

# SAORSTÁT EIREANN.

---

## BILLE TORA TALMHAIOCHTA (ARBHAR), 1936. AGRICULTURAL PRODUCE (CEREALS) BILL, 1936.

---

*Mar do ritheadh ag Dáil Eireann.*

*As passed by Dáil Eireann.*

---

### ARRANGEMENT OF SECTIONS.

#### PART I.

##### PRELIMINARY AND GENERAL.

###### Section.

1. Short title and citation.
2. Definitions.
3. Revocation of milling licences and cancellation of registration of registered wheat dealers, registered maize millers, and registered maize importers.
4. Prosecution of offences.
5. Regulations.
6. Repeals.
7. Expenses.

#### PART II.

##### MISCELLANEOUS AMENDMENTS OF THE AGRICULTURAL PRODUCE (CEREALS) ACTS, 1933 TO 1935.

8. Ineligibility of holder of a milling licence to be a registered wheat dealer and avoidance of existing registrations.
9. Refusal of applications for registration.
10. Amendment of section 57 of the Principal Act.
11. Amendment of section 53 of the Amending Act of 1934.
12. Prospective cesser of sub-section (4) of section 6 of the Amending Act of 1935.
13. Amendment of section 6 of the Amending Act of 1935.
14. Amendment of section 10 of the Amending Act of 1935.

#### PART III.

##### COMPULSORY SALE OF WHEAT BY REGISTERED WHEAT DEALERS AND HOLDERS OF MILLING LICENCES TO OTHER HOLDERS OF MILLING LICENCES.

15. Moisture in wheat offals.
16. Compulsory sale orders in relation to home-grown wheat.
17. Service of compulsory sale orders.
18. Effect of service of compulsory sale orders.
19. Notification of compliance or non-compliance with compulsory sale orders.
20. Penalties for offences under Part III.
21. Non-appliance of sections 13 and 14 of Amending Act of 1935 to sales under compulsory sale orders.

[No. 21c of 1936.]

## PART IV.

### PROVISIONS IN RELATION TO SALE OF MAIZE, MAIZE MEAL, AND MAIZE MEAL MIXTURES.

#### Section.

22. Appointed day for the purposes of Part IV.
23. Restrictions on sale, etc., of maize by registered maize importers.
24. Restriction on sale of maize by persons other than registered maize importers.
25. Restrictions on sale of maize meal by registered maize millers.
26. Restriction on purchase of maize.
27. Licences under Part IV.
28. Maize meal mixture (whole oats) orders and maize meal mixture (oat kernels) orders.
29. Conditions relating to sale of maize meal mixtures by registered maize millers.
30. Special provisions in relation to sale of maize meal mixtures in certain areas.
31. Other provisions in relation to sale of maize meal mixture.
32. Moisture and fibre in maize meal mixture.
33. Penalties for certain offences under Part IV.

## PART V.

### PURCHASE AND SALE OF HOME-GROWN OATS AND BARLEY BY THE STATE.

34. Purchase and sale of oats and barley by the Minister for Agriculture.
35. Price to be paid by Minister for home-grown oats and barley.
36. Financial provisions under Part V.
37. Reports by Minister under Part V.

## SCHEDULE.

Enactments repealed.

# SAORSTÁT EIREANN.

BILLE TORA TALMHAIOCHTA (ARBHAR), 1936.  
AGRICULTURAL PRODUCE (CEREALS) BILL, 1936.

## BILL

5 *entitled*

AN ACT TO AMEND AND EXTEND THE AGRICULTURAL  
PRODUCE (CEREALS) ACTS, 1933 TO 1935.

BE IT ENACTED BY THE OIREACHTAS OF SAORSTÁT  
EIREANN AS FOLLOWS:—

10 PART I.

### PRELIMINARY AND GENERAL.

1.—This Act may be cited as the Agricultural Produce (Cereals) Act, 1936, and the Agricultural Produce (Cereals) Acts, 1933 to 1935, and this Act may be cited together as the Agricultural Produce (Cereals) Acts, 1933 to 1936. Short title and citation.

2.—In this Act—

Definitions

the expression “ the Minister ” means the Minister for Agriculture;  
the expression “ the Principal Act ” means the Agricultural Produce (Cereals) Act, 1933 (No. 7 of 1933);

20 the expression “ the Amending Act of 1934 ” means the Agricultural Produce (Cereals) Act, 1934 (No. 41 of 1934);

the expression “ the Amending Act of 1935 ” means the Agricultural Produce (Cereals) Act, 1935 (No. 26 of 1935);

25 the expressions “ home-grown wheat ” “ milling licence ” “ registered wheat dealer ” “ registered maize miller ” “ registered maize importer ” “ register of wheat dealers ” “ maize meal mixture ” “ home-grown cereal ” and “ oat kernel ” have the same meanings as such expressions have in the Agricultural Produce (Cereals) Acts, 1933 to 1935;

30 the word “ prescribed ” means prescribed by regulations made by the Minister under this Act.

3.—(1) Where the holder of a milling licence is convicted of an offence under any section of this Act, such holder shall, for the purposes of section 34 of the Principal Act, be deemed to have been convicted of an offence under the Principal Act, and the said section 34, as amended by section 13 of the Amending Act of 1934, apply and have effect accordingly. Revocation of milling licences and cancellation of registration of registered wheat dealers, registered maize millers, and registered maize importers.

40 (2) A contravention of this Act by a registered wheat dealer, a registered maize miller or a registered maize importer shall, for the purposes of section 61 of the Principal Act, as amended by section 20 of the Amending Act of 1934, be deemed to be a

contravention by him of the Principal Act, and the said section 61, as so amended, shall apply and have effect accordingly.

Prosecution of offences.

4.—Any offence under any section contained in this Act may be prosecuted by or at the suit of the Minister as prosecutor.

Regulations.

5.—The Minister may by order make regulations in relation to any matter or thing referred to in this Act as prescribed.

Repeals.

6.—The several enactments specified in the Schedule to this Act are hereby repealed to the extent mentioned in the third column of the said Schedule and as on and from the respective dates specified in the fourth column of the said Schedule.

Expenses.

7.—All expenses incurred by the Minister in carrying this Act into execution shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

## PART II.

15

### MISCELLANEOUS AMENDMENTS OF THE AGRICULTURAL PRODUCE (CEREALS) ACTS, 1933 TO 1935.

Ineligibility of holder of a milling licence to be a registered wheat dealer and avoidance of existing registrations.

8.—(1) Notwithstanding anything contained in the Principal Act, a person who is the holder of a milling licence shall not be registered in the register of wheat dealers on or after the date of the passing of this Act.

(2) Where a person, who is the holder of a milling licence, is immediately before the passing of this Act registered in the register of wheat dealers, such registration shall immediately upon such passing become void and of no effect.

Refusal of applications for registration.

9.—(1) Notwithstanding anything contained in the Acts and without prejudice to the powers of refusing applications for registration conferred on him by the Acts, the Minister may, in his absolute discretion, refuse an application by a person for registration in respect of any premises on either or both of the following grounds, that is to say:—

(a) that such person or any other person was previously registered in respect of those premises and such registration was cancelled by the Minister under the Acts;

(b) that such person was previously registered in respect of other premises and such registration was cancelled by the Minister under the Acts.

(2) In this section—

the expression “the Acts” means the Agricultural Produce (Cereals) Acts, 1933 to 1935;

the word “registered” means registered in a register kept by the Minister under the Acts, and the word “registration” shall be construed accordingly.

Amendment of section 57 of the Principal Act.

10.—Section 57 of the Principal Act, as amended by section 18 of the Amending Act of 1934, is hereby amended by the insertion in paragraph (c) of sub-section (2) of the said section after the words “home-grown cereals” where those words occur in the said paragraph of the words “(including oat kernels)” and the said section shall be construed and have effect accordingly.

Amendment of section 53 of the Amending Act of 1934.

11.—Sub-section (1) of section 53 of the Amending Act of 1934 is hereby amended, by the insertion at the end of the said sub-section of the words “or is the Minister.”

Prospective cesser of sub-section (4) of section 6 of the Amending Act of 1935.

12.—Sub-section (4) of section 6 of the Amending Act of 1935 shall cease to have effect in relation to any cereal year commencing after the date of the passing of this Act.

13.—Where the holder of a milling licence has, under and in accordance with a licence granted under section 17 of the Amending Act of 1935, sold or disposed of for seed in any cereal year any home-grown wheat purchased by him in such cereal year, the amount of home-grown wheat which such holder is required, in pursuance of section 6 of the Amending Act of 1935, to mill into wheat in such cereal year shall be reduced by an amount equal to the amount which he has so sold or disposed of for seed.

Amendment of section 6 of the Amending Act of 1935.

10 14.—(1) Where—

Amendment of section 10 of the Amending Act of 1935.

(a) the holder of a milling licence has, in pursuance of an order made under section 10 of the Amending Act of 1935, purchased and taken into store before the end of any month specified in such order in any cereal year any home-grown wheat, and

(b) such holder before the end of such month disposes (otherwise than by milling or than by sale or disposal for seed under and in accordance with a licence granted under section 17 of the Amending Act of 1935) of any home-grown wheat,

the amount of home-grown wheat purchased and taken into store by him in such month shall, for the purposes of the said section 10, be deemed to be reduced by an amount equal to the amount so disposed of by him.

(2) Where any home-grown wheat is purchased by the holder of a milling licence, the amount so purchased by him shall, for the purpose of section 10 of the Amending Act of 1935, be taken to be the actual weight of such home-grown wheat at the time of purchase.

(3) Sub-section (4) of section 10 of the Amending Act of 1935 is hereby amended in the following respects and shall be construed and have effect accordingly, that is to say:—

(a) by the insertion of the words “ in respect of any month in a cereal year ” after the words “ has become liable ” now contained in the said sub-section, and

(b) by the insertion at the end of the said sub-section of the words “ or, in case the quota for the mill to which such licence relates for such cereal year does not exceed ten thousand barrels, any part of such liability ”.

(4) Sub-section (1) of section 10 of the Amending Act of 1935 is hereby amended by the deletion of the words “ by order made ” now contained therein.

15.—(1) It shall not be lawful for the holder of a milling licence to sell or offer for sale any wheat offals which contain more than the prescribed percentage (if any) of moisture.

Moisture in wheat offals.

(2) If any person acts in contravention of this section such person shall be guilty of an offence under this section and shall be liable on summary conviction thereof to, in the case of a first offence under this section, a fine not exceeding twenty-five pounds or, in the case of a second or any subsequent such offence, a fine not exceeding fifty pounds.

(3) The Minister shall, before making any regulations in relation to the percentage referred to in this section as prescribed, consult the Minister for Industry and Commerce in regard thereto.

PART III.

COMPULSORY SALE OF WHEAT BY REGISTERED WHEAT DEALERS AND  
HOLDERS OF MILLING LICENCES TO OTHER HOLDERS OF MILLING  
LICENCES.

Compulsory sale  
orders in relation  
to home-grown  
wheat.

16.—(1) The Minister may, whenever and so often as he thinks fit, serve an order (in this Part of this Act referred to as a compulsory sale order) on any person, who is either a registered wheat dealer or the holder of a milling licence and on such other person, being the holder of a milling licence, as the Minister may think fit requiring such first-mentioned person to sell to such other person and such other person to purchase from such first-mentioned person within a specified time a specified quantity of home-grown millable wheat at such price and subject to such conditions as to carriage and delivery as the Minister may fix and specify in such order.

(2) In this Part of this Act, the expressions "the vendor" and "the purchaser" in relation to a compulsory sale order mean respectively the person required by such order to sell and the person required by such order to purchase the home-grown wheat to which such order relates.

Service of  
compulsory sale  
orders.

17.—(1) Where a compulsory sale order is permitted by this Part of this Act to be served on any person, such order shall be served on such person in one or other of the following ways, that is to say:—

- (a) by delivering to such person a copy of such order certified to be a true copy under the Official Seal of the Minister;
- (b) by sending by post in a prepaid registered letter addressed to such person at the address at which he carries on business a copy of such order certified to be a true copy under the Official Seal of the Minister.

(2) For the purposes of this section, a company registered in Saorstát Eireann under the Companies Acts, 1908 to 1924, shall be deemed to carry on business at its registered office, and every other body corporate and every unincorporated body shall be deemed to carry on business at its principal office or place of business.

Effect of service  
of compulsory  
sale orders.

18.—Where a compulsory sale order has been duly served on the vendor and purchaser under such order, the following provisions shall have effect, that is to say:—

- (a) the said vendor and the said purchaser shall be deemed to have entered into a contract in accordance with the terms of such order;
- (b) if the requirements of such order are not complied with, the said vendor and the said purchaser shall each be guilty severally of an offence under this section;
- (c) if the vendor is charged with an offence under this section, it shall be a good defence to such charge for the vendor to prove either—
  - (i) that at the time at which such order was served on him he had not, in his power, possession or procurement, a quantity of home-grown wheat equal to or more than the quantity specified in such order, or
  - (ii) that his non-compliance with such order was due to the acts or defaults of the said purchaser;
- (d) if the said purchaser is charged with an offence under this section it shall be a good defence to such charge to prove that his non-compliance with such order was due to the acts or defaults of the vendor.

19.—(1) Where a compulsory sale order has been duly served on the vendor and purchaser under such order, the said vendor and the said purchaser shall each send to the Minister not later than three days after the time limited by such order for compliance therewith—

Notification of compliance or non-compliance with compulsory sale orders.

(a) in case such order has been complied with, a statement to that effect;

(b) in case such order has not been complied with, a statement setting out the reasons for such non-compliance.

(2) Every statement sent under this section shall be verified by a statutory declaration made by the person required to send such statement or, where such person is a corporate body, by a director or principal officer of such body corporate.

(3) If any person fails, neglects or refuses to send to the Minister in accordance with this section the statement required by this section to be sent by him, such person shall be guilty of an offence under this section.

20.—Every person guilty of an offence under any section contained in this Part of this Act shall be liable on summary conviction thereof to, in the case of a first offence under such section, a fine not exceeding one hundred pounds, or, in the case of a second or any subsequent such offence, a fine not exceeding two hundred and fifty pounds or, at the discretion of the court, imprisonment for any term not exceeding six months or both such fine and imprisonment.

Penalties for offences under Part III.

21.—Sections 13 and 14 of the Amending Act of 1935 shall not apply in respect of any sale of home-grown wheat sold under and in accordance with a compulsory sale order.

Non-appliance of sections 13 and 14 of Amending Act of 1935 to sales under compulsory sale orders.

#### PART IV.

#### 30 PROVISIONS IN RELATION TO SALE OF MAIZE, MAIZE MEAL, AND MAIZE MEAL MIXTURES.

22.—(1) The Minister may by order fix a day to be the appointed day for the purposes of this Part of this Act.

Appointed day for the purposes of Part IV.

(2) In this Part of this Act, the expression "the appointed day" means the day appointed by the Minister under this section to be the appointed day for the purposes of this Part of this Act.

23.—(1) On and after the appointed day it shall not be lawful for a registered maize importer to sell maize to any person (other than another registered maize importer or the Minister) unless such maize is sold under and in accordance with a licence in that behalf granted by the Minister under this Part of this Act.

Restrictions on sale, etc., of maize by registered maize importers.

(2) It shall not be lawful for any registered maize importer who is also a registered maize miller to transfer to any mill in respect of which he is registered under the Principal Act any maize imported by him or purchased by him from another registered maize importer unless such maize is so transferred under and in accordance with a licence in that behalf granted by the Minister under this Part of this Act.

(3) If any registered maize importer acts in contravention of this section, he shall be guilty of an offence under this section.

24.—(1) On and after the appointed day it shall not be lawful for any person, who is not a registered maize importer, to sell any maize to any other person unless such maize is sold under and in accordance with a licence in that behalf granted by the Minister under this Part of this Act.

Restriction on sale of maize by persons other than registered maize importers.

(2) If any person acts in contravention of this section he shall be guilty of an offence under this section.

(3) The provisions of this section shall not apply in respect of the sale of maize by the Minister in pursuance of the powers conferred on him by section 100 of the Principal Act. 5

Restriction on sale of maize meal by registered maize millers.

**25.**—(1) On and after the appointed day it shall not be lawful for any registered maize miller to sell any maize meal unless such maize meal is sold under and in accordance with a licence in that behalf granted by the Minister under this Part of this Act.

(2) If any registered maize miller acts in contravention of this section, he shall be guilty of an offence under this section. 10

Restriction on purchase of maize.

**26.**—(1) On and after the appointed day it shall not be lawful for any person (other than a registered maize importer or the Minister) to purchase any maize unless such maize is purchased under and in accordance with a licence in that behalf granted by the Minister under this Part of this Act. 15

(2) If any person acts in contravention of this section, he shall be guilty of an offence under this section.

Licences under Part IV.

**27.**—(1) The Minister may, for the purposes of this Part of this Act, grant licences authorising the doing of anything the doing of which is declared by any section contained in this Part of this Act to be unlawful unless done under and in accordance with a licence in that behalf granted by the Minister under this Part of this Act. 20

(2) Any licence under this section may be granted subject to such conditions as the Minister thinks proper and specifies in such licence, and without prejudice to the generality of the foregoing— 25

(a) in the case of a licence to sell maize or maize meal, a condition that such maize or maize meal shall not be sold by the holder of such licence except to a person who is the holder of a licence granted by the Minister under this section authorising him to purchase maize or maize meal; 30

(b) in the case of a licence to purchase maize, a condition that such maize shall not be purchased by the holder of such licence except from a person who is the holder of a licence granted by the Minister under this section authorising him to sell maize. 35

(3) The Minister may at any time revoke a licence granted under this section. 40

Maize meal mixture (whole oats) orders and maize meal mixture (oat kernels) orders.

**28.**—(1) The Minister may, whenever and so often as he thinks fit, by order (in this Part of this Act referred to as a maize meal mixture (whole oats) order) require any oats included in a maize meal mixture to be in the form of the entire product derived from grinding oats. 45

(2) The Minister may, whenever and so often as he thinks fit, by order (in this Part of this Act referred to as a maize meal mixture (oat kernels) order) require any oats included in a maize meal mixture to be in the form of the entire product derived from grinding oat kernels. 50

(3) The Minister may by order revoke any order made by him under sub-section (1) or sub-section (2) of this section.

(4) Any order made by the Minister under sub-section (1) or sub-section (2) of this section before the appointed day shall not be expressed to come into operation on a date earlier than the appointed day. 55



29.—(1) On and after the appointed day it shall not be lawful for any registered maize miller to sell or offer for sale any maize meal mixture unless such maize meal mixture complies with the following specifications, that is to say:—

Conditions relating to sale of maize meal mixtures by registered maize millers.

- 5 (a) oats (if any) included therein is—
- (i) in case neither a maize meal mixture (whole oats) order nor a maize meal mixture (oat kernels) order is then in force, in one or other of the following forms, that is to say the entire product derived from grinding oats or the entire product derived from grinding oat kernels, or
- 10 (ii) in case a maize meal mixture (whole oats) order is then in force, in the form of the entire product derived from grinding oats, or
- 15 (iii) in case a maize meal mixture (oat kernels) order is then in force, in the form of the entire product derived from grinding oat kernels;
- (b) in case such maize meal mixture does not include any oats or includes any oats in the form of the entire product derived from grinding oats, the amount by weight of the product derived from grinding maize included therein does not exceed the prescribed percentage of such maize meal mixture;
- 20 (c) in case such maize meal mixture includes any oats in the form of the entire product derived from grinding oat kernels, the amount by weight of the product derived from grinding maize included therein does not exceed the appropriate prescribed percentage of such maize meal mixture.
- 25

30 (2) The Minister in making regulations in relation to the percentage referred to in paragraph (c) of the immediately preceding sub-section as prescribed shall, by reference to the quantity of oats contained in maize meal mixtures to which the said paragraph (c) applies, divide such maize meal mixtures into such and so many

35 classes as he may think proper, and shall prescribe different percentages in respect of different classes, and the percentage so prescribed in respect of any such class shall for the purposes of the said paragraph (c) be the appropriate prescribed percentage in relation to every maize meal mixture which belongs to such class.

40 (3) If any registered maize miller acts in contravention of this section, such registered maize miller shall be guilty of an offence under this section.

30.—(1) The Minister may, whenever and so often as he thinks fit, by order (in this section referred to as a maize meal mixture

45 (special area) order) do the following things, that is to say:—

Special provisions in relation to sale of maize meal mixture in certain areas.

(a) declare that a particular area (which may, as the Minister thinks fit, be the whole of Saorstát Eireann or one continuous part thereof or two or more separate non-contiguous parts thereof) specified or delimited in such

50 order shall be a special area for the purposes of such order; and

(b) do one of the following things, that is to say:—

(i) prohibit the sale or offering for sale to any person in such area by any registered maize miller or by any

55 other person of any maize meal mixture unless such maize meal mixture complies with the following specifications, that is to say:—

(I) such maize meal mixture includes therein oats and no other home-grown cereal, and

60 (II) the oats included therein is—

(A) in case neither a maize meal mixture

- (whole oats) order nor a maize meal mixture (oat kernels) order is then in force, in one or other of the following forms, namely, the entire product derived from grinding oats or the entire product derived from grinding oat kernels, or 5
- (B) in case a maize meal mixture (whole oats) order is then in force, in the form of the entire product derived from grinding oats, or 10
- (C) in case a maize meal mixture (oat kernels) order is then in force, in the form of the entire product derived from grinding oat kernels, and
- (III) in case the oats included therein is in the form of the entire product derived from grinding oat kernels, the amount by weight of the entire product derived from grinding maize included therein does not exceed the appropriate percentage, for the time being appointed by such order for the purposes of this clause, of such maize meal mixture; 15
- (ii) prohibit the sale or offering for sale to any person in such area by any registered maize miller or by any other person of any maize meal mixture unless such maize meal mixture complies with the following specifications, that is to say:— 25
- (I) such maize meal mixture includes therein oats and such one or more home-grown cereals (other than oats) as may be specified in such order, and 30
- (II) the oats included therein is—
- (A) in case neither a maize meal mixture (whole oats) order nor a maize meal mixture (oat kernels) order is then in force, in one or other of the following forms, namely, the entire product derived from grinding oats or the entire product derived from grinding oat kernels, or 35
- (B) in case a maize meal mixture (whole oats) order is then in force, in the form of the entire product derived from grinding oats, or 40
- (C) in case a maize meal mixture (oat kernels) order is then in force, in the form of the entire product derived from grinding oat kernels, and 45
- (III) the amount by weight of the product derived from grinding each such specified home-grown cereal (other than oats) is not less than the percentage, for the time being appointed by such order for the purposes of this clause in respect thereof, of such maize meal mixture, and 50
- (IV) in case the oats included therein is in the form of the entire product derived from grinding oats, the amount by weight of the product derived from grinding maize included therein does not exceed the percentage, for the time being appointed by such order for the purposes of this clause, of such maize meal mixture, and 55 60
- (V) in case the oats included therein is in the form of the entire product derived from grinding

oat kernels, the amount by weight of the product derived from grinding maize included therein does not exceed the appropriate percentage, for the time being appointed by such order for the purpose of this clause, of such maize meal mixture;

5

(iii) prohibit the sale or offering for sale to any person in such area by any registered maize miller or by any other person of any maize meal mixture unless such maize meal mixture complies with the following specifications, that is to say:—

10

(I) such maize meal mixture does not include therein any oats, but includes such one or more home-grown cereal (other than oats) as may be specified in such order, and

15

(II) the amount by weight of the product derived from grinding each such specified home-grown cereals (other than oats) is not less than the percentage, for the time being appointed by such order for the purposes of this clause in respect thereof, of such maize meal mixture, and

20

(III) the amount by weight of the product derived from grinding maize included therein does not exceed the percentage, for the time being appointed by such order for the purposes of this clause, of such maize meal mixture.

25

(2) Where the Minister in making a maize meal mixture (special area) order includes therein the prohibition specified in sub-paragraph (i) of paragraph (b) of the immediately preceding subsection, or in sub-paragraph (ii) of the said paragraph (b) he shall, in relation to the percentage referred to as appointed in the relevant clause and by reference to the quantity of oats contained in maize meal mixtures to which the said relevant clause applies, divide such maize meal mixtures into such and so many classes as he thinks proper and shall appoint different percentages in respect of different classes, and the percentage so appointed in respect of any such class shall, for the purposes of the said relevant clause, be the appropriate percentage in relation to every maize meal mixture which belongs to such class.

30

35

40

In this sub-section, the expression "the relevant clause" means, in relation to the said sub-paragraph (i), clause (III) thereof, and, in relation to the said sub-paragraph (ii), clause (V) thereof.

45

(3) The Minister may by order under this sub-section revoke or amend any order made by him under this section.

50

(4) Whenever a maize meal mixture (special area) order in relation to any particular area is made and is in force, any registered maize miller or any other person who sells or offers for sale in such area any maize meal mixture in contravention of such order shall be guilty of an offence under this section.

55

(5) Whenever a maize meal mixture (special area) order in relation to any particular area is in force, the provisions of the immediately preceding section shall not apply in respect of any sale or offering for sale of maize meal mixture in such area by a registered maize miller.

(6) Any order made by the Minister under sub-section (1) of this section before the appointed day shall not be expressed to come into operation on a date earlier than the appointed day.

60 31.—(1) On and after the appointed day it shall not be lawful for any person to sell or offer for sale unless the following conditions are complied with, that is to say:—

Other provisions in relation to sale of maize meal mixture.

(a) such maize meal mixture is contained in a package and there is printed on such package or on a label securely fixed thereto the name and address of the manufacturer, and

(b) if the weight of maize meal mixture is one hundredweight or more, there is indicated in the prescribed manner on such package particulars of the percentage by weight of each of the component parts of such mixture.

(2) If any person acts in contravention of this section such person shall be guilty of an offence under this section. 10

(3) Regulations made by the Minister by virtue of section 83 of the Principal Act and in force immediately before the appointed day shall be deemed to have been made by virtue of this section, and may be amended or revoked by regulations made by the Minister by virtue of this section, and until so revoked and subject to any such amendment shall continue in force. 15

Moisture and fibre in maize meal mixture.

**32.**—(1) On and after the appointed day it shall not be lawful for any registered maize miller to sell or offer for sale any maize meal mixture prepared by him which contains more than the prescribed percentage (if any) of moisture. 20

(2) On and after the appointed day it shall not be lawful for any registered maize miller to sell or offer for sale any maize meal mixture prepared by him which contains more than the prescribed percentage (if any) of fibre.

(3) If any person acts in contravention of this section such person shall be guilty of an offence under this section and shall be liable on summary conviction thereof to, in the case of a first offence under this section, a fine not exceeding twenty-five pounds or, in the case of a second or any subsequent such offence, a fine not exceeding fifty pounds. 25 30

(4) Regulations made by the Minister by virtue of section 84 of the Principal Act and in force immediately before the appointed day shall be deemed to have been made by virtue of this section, and may be amended or revoked by regulations made by the Minister by virtue of this section, and until so revoked and subject to any such amendment shall continue in force. 35

Penalties for certain offences under Part IV.

**33.**—Every person guilty of an offence under any section (other than the immediately preceding section) contained in this Part of this Act shall be liable on summary conviction thereof to, in the case of a first offence under such section, a fine not exceeding one hundred pounds, or, in the case of a second or any subsequent such offence, a fine not exceeding two hundred and fifty pounds or, at the discretion of the court, imprisonment for any term not exceeding six months or both such fine and imprisonment. 40

## PART V. 45

### PURCHASE AND SALE OF HOME-GROWN OATS AND BARLEY BY THE STATE.

Purchase and sale of oats and barley by the Minister for Agriculture.

**34.**—The Minister may, with the consent of the Minister for Finance, carry on the business of purchasing and selling home-grown oats or barley or both, and for that purpose may do all such things as he may consider necessary for the carrying on of such business as a commercial undertaking. 50

Price to be paid by Minister for home-grown oats and barley.

**35.**—Whenever the Minister in exercise of the powers conferred on him by this Part of this Act purchases any home-grown oats of a class specified in an order made by the Minister under section 55 of the Amending Act of 1934, as amended by sub-section (1) of section 19 of the Amending Act of 1935, and for the time being in force, or purchases any home-grown barley of a class specified in an order made by the Minister under section 56 of the Amending Act of 1934, as amended by sub-section (2) of section 60 55 60

19 of the Amending Act of 1935, and for the time being in force, the following provisions shall have effect, that is to say:—

5 (a) he shall not purchase such oats at a price less than the price fixed by such first-mentioned order for oats of that class;

(b) he shall not purchase such barley at a price less than the price fixed by such second-mentioned order for barley of that class.

10 **36.**—All moneys (other than moneys provided by the Oireachtas) received by the Minister in respect of any business carried on by him under this Part of this Act shall be paid into or disposed of for the benefit of the Exchequer in such manner as the Minister for Finance may direct. Financial provisions under Part V.

15 **37.**—The Minister shall, as soon as may be after the end of every financial year during which he has carried on any business under this Part of this Act, prepare and lay before Dáil Eireann a report of his proceedings under this Part of this Act during such financial year. Reports by Minister under Part V.

### SCHEDULE.

#### ENACTMENTS REPEALED.

20

No. and Year	Short Title	Extent of Repeal	Date of Repeal
No. 7 of 1933.	Agricultural Produce (Cereals) Act, 1933.	Part VI.	The appointed day for the purposes of Part IV of this Act.
No. 41 of 1934.	Agricultural Produce (Cereals) Act, 1934.	Sections 24, 25 and 26.	The appointed day for the purposes of Part IV of this Act.
No. 26 of 1935.	Agricultural Produce (Cereals) Act, 1935.	Subsection (4) of section 6; subsection (5) of section 6, the words "unless he is exempted from such obligation under the immediately preceding sub-section."	1st day of September, 1936.

Saorstát Éireann.

Saorstát Éireann.

---

BILLE TORA TALMHAÍOCHTA (ARBHAR)  
1936.

---

AGRICULTURAL PRODUCE (CEREALS)  
BILL, 1936.

---

BILLE

*dá ngairmtear*

Acht chun na nAchtanna Tora Talmhaíochta  
(Arbhar), 1933 go 1935, do leasú agus do  
leathnú.

---

BILL

*entitled*

An Act to amend and extend the Agricultural  
Produce (Cereals) Acts, 1933 to 1935.

---

*Rithte ag Dáil Éireann, Sadh Iúl, 1936.*

---

*Passed by Dáil Éireann, 8th July, 1936.*

---

BAILE ATHA CLIATH:  
FOILLSITHE AG OIFIG AN TSOLATHAIR.

---

DUBLIN:  
PUBLISHED BY THE STATIONERY OFFICE.

---

Le ceannach trí aon díoltóir leabhar, no díreach  
ó Oifig Díolta Foillseacháin Rialtais, 5, Sráid  
Thobair Phádraig, Baile Atha Cliath, C.2.

---

To be purchased through any bookseller, or directly  
from the Government Publications Sale Office,  
5 Nassau Street, Dublin, C.2.

---

Clo-bhuailte ag CAHILL AND Co., LTD.

---

Printed by CAHILL AND Co., LTD.

[*Tuistiún Glan.*]

[*Fourpence Net.*]