STATUTORY INSTRUMENTS

# 1975 No. 1954

# PRICES

## The Bread Prices (No. 2) Order 1975

| | |
|---|---|
| *Made* - - - - | *27th November* 1975 |
| *Laid before Parliament* | *28th November* 1975 |
| *Coming into Operation* | *1st December* 1975 |

The Secretary of State, after consulting in accordance with subsection (6) of section 2 of the Prices Act 1974**(a)** as amended**(b)** with the organisations therein referred to, in exercise of her powers under subsections (1) and (8) of that section and of all other powers enabling her in that behalf, hereby makes the following Order:

*Citation, commencement and interpretation*

**1.**—(1) This Order may be cited as the Bread Prices (No. 2) Order 1975 and shall come into operation on 1st December 1975.

(2) In this Order—

"bread loaf" means a loaf of a weight of more than 10 oz., or in relation to a loaf baked in a tin, of not less than 8 oz., made in either case of bread complying with regulation 5, 6, 7, 8 or 9 of the Bread and Flour Regulations 1963**(c)** as amended**(d)**, with regulation 6, 7, 8, 9 or 10 of the Bread and Flour (Scotland) Regulations 1963**(e)** as amended**(d)** or with regulation 4, 5, 6, 7 or 8 of the Bread and Flour Regulations (Northern Ireland) 1964**(f)** as amended**(d)** or of bread which so complies save for the inclusion in its composition of kibbled malted rye not exceeding 5 per cent. by weight;

"delivered bread loaf" means a bread loaf which is, or is to be, delivered to the retail purchaser at premises other than premises of the seller, the price of which includes any charge for such delivery;

"special offer price" means—

(*a*) the price—

(i) at which a person sold such loaves during a continuous period of not less than 14 days and not more than 6 months ending not later than 18th July 1974 and including 20th March 1974; and

(ii) which is lower than the price at which he last sold such loaves before he began selling such loaves at the first mentioned price; or

(*b*) the price (being a price less by at least 1p than the price specified in column 2 of the Table set out in paragraph (6) below in relation to the category within which bread loaves of that variety fall as being applicable to the part of the United Kingdom in which the sale takes place) at which a person sold such loaves during a continuous period of 4 months ending on 18th July 1974, notwithstanding, if such be the case, that he sold such loaves at that price at any other time;

**(a)** 1974 c. 24. **(b)** 1975 c. 32. **(c)** S.I. 1963/1435 (1963 II, p. 2464).
**(d)** There is no amendment which relates expressly to the subject matter of this Order.
**(e)** S.I. 1963/1461 (1963 II, p. 2589). **(f)** S.R. & O. (N.I.) 1964 No. 172.

"standard loaf", in relation to any person, means a bread loaf of a weight of 28 oz. or of 14 oz. which is a batch loaf or a plain loaf or which is baked in a tin having a rectangular bottom and which, in any case, is of a variety sold by him on 20th March 1974 at a price (not being a special offer price) not exceeding the price specified in column 2 of the Table set out in paragraph (6) below in relation to bread loaves of a category referred to in paragraph 1, 2, 3 or 4 of that Table, as the case may be, within which each such variety falls, as being applicable to the part of the United Kingdom in which such sale took place;

"weight" means net weight;

"wrapped", in relation to a standard loaf, means made up in advance ready for sale in a wrapping made of waxed paper.

(3) References to bread loaves of any category are, in any provision of this Order, references to bread loaves of a category referred to in column 1 of the Table set out in article 4; and references to bread loaves of any variety are references to bread loaves of a variety within any such category.

(4) This Order shall have effect in relation to a bagged bread loaf (other than a loaf of a sort which was not sold wrapped on 20th March 1974) which, if it were wrapped, would be a of variety within categories 1 or 3 as it has effect in relation to a bread loaf of that variety; and "bagged" in relation to a bread loaf means made up in advance ready for sale in a wrapping made of plastics.

(5) References to 20th March 1974 shall, in relation to a person who did not sell bread loaves of any variety on that date, be taken to be references to the first date thereafter (being a date before 17th October 1974) on which he sold bread loaves of that variety.

(6) The Table referred to in the definitions of "special offer price" and of "standard loaf" in paragraph (2) above is the following Table—

TABLE

| Column 1<br>Category of bread loaf | Column 2<br>Price in pence | | | | |
|---|---|---|---|---|---|
| | Area 1 | Area 2 | Area 3 | Area 4 | Area 5 |
| 1. 28 oz. standard loaf (wrapped) ... ... | 14½ | 15 | 16½ | 17½ | 15½ |
| 2. 28 oz. standard loaf (not wrapped) ... | 14 | 14½ | 16½ | 17 | 15 |
| 3. 14 oz. standard loaf (wrapped) ... ... | 9 | 9½ | 10½ | 10½ | 10 |
| 4. 14 oz. standard loaf (not wrapped) ... | 8½ | 9 | 10 | 10 | 9½ |
| 5. 28 oz. loaf not within paragraph 1, 2 or 7(*a*) of this Table ... ... ... | 18 | 18 | 18 | 18 | 18 |
| 6. 8 to 14 oz. loaf not within paragraph 3, 4 or 7(*b*) of this Table ... ... ... | 12½ | 12½ | 12½ | 12½ | 12½ |
| 7. loaf made of milk bread, wholemeal bread, protein bread, high protein bread, gluten bread, starch reduced bread, or of bread made of flour milled wholly from hard wheat, or of bread made of flour in respect of which there is a registered trade mark which bread is sold under a name or description indicating that it contains such flour— | | | | | |
| (*a*) 28 oz. ... ... ... ... | 20 | 20 | 20 | 20 | 20 |
| (*b*) 8 to 14 oz. ... ... ... ... | 14 | 14 | 14 | 14 | 14 |
| 8. 14 oz. bread stick not less than 20 in. long ... ... ... ... ... | 18 | 18 | 18 | 18 | 18 |

(7) In the Tables set out in paragraph (6) above and in Article 4—

Area 1 means, in England and Wales, the whole except those parts in Areas 2 and 3; and, in Scotland, the part south and east of a line running along the north and west of the Tayside Region, the west of the Central Region, the west of the Districts of Dumbarton, Inverclyde, Cunninghame (excluding the Cumbrae Islands and the Isle of Arran) and Kyle and Carrick in the Strathclyde Region, and the west of the Dumfries and Galloway Region, and that part of the District of Argyll and Bute in the Strathclyde Region which lies south and east of the River Fyne and Loch Fyne (excluding the Isle of Bute);

Area 2 means, in England and Wales, the Counties of Clwyd, Cornwall, Devon, Dyfed (excluding the district of Ceredigion), Gwynedd and the Isle of Wight; in Scotland, the District of Argyll and Bute in the Strathclyde Region (excluding that part included in Area 1 and the islands of Islay, Jura, Colonsay, Mull, Tiree and Coll), the Isles of Bute and Arran, the Cumbrae Islands and the area between Area 1 and the Caledonian Canal and the Moray Firth (including the former Burgh of Inverness); and the Scilly Isles;

Area 3 means, in Wales, the District of Ceredigion and, in Scotland, the whole except those parts in Areas 1, 2 and 4;

Area 4 means, in Scotland, the island areas of Orkney, Shetland and the Western Isles, and the islands of Canna, Eigg, Muck, Rhum and Skye;

Area 5 means Northern Ireland.

(8) The Interpretation Act 1889(**a**) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if this Order and the Orders hereby revoked were Acts of Parliament.

*Revocation*

**2.** The Bread Prices Order 1975(**b**), the Bread Prices (Amendment) (No. 3) Order 1975(**c**) and the Bread Prices (Amendment) (No. 4) Order 1975(**d**) are hereby revoked.

*Application*

**3.** This Order shall not apply to the price for the sale of any bread by any person who has received a declaration in writing by the manufacturer that he has not claimed and will not claim any payment under section 1 of the Prices Act 1974 as amended (which makes provision for the payment of food subsidies) in respect of the flour used in the manufacture of that bread.

*Maximum Prices*

**4.** Subject to Article 5, a person shall not sell by retail a bread loaf of any variety at a price which exceeds the lower of the following prices, that is to say—

(*a*) the price, if any, specified in column 2 of the following Table in relation to the category within which that bread loaf falls as being applicable to the part of the United Kingdom in which the sale takes place; and

(*b*) the sum of—

(i) the price at which he first sold bread loaves of the variety in question on 20th March 1974; and

(**a**) 1889 c. 63.
(**b**) S.I. 1975/1245 (1975 II, p. 4252).
(**c**) S.I. 1975/1499 (1975 III, p. 5002)
(**d**) 1975/1721 (1975 III, p. 5849).

(ii) the amount specified in column 3 of the following Table in relation to the category within which bread loaves of that variety fall as being applicable to the part of the United Kingdom in which the sale takes place;

Provided that where the price referred to in (i) above is a special offer price this paragraph shall not apply.

TABLE

| Column 1<br>Category of bread loaf | Column 2<br>Price in pence | | | | | Column 3<br>Amount in pence | |
|---|---|---|---|---|---|---|---|
| | Area 1 | Area 2 | Area 3 | Area 4 | Area 5 | Areas 1–4 | Area 5 |
| 1. 28 oz. standard loaf (wrapped) ... | 17 | 17½ | 19 | 20 | 19 | 2½ | 3½ |
| 2. 28 oz. standard loaf (not wrapped)... | 16½ | 17 | 19 | 19½ | 18½ | 2½ | 3½ |
| 3. 14 oz. standard loaf (wrapped) ... | 11 | 11½ | 12½ | 12½ | 12 | 2 | 2 |
| 4. 14 oz. standard loaf (not wrapped)... | 10½ | 11 | 12 | 12 | 11½ | 2 | 2 |
| 5. 28 oz. loaf not within category 1, 2, 7(*a*) or 9(*a*) ... ... ... ... | 22 | 22 | 22 | 22 | 22 | 4 | 4 |
| 6. bread loaf not within category 3, 4, 7(*b*), 7(*c*) or 9(*b*)— | | | | | | | |
| (*a*) 14 oz. ... ... ... ... | 15½ | 15½ | 15½ | 15½ | 15 | 3 | 2½ |
| (*b*) 8 to 10 oz. ... ... ... | 14½ | 14½ | 14½ | 14½ | 14½ | 2 | 2 |
| 7. loaf made of milk bread, wholemeal bread, protein bread, high protein bread, gluten bread, starch reduced bread, corn oil bread, or of bread made of flour milled wholly from hard wheat or of bread made of flour in respect of which there is a registered trade mark which bread is sold under a name or description indicating that it contains such flour— | | | | | | | |
| (*a*) 28 oz. ... ... ... ... | 24 | 24 | 24 | 24 | 24 | 4 | 4 |
| (*b*) 14 oz. ... ... ... ... | 17 | 17 | 17 | 17 | 16½ | 3 | 2½ |
| (*c*) 8 to 10 oz. ... ... ... | 16 | 16 | 16 | 16 | 16 | 2 | 2 |
| 8. 14 oz. bread stick not less than 20 in. long ... ... ... ... ... | 21 | 21 | 21 | 21 | 20½ | 3 | 2½ |
| 9. Cholla bread loaf or loaf made of ritual bread— | | | | | | | |
| (*a*) 28 oz. ... ... ... ... | | | — | | | 4 | 4 |
| (*b*) 14 oz. ... ... ... ... | | | — | | | 3 | 2½ |
| 10. 42 oz. bread loaf ... ... ... | | | — | | | 5½ | 6 |
| 11. bread loaf of not less than 56 oz. ... | | | — | | | 6 | 7 |

**5.** Where the price of a delivered bread loaf given by paragraph (*b*) of article 4 (modified by the provisions of article 6, where it has effect) exceeds the price given by paragraph (*a*) of that article, the maximum price given by that article shall in the case of such a loaf be increased by the lesser of 1p and the amount of the excess.

*Retail Percentage Margin safeguard*

**6.**—(1) Where, in any period of seven days beginning at any time after 27th October 1974 the gross percentage margin is less than 15 per cent., article 4 shall have effect in respect of bread loaves of each category as if there were substituted for the price given by paragraph (*b*) of that article a price which,

taken with the prices of bread loaves of all categories sold by the person in question, may reasonably be expected to give a gross percentage margin of 15 per cent. for each subsequent period of seven days beginning on the same day of the week as the above -mentioned period.

(2) In this article, " gross percentage margin " means the excess (expressed as a percentage) of the total of the prices received by any person for bread loaves of all categories which are not manufactured by him over the prices paid by him for those bread loaves.

*Display of information*

**7.**—(1) Each person who, in any shop, sells by retail or offers or exposes for sale by retail bread loaves of any variety shall—

(*a*) display in a part of the shop to which customers have access for the purpose of buying such loaves, and in such manner that it may easily be read by them, information specifying the maximum price, if any, of each such variety of bread loaf; or

(*b*) keep the information mentioned in (*a*) above available and, on request by a customer or a duly authorised officer of a local weights and measures authority, produce and permit inspection of the document containing that information;

and any such information shall be printed or written in clear and legible characters and shall be headed with the words—

(i) " Statutory Maximum Prices of Subsidised Food "; or

(ii) " Statutory Maximum Prices of Subsidised Bread ".

(2) Information displayed under paragraph (1)(*a*) above shall be displayed in a position where it may be read by a customer before he pays for a bread loaf of a variety to which this article applies.

(3) In this article, " maximum price " in relation to a bread loaf sold by any person means the highest price at which that person may sell a loaf of that category—

(*a*) in accordance with article 4; or

(*b*) where the maximum price given by article 4 has been modified, where that article has effect, by the provisions of article 6, in accordance with article 4(*a*).

**8.** A person, in addition to displaying or keeping available the information in accordance with article 7, shall, in respect of each of the three varieties of bread loaf of which he has in the three months ending with the date when this Order comes into operation sold the greatest number, separately display in large and bold characters the same information in the manner specified in article 7(1)(*a*) and (2).

*Artificial transactions and unreasonable charges*

**9.** A person shall not, in connection with the sale of any bread loaf, enter, or offer to enter into any artificial transaction or make or demand any unreasonable charge.

*Robert Maclennan,*
Parliamentary Under-Secretary of State,
Department of Prices and Consumer Protection.

27th November 1975.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order consolidates with amendments the Bread Prices Order 1975, the Bread Prices (Amendment) (No. 3) Order 1975 and the Bread Prices (Amendment) (No. 4) Order 1975. The principal amendments are—

(*a*) the maximum retail prices for bread subsidised under section 1 of the Prices Act 1974 are increased;

(*b*) the provision in the last of those Orders imposing certain reductions in maximum retail prices is revoked;

(*c*) the provision relating to maximum retail prices for delivered bread loaves is simplified; and

(*d*) a minor extension is made to the scope of the retail percentage margin safeguard provision.

The maximum price which may be charged for the sale of subsidised bread is generally the lower of—

(*a*) the price specified in column 2 of the Table in article 4; and

(*b*) the sum of the price, if any, actually charged by the retailer on 20th March 1974 (or, in the case of a variety of loaf not sold by him on that day, the first price charged by him thereafter but before 17th October 1974) and the appropriate amount specified in column 3 of that Table.

The Order also requires the display, in a shop in which subsidised bread is sold, of information about the maximum prices set for the best selling varieties of bread in that shop and the separate display, or production on request by a customer or officer of a local weights and measures authority, of the maximum prices set for all varieties of subsidised bread on sale in that shop.

SI 1975/1954
ISBN 0-11-051954-X

