

STATUTORY RULES AND ORDERS

1943 No. 1452

EMERGENCY POWERS (DEFENCE)

Food (Use of Bread Boards)

THE BREAD BOARDS (RESTRICTION ON USE) ORDER, 1943.

DATED OCTOBER 6, 1943.

In exercise of the powers conferred upon him by Regulation 55 of the Defence (General) Regulations, 1939, and of all other powers him enabling, the Minister of Food hereby makes the following Order:—

1. In this Order—

“ Bread board ” means any container which is commonly described in the bakery trade as a bread board, bread tray, cake tray or flour confectionery tray.

2. Every person having in his possession or control any bread board shall exercise all reasonable care in the use and storage thereof so as to maintain it as far as practicable in the same condition as when he received it and (without prejudice to the generality of the foregoing) shall take all reasonable steps to keep it dry and in a sound and clean condition.

3. No person shall use any bread board for any purpose except the transport, storage or display for sale of bakery products:

Provided that it shall be a defence in any proceedings under this Article in respect of any bread board for the defendant to prove that the bread board was no longer reasonably fit for use for the transport, storage or display for sale of bakery products and was not capable of being repaired for re-use for such purposes.

4.—(1) Where a bread board has been delivered to any person in connection with the sale or supply to him of bakery products the person to whom it was delivered shall return it to the person who supplied it to him at the earliest opportunity and if so requested in writing by such person shall return it to him forthwith:

Provided that it shall be a defence in any proceedings under this Article in respect of any bread board for the defendant to show reasonable cause for his failure to return the same.

(2) Where any person is required under the preceding paragraph of this Article to return any bread board, the bread board shall be returned in such manner as may be agreed between the parties, provided that in the absence of any such agreement to the contrary a person shall be deemed to comply with the obligation to return the bread board by giving to the supplier reasonable facilities for collecting it at the premises to which it was consigned or delivered to the first mentioned person, or, if the supplier shall so request, by consigning it by road or rail carrier as agent for the supplier, and at his expense, to such destination as may be specified in the request.

5. No person shall use any bread board belonging to any other person without the consent of the person to whom it belongs or of any person authorised by him to give such consent:

Provided that it shall be a defence in any proceedings under this Article in respect of any bread board for the defendant to prove that he had reasonable grounds for believing and did believe—

- (a) that the bread board was his own property; or
- (b) that consent had been given to such use by the owner or by a person authorised by the owner to give such consent.

6.—(1) The provisions of this Order are subject to any directions which may at any time be given by or on behalf of the Minister of Food, and to any licences or authorisations which may be granted by or on behalf of the Minister under this Order.

(2) Every person holding a licence or authorisation granted under this Order shall comply with every condition imposed by such licence or authorisation.

7. Infringements of this Order are offences against the Defence (General) Regulations, 1939.

8. This Order shall come into force on the 17th day of October, 1943, and may be cited as the Bread Boards (Restriction on Use) Order, 1943.

By Order of the Minister of Food.

John Maud,

Second Secretary to the Ministry of Food.

Dated the 6th day of October, 1943.

EXPLANATORY NOTE.

This Order, which is primarily to conserve timber, provides that containers known in the bakery trade as bread boards or bread, cake or flour confectionery trays shall not be improperly used and shall be returned promptly to the suppliers and prohibits their use by persons other than the owners without the owners' consent.

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