STATUTORY INSTRUMENTS

1974 No. 1711

PRICES

The Bread Prices Order 1974

Made - - - -	17*th October* 1974
Laid before Parliament	24*th October* 1974
Coming into Operation (except articles 5 to 7)	28*th October* 1974
Articles 5 to 7 - -	9*th December* 1974

The Secretary of State, after consulting in accordance with subsection (6) of section 2 of the Prices Act 1974**(a)** with the organisations therein referred to, in exercise of her powers under subsection (1) 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 Order 1974 and (except articles 5 to 7), shall come into operation on 28th October 1974.

(2) Articles 5 to 7 shall come into operation on 9th December 1974.

(3) 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**(b)** as amended **(c)**, with regulation 6, 7, 8, 9 or 10 of the Bread and Flour (Scotland) Regulations 1963**(d)** as amended **(c)** or with regulation 4, 5, 6, 7 or 8 of the Bread and Flour Regulations (Northern Ireland) 1964**(e)** as amended **(c)** or of bread which so complies save for the inclusion in its composition of kibbled malted rye not exceeding 5 per cent by weight, but, except in article 3(3), does not include a Cholla loaf or a loaf made of ritual bread;

"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

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

(*b*) the price (being a price less by at least 1p than the price given by article 3(1)(*a*)) 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;

"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 either 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 article 3(1), 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;

references to bread loaves of any category are references to bread loaves of a category referred to in column 1 of the Table set out in article 3(1) and references to bread loaves of any variety are references to bread loaves of a variety within any such category;

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 that on which this Order is made) on which he sold bread loaves of that variety.

(4) The Interpretation Act 1889**(a)** shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Maximum prices

2. 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 and will not claim any payment under section 1 of the Prices Act 1974 (which makes provision for the payment of food subsidies) in respect of the flour used in the manufacture of that bread.

3.—(1) Subject to paragraph (2), a person shall not sell by retail bread loaves of any variety within any category at a price which exceeds the lower of the following prices, that is to say—

(*a*) the price specified in column 2 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; and

(*b*) (i) the price at which he first sold bread loaves of the variety in question within the period beginning on 20th March 1974 and ending on the date when this article comes into operation: Provided that where that price is a special offer price, this article shall have effect as if he had not sold such bread loaves within that period; or

(ii) where, before this Order is made, a person may, in accordance with a scheme in operation under section 1 of the Prices Act 1974, charge a price for bread loaves of that variety higher than the price given by (i) above, that higher price.

(a) 1889 c. 63.

TABLE

Column 1 Category of bread loaf	Column 2 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. not within paragraphs 1, 2 or 7(a) of this Table	18	18	18	18	18
6. 8 to 14 oz. not within paragraphs 3, 4 or 7(b) of this Table	12½	12½	12½	12½	12½
7. 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 sticks not less than 20 in. long	18	18	18	18	18

In this Table—

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 of the County of Angus, the north and west of the County of Perth and the west of the Counties of Dunbarton, Renfrew, Ayr and Wigtown, and the District of Cowal and the Burgh of Dunoon in the County of Argyll;

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 County of Argyll (excluding the Districts of Ardnamurchan, Cowal, Islay, Jura and Colonsay, Mull and Tiree and Coll, and the Burghs of Dunoon and Tobermory) the County of Bute and the area between Area 1 and the Caledonian Canal and the Moray Firth (including the 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 Districts of Barra, Harris, North Uist, Skye and South Uist and the Parish of Small Isles in the County of Inverness, the District of Lewis and the Burgh of Stornoway in the County of Ross and Cromarty, and the Counties of Orkney and Zetland;

Area 5 means Northern Ireland.

(2) Where—

(*a*) on 20th March 1974, the price charged by a person for a delivered bread loaf ("the delivered price") exceeds the price charged by him for a bread loaf of the same variety which was not a delivered bread loaf ("the ordinary price"); and

(*b*) the delivered price exceeds the price given by paragraph (1)(*a*) for a bread loaf of the same variety;

the maximum price given by paragraph (1) (modified, where that article has effect, by the provisions of article 4) shall in the case of a delivered bread loaf, be increased by the lesser of 1p and the excess of the delivered price over the ordinary price: Provided that where a person did not sell any bread loaves of that variety at the ordinary price on 20th March 1974, this paragraph shall have effect as if he had then sold bread loaves of that variety at an ordinary price equal to the price given by paragraph (1)(*a*).

(3) A person shall not sell by retail a bread loaf being—

(*a*) a Cholla loaf or a bread loaf made of ritual bread; or

(*b*) a bread loaf of a weight of not less than 42 oz.;

at a price which exceeds the price at which he sold a bread loaf of the same weight and variety on 20th March 1974: Provided that where that price is a special offer price, this paragraph shall have effect as if for the reference to that price there were substituted a reference to the price at which he first sells such a loaf after the termination of the period of the special offer.

Retail percentage margin safeguard

4.—(1) Where, in any period of 7 days beginning at any time after this article comes into operation, the gross percentage margin is less than 15 per cent, article 3 shall have effect in respect of bread loaves of each category as if there were substituted for the price given by paragraph (1)(*b*)(i) 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 7 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

5.—(1) Each person who, in any shop, sells by retail or offers or exposes for sale by retail bread loaves of any variety shall conspicuously display in a part of the shop to which customers have access for the purpose of buying those loaves, and in such manner that it may easily be read by them, information specifying the maximum price of each such variety of bread loaf; and any such information shall be printed or written in clear and legible characters and shall be headed with the words "Statutory Maximum Prices in this Shop".

(2) Information displayed under this article 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 paragraphs (1) and (3) of article 3; or

(*b*) where the maximum price given by article 3(1) has been modified, where that article has effect, by the provisions of article 4, in accordance with article 3(1)(*a*).

6. A person, in addition to displaying the information in accordance with article 5, 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 article comes into operation sold the greatest number, separately display the same information in the like manner but more conspicuously and in larger and bolder characters.

7. Nothing in this Order shall prohibit the display of information under articles 5 and 6 in conjunction with information relating to food of the same description required to be displayed under an Order under section 5 of the Prices Act 1974.

Artificial transactions and unreasonable charges

8. 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.

R. A. R. Maclennan,
Parliamentary Under Secretary of State,
17th October 1974. Department of Prices and Consumer Protection.

EXPLANATORY NOTE

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

This Order regulates the maximum price which may be charged for the sale of bread subsidised under section 1 of the Prices Act 1974. The maximum price is generally the lower of that specified in the Table in article 3 and that actually charged by a retailer on 20th March 1974, or, in the case of any variety of loaf which he did not sell on that day, that first charged by him thereafter.

The Order also requires the display, in a shop in which subsidised bread is sold, of information about the maximum prices.

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