precautions for the prevention of danger to public health were taken in the dressing or preparing and packing of the meat or meat product.

(2) The recognition of an official certificate for the purpose of these regulations shall be effected by means of a notice published in the Belfast Gazette which shall specify the conditions (if any) subject to which the certificate is recognised ; and any such notice may be varied or revoked by a subsequent notice published in the Belfast Gazette.

(3) The Interpretation Act, 1889(a), as applied to Northern Ireland by the Interpretation Act, 1921, applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

**3.** From the date on which these regulations come into operation the Public Health (Imported Food) Regulations, 1925(b) and the Public Health (Imported Food) Amendment Regulations, 1933(c) shall be revoked but without prejudice to the effect of any notice certificate proceedings or other thing given issued begun or done in pursuance of such regulations ; and all orders made under those regulations or under any regulations revoked thereby shall continue in force until altered or revoked as if they were made under these regulations and any reference in any such order to any provisions of the revoked regulations shall have effect as if the reference were to the corresponding provisions of these regulations.

**4.**—(1) Subject to such provisions of these regulations as prescribe functions to be exercised by the officers of Customs and Excise and by the medical officer of health and any other officer

(a) 52 & 53 Vict., c. 63. (b) S.R. & O. (N.I.), 1925. (No. 76).
(c) S.R. & O. (N.I.), 1933. (No. 74).

of a sanitary authority, the sanitary authority shall enforce and execute these regulations :

Provided that, if the Ministry shall by order so require, the enforcement and execution of these regulations in a borough or an urban or rural district shall be undertaken by the local authority and their officers as if the local authority were a sanitary authority within the meaning of these regulations.

(2) If the Ministry after due inquiry is satisfied that a sanitary authority or local authority have failed to enforce and execute any of the provisions of these regulations, the Ministry may by order appoint some person to execute and enforce such provisions in lieu of the authority and their officers. Any person so appointed shall have such of the functions of the authority under these regulations as may be assigned to him by the order and any expenses reasonably incurred by him in discharging those functions and such remuneration as the Ministry may pay to him for his services shall be a debt due from the authority to the Ministry.

**5.** Where a vehicle containing articles of food is landed in Northern Ireland and with the consent of the Commissioners of Customs and Excise the Customs examination of such vehicle is deferred until the vehicle reaches a place of destination in Northern Ireland or where articles of food are brought by aircraft, these regulations shall apply to such articles of food with all necessary modifications, including the substitution throughout the regulations of the terms and expressions set out in the second column of the following table for the terms and expressions set out in the first column :—

| Terms and expressions used in regulations. | Terms and expressions to be substituted. |
|---|---|
| Ship .. .. | Vehicle or aircraft. |
| Cargo .. .. | Contents of vehicle or aircraft. |
| Master .. .. | Person having charge of vehicle or aircraft. |
| Sanitary authority .. | Local authority (where place of destination or arrival is not within the district of a sanitary authority. |
| Land .. .. | Unload. |

## Part II.—All Food.

**6.** A person shall not import into Northern Ireland for sale for human consumption any article of food which has been examined by a competent authority and not found at the time of examination to be fit for human consumption or any article of food in the manufacture or preparation of which any such article as aforesaid has been used.

**7.**—(1) The medical officer of health may examine any article of food which has been landed within the district and where the circumstances, in his opinion, so require, he may examine an article of food while it is on board a ship within the district or after it has been delivered overside and before it has been landed.

(2) The master of a ship and every person having the custody of any lands or premises within the district shall, at the request of the medical officer of health, afford him access to the ship or to the lands or premises, at any reasonable time, for the examination of an article of food which is on board the ship or which has been deposited on the lands or premises.

(3) The importer, the master of the ship and every person having the custody of any lands or premises shall, at the request of the medical officer of health, afford, by the convenient and suitable arrangement, unpacking or uncovering of so much of the cargo or of any consignment delivered overside or landed or deposited on the lands or premises, as comprises articles of food, all such facilities as the medical officer of health may reasonably require for the examination of the article of food. He shall also afford such other facilities as the medical officer of health may reasonably require for the purposes of these regulations.

(4) Where the medical officer of health has reason to believe that an article of food, which has been landed within the district, is deposited on any lands or premises within the district and access to the lands or premises at a reasonable time, for the examination of the article of food by the medical officer of health, has been refused by the person having the custody of the lands or premises, the medical officer of health may make complaint to a justice of the peace.

The justice may thereupon by a warrant authorise the medical officer of health to enter the lands or premises and to search for and examine any article of food deposited thereon.

The person having the custody of the lands or premises named in the warrant shall, at any reasonable time, afford all such facilities as the medical officer of health may reasonably require to enable him, by an assistant or otherwise, to search for and examine the article of food.

(5) Where the duties of an officer of Customs and Excise with respect to the examination of a cargo or consignment comprising an article of food have not been wholly discharged, an examination of the article of food for the purpose of these regulations shall not be made without the consent of such officer but every officer of Customs and Excise shall afford such facilities as the circumstances require for the examination of the article of food in pursuance of these regulations.

**8.**—(1) The medical officer of health may take a sample from a consignment of articles of food for any purpose of these regulations and, subject to paragraph (2) of this regulation, shall dispose of the sample in such manner as the sanitary authority direct.

(2) Where the medical officer of health who takes the sample from a consignment of articles of food is of opinion that special procedure is necessary for the examination of the articles of food or where, at the request of the importer, the medical officer of health who takes any such sample has recourse to special procedure for the examination of the articles of food, the importer and every person who has the custody or control of the consignment shall afford all such facilities as the medical officer of health may reasonably require for the completion of his examination of the articles of food and, during such time, not exceeding 48 hours, as the medical officer of health by notice in writing appoints or during any longer time which he by notice in writing appoints and to which the importer has consented, he shall not, without the permission of the medical officer of health, remove any such articles of food except to any such place as may be specified in the notice.

**9.**—(1) If, on examination, the medical officer of health is of opinion that an article of food is diseased or unsound or unwholesome or unfit for human consumption, he may himself or by an assistant seize and carry away the article of food or he may by a notice in writing to the importer or to the master of the ship or to any other person having charge of the article of food require that, until it has been dealt with by a justice, it shall not, without the permission of the medical officer of health, be removed from the place of examination or from any other place specified in the notice and in either case the medical officer of health may apply to a justice to deal with the article of food under regulation 15 of these regulations.

(2) Neither the importer nor the master of the ship nor any other person shall, without the permission of the medical officer of health, remove an article of food in relation to which a notice has been given in pursuance of this regulation from the place at which the medical officer of health has examined it or such other place as is specified in the notice, until it has been dealt with by a justice and such justice has authorised its removal.

## Part III.—Oversea Meat and Meat Products.

**10.** No prohibited meat shall be imported into Northern Ireland for sale for human consumption and no meat or meat product shall be so imported without an official certificate.

**11.**—(1) The officer of Customs and Excise on the arrival of a ship within the district shall ascertain whether the cargo of the ship comprises any oversea meat or meat product.

(2) Where it appears to the officer of Customs and Excise to be desirable that any oversea article of food should be examined by the medical officer of health either with a view to ascertaining whether it comprises any prohibited meat or any meat or meat product without an official certificate or for any other purpose of these regulations he shall by a notice in writing given to the master or to the importer require that until the article has been examined by the medical officer of health it shall not be removed from the place specified in the notice and he shall at the same time inform the medical officer of health of the effect of the notice.

(3) The medical officer of health shall forthwith examine any article of food in respect of which a notice has been given by an officer of Customs and Excise under this regulation, and shall send to that officer a copy of any notice or certificate issued by him under this regulation or a statement in writing of any action taken by him under any other provisions of these regulations in respect of that article of food.

(4) If upon the examination of any oversea article of food the medical officer of health is of opinion that it comprises any prohibited meat or any meat or meat product without an official certificate he shall by a notice in writing forbid its removal for any purpose other than its exportation.

He shall send a copy of every such notice to the sanitary authority.

(5) If upon the examination of any article of food in respect of which the officer of Customs and Excise has given a notice under this regulation the medical officer of health is of opinion either—

(*a*) that it has an official certificate and does not comprise any prohibited meat; or

(*b*) that it is not meat or a meat product;

he shall give a certificate authorising its removal unless he takes action in respect of it under any other provision of these regulations.

**12.**—(1) The sanitary authority, within twelve hours after the receipt of a copy of a notice by the medical officer of health given in pursuance of paragraph (4) of regulation 11 of these regulations with respect to any oversea meat or meat product, shall give to the importer notice in writing that, unless, within the time specified in the notice not being less than twelve hours after the receipt thereof he gives a written undertaking to export the meat or meat product at his own expense or to prove in proceedings before a justice that it is not intended for sale for human consumption, it will be destroyed or disposed of under the supervision of the medical officer of health by such means and in such a manner as to prevent its being used for human consumption.

(2) If within the time specified in the notice, the sanitary authority have not received such a written undertaking as is described in the notice or if within that time they have received an undertaking that the importer will at his own expense export the meat or meat product and within seven days after the receipt of the undertaking the importer fails to export it, the sanitary authority may cause it to be destroyed or disposed of under the supervision of the medical officer of health by such means and in such a manner as to prevent its being used for human consumption.

(3) Where in pursuance of this regulation the importer has given an undertaking to prove that any meat or meat product is not intended for sale for human consumption the sanitary authority shall within twenty-four hours after the receipt of the undertaking take steps to obtain the decision of a justice with respect thereto.

**13.**—(1) Where in pursuance of regulation 11 of these regulations the officer of Customs and Excise or the medical officer of health has given a notice forbidding the removal of any article of food such article of food shall not be removed by any person contrary to the terms of the notice except with the express permission of the officer by whom the notice was given.

(2) A person shall not land any meat or meat product which has been exported in compliance with an undertaking given under these regulations or under any similar regulations then in force in any part of the British Islands.

## Part IV.—Judicial Proceedings, etc.

**14.** For the purposes of these regulations an application may be made to any justice having jurisdiction in the district and thereupon sub-section (2) of section 28 of the Public Health Acts Amendment Act, 1890(a), whether that sub-section is or is not in force in the district and any provision in any Act of Parliament which applies to a proceeding under or consequent upon that sub-section, shall have effect in relation to the proceedings, as if the application were a complaint within the meaning of the said sub-section and otherwise subject to the provisions of these regulations.

**15.**—(1) Where in pursuance of these regulations an application is made to a justice in respect of an article of food and the justice is satisfied :—

(*a*) that the article of food is diseased or unsound or unwholesome, or unfit for human consumption, or

(a) 53 & 54 Vict., c. 59.

(*b*) in the case of any meat or meat product in respect of which an undertaking in that behalf has been given under regulation 12 that the importer has failed to prove that the meat or meat product is not intended for sale for human consumption,

he shall condemn the article of food and order it to be destroyed or disposed of under the supervision of the medical officer of health by such means and in such a manner as to prevent its being used for human consumption.

(2) Where on such application the justice is satisfied that the article of food is not intended for sale for human consumption, he shall order the return of such article to the person entitled thereto, or the rescission of the notice prohibiting the removal thereof, as the case may require.

(3) The justice shall in every order under this regulation set forth the description of and such other details as will suffice to identify the article of food, together with the name description and address of the importer and of the person to whom it is to be delivered and shall in every order made under paragraph (2) of this regulation state that he is satisfied that the article of food is not intended for sale for human consumption; and he shall forthwith furnish the sanitary authority with a copy of every order under this regulation.

**16.** If a difference arises in relation to any subject matter of or to anything done under these regulations, the difference may, on the application of all the parties affected, be referred to the Ministry for determination and the Ministry may by order determine the difference and such determination shall be final and conclusive.

## PART V.—GENERAL.

**17.** Any notice or certificate given by a sanitary authority or a medical officer of health or any undertaking given by an importer under these regulations may be given by properly addressing, prepaying and posting a letter containing the notice certificate or undertaking.

**18.** Where in pursuance of these regulations, an article of food is destroyed or otherwise disposed of under the supervision of the medical officer of health, the sanitary authority, before the destruction or other disposal of the article of food, shall cause the description of and such other details as will suffice to identify the article of food to be duly recorded and shall keep the record in their custody for a period of not less than twelve months.

**19.** A person shall, if so required, give to the officer of Customs and Excise or the medical officer of health acting in the execution of these regulations, all reasonable assistance in his power and shall, in relation to anything within his knowledge, furnish any such officer with all information he may reasonably require for

the purposes of these regulations and a person, in relation to anything within his knowledge and material to any purpose of proceedings in pursuance of these regulations, shall make a true statement and truly answer any question, when required or put by a justice or other competent authority in the course and for any purpose of those proceedings.

**20.**—(1) The sanitary authority may, with the consent of the Ministry, appoint and pay a legally qualified medical practitioner to act in the execution of these regulations, either in the place of or as an assistant to the medical officer of health.

(2) The sanitary authority may also, with the consent of the Ministry appoint or employ and pay an assistant officer to act under the direction of the medical officer of health, in the exercise of any such powers or in the discharge of any such duties of the medical officer of health under these regulations as the sanitary authority assign to the person so appointed.

---

FIRST SCHEDULE.

*Prohibited Meat.*

(*a*) Scrap meat, that is to say, meat which consists of scraps, trimmings or other pieces (whether with or without bone) of such shape or in such condition as to afford insufficient means of identification with a definite part of a carcase.

(*b*) Meat comprising the wall of the thorax or abdomen from which there has been detached any part of the pleura or (except in the case of meat derived from a pig) the peritoneum, other than a part necessarily removed in preparing the meat.

(*c*) Meat from which a lymphatic gland, except a gland necessarily removed in preparing the meat, has been taken out.

(*d*) The head of an animal without the submaxillary gland.

---

SECOND SCHEDULE.

*Meat Products.*

(*a*) Meat packed in air-tight containers.

(*b*) Cooked or dried meat.

(*c*) Intestines and other parts prepared in the form of sausage casings.

(*d*) Rendered animal fats except in margarine.

(*e*) Pies, sausages and other prepared or manufactured articles of food containing any meat or cooked or dried meat other than fat.

Given under the official seal of the Ministry of Home Affairs for Northern Ireland this 24th day of May, Nineteen hundred and thirty-seven.

*A. Robinson,*
Assistant Secretary.

T

Signed by order of the Commissioners of Customs and Excise.

*C. E. L. Fletcher,*
Assistant Secretary for
Customs and Excise.

The Statutes provide for the imposition of a penalty not exceeding £100 (and for a continuing offence a daily penalty not exceeding £50) for wilful refusal or neglect to obey or carry out or for obstructing the execution of these regulations.

---

REGULATIONS MADE BY THE MINISTRY OF HOME AFFAIRS, DATED 9TH DAY OF DECEMBER, 1937, UNDER THE PUBLIC HEALTH (IRELAND) ACT, 1878(a), THE PUBLIC HEALTH (IRELAND) ACT, 1896(b), THE PUBLIC HEALTH (REGULATIONS AS TO FOOD) ACT, 1907(c).

1937. No. 133.

WHEREAS the Ministry of Home Affairs made regulations entitled the Public Health (Imported Food) Regulations, 1937, dated the 24th May, 1937, under the above-mentioned enactments to come into operation on the First day of January, 1938 :

And whereas it is expedient that the date of operation of the said regulations should be postponed :

Now, therefore, the Ministry of Home Affairs, in exercise of the powers conferred upon it by the Public Health (Ireland) Act, 1878(a), the Public Health (Ireland) Act, 1896(b), the Public Health (Regulations as to Food) Act, 1907(c), hereby makes the following regulations :—

1. Article 1 of the Public Health (Imported Food) Regulations, 1937, shall be read and have effect as if for "the First day of January, 1938," were substituted the words "the First day of April, 1938."

2. These Regulations shall come into operation forthwith and may be cited as "The Public Health (Imported Food) (Amendment) Regulations, 1937."

Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 9th day of December, One Thousand Nine Hundred and Thirty-seven, in the presence of—

(L.S.)

*A. Robinson,*
Assistant Secretary.

(a) 41 & 42 Vic., Cap. 52. (b) 59 & 60 Vic., Cap. 19. (c) 7 Edw. 7, Cap. 32.