STATUTORY INSTRUMENTS

1976 No. 511

PRICES

The Bread Prices Order 1976

Made - - - -	*29th March* 1976
Laid before Parliament	*30th March* 1976
Coming into Operation	*5th April* 1976

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 1976 and shall come into operation on 5th April 1976.

(2) In this Order—

"bread loaf" means a loaf of a weight of more than 10 oz., or if 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 one or both of the following—

(*a*) the inclusion in its composition of kibbled malted rye not exceeding 5 per cent. by weight; and

(*b*) the use of egg for glazing its crust;

"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 including 1st March 1976; and

(ii) which is lower than the price at which he last sold such loaves before the beginning of that period; or

(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.

(*b*) the price (being a price which is at least 1p below the price, if any, specified in column 2 of the Table set out in article 4(1) 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 less the amount specified in column 3 of that Table in relation to such category of bread loaf and such part of the United Kingdom) at which a person sold such bread loaves during a continuous period of 3 months ending on 1st March 1976, 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 any case, is of a variety sold by him on 1st March 1976 at a price not exceeding the price specified in column 2 of the Table set out in article 4(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 less the amount specified in column 3 of that Table in relation to such category of bread loaf and such part of the United Kingdom;

"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 or plastics.

(3) 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 4(1); and references to bread loaves of any variety are references to bread loaves of a variety within any such category.

(4) References to 1st March 1976 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 29th March 1976) on which he sold bread loaves of that variety.

(5) 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 Order hereby revoked were Acts of Parliament.

Revocation

2. The Bread Prices (No. 2) Order 1975(**b**) is 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.

(a) 1889 c. 63.

(b) S.I. 1975/1954 (1975 III, p. 7259).

Maximum Prices

4.—(1) 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 relevant price, if any, in column 2 of the following Table; and

(*b*) the sum of—

(i) the price at which he first sold bread loaves of the variety in question on 1st March 1976; and

(ii) the relevant amount in column 3 of the following Table;

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

TABLE

Column 1 Category of bread loaf	Column 2 Price in pence					Column 3 Amount in pence	
	Area 1	Area 2	Area 3	Area 4	Area 5	Areas 1–4	Area 5
1. 28 oz. standard loaf (wrapped) ...	18	18½	20	21	20½	1	1½
2. 28 oz. standard loaf (not wrapped) ...	17½	18	20	20½	20	1	1½
3. 14 oz. standard loaf (wrapped) ...	11½	12	13	13	12½	½	½
4. 14 oz. standard loaf (not wrapped) ...	11	11½	12½	12½	12	½	½
5. 28 oz. loaf not within category 1, 2, 7(*a*) or 9(*a*)	23	23	23	23	23½	1	1½
6. bread loaf not within category 3, 4, 7(*b*), 7(*c*) or 9(*b*)—							
(*a*) 14 oz.	16	16	16	16	15½	½	½
(*b*) 8 to 10 oz.	15	15	15	15	15	½	½
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.	25	25	25	25	25½	1	1½
(*b*) 14 oz.	17½	17½	17½	17½	17	½	½
(*c*) 8 to 10 oz.	16½	16½	16½	16½	16½	½	½
8. 14 oz. bread stick not less than 20 in. long	21½	21½	21½	21½	21	½	½
9. Cholla bread loaf or loaf made of ritual bread—							
(*a*) 28 oz.	—	—	—	—	—	1	1½
(*b*) 14 oz.	—	—	—	—	—	½	½
10. 42 oz. bread loaf	—	—	—	—	—	1½	2½
11. bread loaf of not less than 56 oz. ...	—	—	—	—	—	2	3

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 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; the Scilly Isles; and 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);

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) In this article, "relevant", in relation to a price or amount means specified in relation to the category within which the bread loaf in question falls and to the part of the United Kingdom in which the sale takes place.

5. Where the price of a delivered bread loaf given by paragraph (1)(*b*) of article 4 (modified by the provisions of article 6, where it has effect) exceeds the price given by paragraph (1)(*a*) of that article by not more than 1p, the maximum price given by that article shall in the case of such a loaf be increased by the amount of that excess.

Retail Percentage Margin safeguard

6.—(1) Where in any period of seven days 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

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 before they pay for such loaves, 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) 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(1)(*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*).

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.

29th March 1976.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order revokes the Bread Prices (No. 2) Order 1975 and reproduces it with modifications. It regulates retail prices for bread subsidised under section 1 of the Prices Act 1974 and requires publicity to be given in shops to the maximum prices for such bread.

The base date for the calculation of prices has been changed from 20th March 1974 to 1st March 1976. Accordingly, article 4 now provides that 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 that article; and

(*b*) the sum of the price, if any, actually charged by the retailer on 1st March 1976 (or, in the case of a variety of loaf not sold by him on that day, the first price charged by him thereafter) and the appropriate amount specified in column 3 of that Table.

The other principal amendments are—

(*a*) the maximum retail prices for bread are increased;

(*b*) references to 1st March 1976 are substituted for references to 20th March 1974 in the definition of "special offer price" and "standard loaf" in article 1(2); and

(*c*) a minor extension is made to the scope of the definition of "bread loaf" in article 1(2).

The Order also makes some changes of a drafting nature.

SI 1976/511
ISBN 0-11-060511-X

