

1955/195

**THE DAIRY PRODUCE REGULATIONS 1938,
AMENDMENT NO. 11**

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 22nd day of November
1955.

Present:

THE RIGHT HON. S. G. HOLLAND PRESIDING IN COUNCIL

PURSUANT to the Dairy Industry Act 1952, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. These regulations may be cited as the Dairy Produce Regulations 1938, Amendment No. 11, and shall be read together with and deemed part of the Dairy Produce Regulations 1938* (hereinafter referred to as the principal regulations).

2. Subclause (1) of regulation 2 of the principal regulations is hereby amended as follows:

- (a) By omitting from the definition of the term "cheese factory" (as substituted by regulation 2 of the Dairy Produce Regulations 1938, Amendment No. 10) the words "milk cheese", and substituting the words "milk cheddar cheese":
- (b) By omitting from the definition of the term "52% fat cheese" (as added by regulation 2 of the Dairy Produce Regulations 1938, Amendment No. 10) the words "means cheese", and substituting the words "means cheddar cheese".

3. (1) Regulation 8 of the principal regulations is hereby amended as follows:

- (a) By adding to subclause (1) the following paragraph:

“(p) Factories for the manufacture of specified types of cheese other than cheddar cheese.”:

*S.R. 1938/91.
Reprinted with Amendments Nos. 1 to 8: S.R. 1954/33.
Amendment No. 9: S.R. 1954/72.
Amendment No. 10: S.R. 1954/121.

(b) By omitting from subclause (4) (as amended by paragraph (c) of regulation 7 of the Dairy Produce Regulations 1938, Amendment No. 4) the words "a cheese factory or a standardized cheese factory", and substituting the words "a factory for the manufacture of cheese":

(c) By omitting the words "registered as a cheese factory" wherever they occur in subclause (5), and substituting in each case the words "registered as a factory for the manufacture of cheese":

(d) By adding to subclause (5) the following additional proviso:

"Provided further that the Director may, by notice in writing, approve the separation of butterfat from milk in a cheese factory which is registered also as a factory for the manufacture of cheese other than 52% fat cheese."

(2) Regulation 7 of the Dairy Produce Regulations 1938, Amendment No. 4, is hereby amended by revoking paragraph (c) thereof.

4. Regulation 16 of the principal regulations is hereby amended as follows:

(a) By revoking subclause (3):

(b) By omitting from subclause (4) (as amended by paragraph (a) of regulation 5 of the Dairy Produce Regulations 1938, Amendment No. 5), the words "other than a cheese factory or a standardized cheese factory".

5. Regulation 18 of the principal regulations is hereby amended as follows:

(a) By revoking subclause (1A) (as inserted by regulation 6 of the Dairy Produce Regulations 1938, Amendment No. 8), and substituting the following subclause:

"(1A) Payment to each supplier in respect of all graded milk supplied to and accepted by the owner of any cheese factory, standardized cheese factory, or casein factory shall be made so that—

"(a) Where payment is made on any other basis than that referred to in paragraph (b) of this subclause, the rate shall be at least 1d. per pound of butterfat less for milk graded as First Grade than for milk graded as Finest Grade and shall be at least 3d. per pound of butterfat less for milk graded as Second Grade than for milk graded as Finest Grade:

"(b) In any case where payment is made on the calculated quantity of cheese produced determined by reference to the percentage of butterfat and casein contained in the milk the rate shall be at least 0.4d. per pound of calculated cheese less for milk graded as Second Grade than for milk graded as First Grade."

(b) By revoking subclause (2).

(c) By inserting in subclause (3) (as amended by regulation 7 of the Dairy Produce Regulations 1938, Amendment No. 8) after the words "or a standardized cheese factory", the words "or a casein factory".

6. (1) Regulation 22 of the principal regulations (as amended by regulation 11 of the Dairy Produce Regulations 1938, Amendment No. 4) is hereby further amended by omitting from subclause (1), subclause

(5), subclause (6), and subclause (8) the words "cheese factory or standardized cheese factory", wherever those words occur in any of the said subclauses, and substituting in each case the words "factory for the manufacture of cheese".

(2) Regulation 11 of the Dairy Produce Regulations 1938, Amendment No. 4, is hereby amended by revoking paragraph (a) thereof.

7. Regulation 25 of the principal regulations is hereby amended as follows:

(a) By revoking subclause (1), and substituting the following subclause:

"(1) The owner or manager of a factory for the manufacture of cheese or private dairy shall, within twenty-four hours after the first removal of any cheese from the cheese hoop, cause every such cheese manufactured therein to be clearly and indelibly branded on its circular surface with:

"(a) A general brand being such one of the designs set out in forms numbered 6 and 6A in the Second Schedule hereto that is applicable according to the class of dairy and the kind of produce:

"(b) His registered brand and the registered number of his dairy, which shall respectively be inserted in the said general brand in the appropriate places indicated in the said forms numbered 6 and 6A in the said Second Schedule:

"(c) The vat number of the cheese, followed by the number of the day of the month in which the cheese was manufactured."

(b) By omitting from the proviso to subclause (2) (as substituted by regulation 12 (b) of the Dairy Produce Regulations 1938, Amendment No. 4, and as amended by regulation 5 of the Dairy Produce Regulations 1938, Amendment No. 10) the words "whole milk cheese, or 52% fat cheese", and substituting the words "or cheese"; and by omitting from the same proviso the words "7 and 9", and substituting the words "7, 9, and 9A".

(c) By omitting from subclause (6) (as amended by regulation 12 (c) of the Dairy Produce Regulations 1938, Amendment No. 4, and as further amended by regulation 5 of the Dairy Produce Regulations 1938, Amendment No. 10) the words "whole milk cheese or 52% fat cheese", and substituting the word "cheese", and by omitting from the same subclause (6) the words "7 and 9", and substituting the words "7, 9, and 9A".

8. Regulation 30 of the principal regulations is hereby amended as follows:

(a) By omitting from subclause (2) the words "J. J. Niven and Co., Ltd., at Port Ahuriri", and substituting the words "Nelsons (N.Z.) Ltd., at Tomoana, Hastings".

(b) By adding the following subclause:

"(9) Notwithstanding anything to the contrary in the foregoing provisions of this regulation, the Director may, by notice in writing, vary the requirements with regard to the temperature of cheese other than whole milk cheese or 52% fat cheese."

9. Regulation 32 of the principal regulations is hereby amended as follows:

- (a) By adding to subclause (1) the following paragraph:
“(d) Cheese of a type other than cheddar cheese.”
- (b) By inserting after subclause (2) the following subclause:
“(2A) In grading cheese other than N.Z. cheddar cheese, the maximum points for allotment in respect of any specified variety of cheese shall be those approved by the Director in writing.”
- (c) By omitting from subclause (3) (as substituted by regulation 16 of the Dairy Produce Regulations 1938, Amendment No. 4, and as amended by regulation 7 of the Dairy Produce Regulations 1938, Amendment No. 10) the words “N.Z. cheddar cheese”, and substituting the words “cheese other than dairy cheese”.

10. (1) Regulation 34 of the principal regulations is hereby amended by omitting from paragraph (b) of subclause (1) (as substituted by regulation 17 of the Dairy Produce Regulations 1938, Amendment No. 4, and as amended by regulation 3 of the Dairy Produce Regulations 1938, Amendment No. 10) the words “N.Z. cheddar”.

(2) Regulation 8 of the Dairy Produce Regulations 1938, Amendment No. 10, is hereby revoked.

11. Regulation 38 of the principal regulations is hereby amended as follows:

- (a) By omitting from subclause (5) (as amended by regulation 18 of the Dairy Produce Regulations 1938, Amendment No. 4) the words “a cheese factory, standardized cheese factory”, and substituting the words “a factory for the manufacture of cheese”.
- (b) By omitting from subclause (7B) (as inserted by regulation 2 of the Dairy Produce Regulations 1938, Amendment No. 9) the words “a cheese factory or a standardized cheese factory”, and substituting the words “a factory for the manufacture of cheese”.
- (c) By omitting from subclause (7C) (as inserted by regulation 2 of the Dairy Produce Regulations 1938, Amendment No. 9) the words “a cheese factory or standardized cheese factory”, and substituting the words “a factory for the manufacture of cheese”.

12. The Second Schedule to the principal regulations, as heretofore amended, is hereby further amended as follows:

- (a) By inserting after the form numbered 6, the form numbered 6A in the Schedule hereto.
- (b) By inserting after the form numbered 9, the form numbered 9A in the Schedule hereto.
- (c) By inserting after the form numbered 18, the form numbered 18A in the Schedule hereto.

SCHEDULE

Form 18A, Reg. 33 (5)

GRADER'S CERTIFICATE FOR *[Insert type of Cheese]* CHEESE

I HEREBY certify that I have this day graded packages of cheese branded, registered No., as follows, and have caused them to be stamped according to grade and with the marks Waxed, Non-waxed.

- packages Finest Grade, consisting of packages white and packages coloured.
- packages First Grade, consisting of packages white and packages coloured.
- packages Graded, consisting of packages white and packages coloured.
- packages Second Grade, consisting of packages white and packages coloured.
- packages Third Grade, consisting of packages white and packages coloured.

Submarks:—

Grate
Numbers
of Cheese
Graded

....Grade.

		Maximum Points Obtainable	Finest Grade, 93 Points and Over	First Grade, 91 and under 93 Points	Graded, 88 and under 91 Points	Second Grade, 80 and under 88 Points	Third Grade, under 80 Points	Net Weight of Cheese in Each Package Selected by Grader for Weighing		
								Number of Package	Marked on Package	As Checked by Grader
Flavour								Lb. net	Lb. net	
Body										
Closeness										
Colour										
Finish										
		100								
Total points allotted ..										

Vat-marks and date of manufacture:

Finest:	
First Grade:	
Graded:	
Second Grade:	Third Grade:

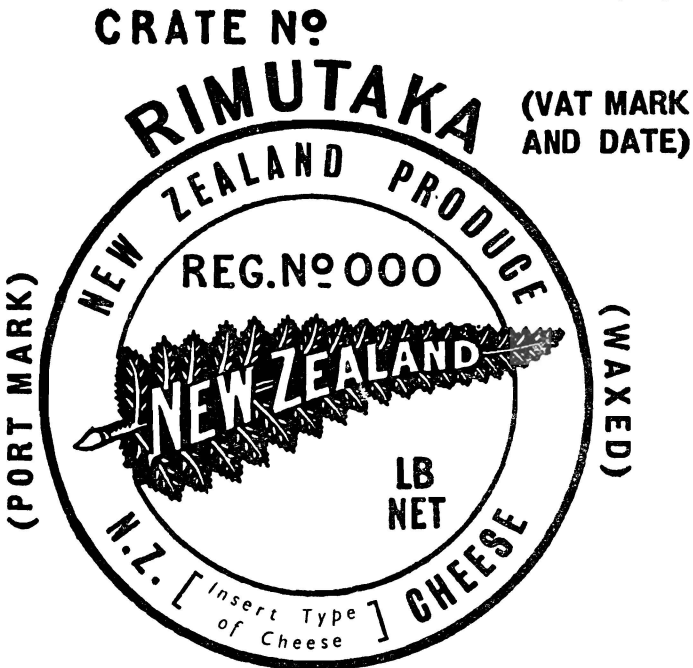
Port:
Date:

SCHEDULE—continued

Form 6A, Reg. 25 (1)



Form 9A, Reg. 25 (2)



WHITE [OR COLOURED]

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

[*This note is not part of the regulations, but is intended to indicate their general effect.*]

The regulations provide for the registration of dairy factories manufacturing types of cheese other than cheddar and for the branding and grading of such types of cheese. They also bring up to date the list of stores to which dairy produce may be forwarded to be graded.

The regulations make it compulsory for milk supplied to a cheese factory or a casein factory to be graded into three grades and provide compulsory minimum differential payments between the grades.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 24 November 1955.

These regulations are administered in the Department of Agriculture.

(Notice No. Ag. 5999.)