STATUTORY INSTRUMENTS

1975 No. 1245

PRICES

The Bread Prices Order 1975

Made - - - -	*28th July 1975*
Laid before Parliament	*28th July 1975*
Coming into Operation	*18th August 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 Order 1975 and shall come into operation on 18th August 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, but, in articles 4(1) to (3) and 5, does not include a bread loaf of a description referred to in article 4(4)(*a*) to (*d*);

" 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 (5) 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 (5) 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(1) and, in articles 1(4), 4(4), 6 and 7, also to bread loaves of a category referred to in article 4(4)(*a*) to (*d*); and references to bread loaves of any variety are references to bread loaves of a variety within any such category.

(4) 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.

(5) The Table referred to in the definitions of " special offer price " and of " standard loaf " in paragraph (2) above, and in article 4(3) is the following Table—

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 paragraph 1, 2 or 7(*a*) of this Table	18	18	18	18	18
6. 8 to 14 oz. not within paragraph 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, Areas 1, 2, 3, 4 and 5 have the same meanings as they are given in article 4(1).

(6) 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 1974(**b**), the Bread Prices (Amendment) Order 1975(**c**) and the Bread Prices (Amendment) (No. 2) Order 1975(**d**) are hereby revoked.

Maximum Prices

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.

4.—(1) Subject to paragraph (3), 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*) the price (if any) given by paragraph (2) below.

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)	16½	17	18½	19½	18½
2. 28 oz. standard loaf (not wrapped) ...	16	16½	18½	19	18
3. 14 oz. standard loaf (wrapped)	10	10½	11½	11½	11½
4. 14 oz. standard loaf (not wrapped) ...	9½	10	11	11	11
5. 28 oz. not within paragraph 1, 2 or 7(*a*) of this Table	20½	20½	20½	20½	20½
6. bread loaves not within paragraph 3, 4, 7(*b*) or 7(*c*) of this Table—					
(*a*) 14 oz.	14	14	14	14	14
(*b*) 8 to 10 oz.	13½	13½	13½	13½	14
7. 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*) 18 oz.	22½	22½	22½	22½	22½
(*b*) 14 oz.	15½	15½	15½	15½	15½
(*c*) 8 to 10 oz.	15	15	15	15	15
8. 14 oz. bread sticks not less than 20 in. long	19½	19½	19½	19½	19½

In this Table and in the Table set out in article 1(5)—

(**a**) 1889 c. 63.
(**b**) S.I. 1974/1711 (1974 III, p. 6148).
(**c**) S.I. 1975/166 (1975 I, p. 442).
(**d**) 1975/715 (1975 I, p. 2576).

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.

(2) The price referred to in paragraph (1)(*b*) above is the sum of—

(*a*) the price at which the person in question first sold bread loaves of the variety in question within the period beginning on 20th March 1974 and ending on 28th October 1974; and

(*b*) in the case of a sale which takes place in Areas 1 to 4 referred to in the Table set out in paragraph (1) above (which together comprise Great Britain), in relation to—

(i) Categories 1 and 2, 2 pence; and

(ii) Categories 3, 4, 6(*b*) and 7(*c*), 1 penny; or

(*c*) in the case of a sale which takes place in Area 5 referred to in that Table (which comprises Northern Ireland), in relation to—

(i) Categories 1 and 2, 3 pence; and

(ii) Categories 3, 4, 6(*b*) and 7(*c*), 1½ pence; or

(*d*) in the case of a sale which takes place in Areas 1 to 5 referred to in that Table (which together comprise the whole of the United Kingdom), in relation to—

(i) Categories 5 and 7(*a*), 2½ pence; and

(ii) Categories 6(*a*), 7(*b*) and 8, 1½ pence:

Provided that where the price referred to in (*a*) above is a special offer price, this article shall have effect as if he had not sold such bread loaves within that period.

(3) 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 specified in column 2 of the Table set out in article 1(5) 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 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 5) 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*).

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

(*a*) a 14 oz. Cholla loaf or a 14 oz. bread loaf made of ritual bread; or

(*b*) a 28 oz. Cholla loaf or a 28 oz. bread loaf made of ritual bread; or

(*c*) a 42 oz. bread loaf; or

(*d*) a bread loaf of a weight of not less than 56 oz.;

at a price which exceeds the sum of the price at which he sold a bread loaf of the same weight and variety on 20th March 1974 and—

(i) in the case of a bread loaf of a description referred to in (*a*) above, $1\frac{1}{2}$ pence; or

(ii) in the case of a bread loaf of a description referred to in (*b*) above, $2\frac{1}{2}$ pence; or

(iii) in the case of a bread loaf of a description referred to in (*c*) above, $3\frac{1}{2}$ pence; or

(iv) in the case of a bread loaf of a description referred to in (*d*) above, 4 pence:

Provided that where the price at which he sold a bread loaf of the same weight and variety on 20th March 1974 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

5.—(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 (1)(*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

6.—(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*) conspicuously 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 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 paragraphs (1) and (4) of article 4; or

(*b*) where the maximum price given by article 4(1) has been modified, where that article has effect, by the provisions of article 5, in accordance with article 4(1)(*a*).

7. A person, in addition to displaying or keeping available the information in accordance with article 6, 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 the same information in the manner specified in article 6(1)(*a*) and (2) but more conspicuously and in larger and bolder characters.

8. Nothing in this Order shall prohibit the display of information under articles 6(1)(*a*) and (2) and 7 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 as amended.

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.

28th July 1975.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order revokes the Bread Prices Order 1974, the Bread Prices (Amendment) Order 1975 and the Bread Prices (Amendment) (No. 2) Order 1975 and reproduces the provisions of those Orders which regulated the maximum prices which may be charged for the sale of bread subsidised under section 1 of the Prices Act 1974. The maximum price which may be charged for the sale of such subsidised bread is generally the lower of that specified in the Table in article 4 and the sum of 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, the first charged by him thereafter) and the appropriate amount specified in article 4(2).

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 (as a new provision) the 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 the shop. The Order also extends these provisions to include information about the maximum prices of the Cholla and large loaves described in article 4(4)(a) to (d).

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