STATUTORY INSTRUMENTS

1975 No. 1243

PRICES

The Butter 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 Butter Prices Order 1975 and shall come into operation on 18th August 1975.

(2) In this Order—

"the Act" means the Prices Act 1974 as amended;

"butter" means salted butter of each of the categories of butter specified in column 1 of the Table set out in article 5, and in articles 3, 4 and 9 means also unsalted butter;

"price" means price per 8 oz. weight;

"weight" means net weight.

(3) References to butter of any category are references to salted butter of a category referred to in column 1 of the Table set out in article 5 and references to butter of any variety are references to butter of any variety within any such category.

(4) The Interpretation Act 1889(**c**) 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 Butter Prices Order 1974(**d**) and the Butter Prices (Amendment) Order 1975(**e**) are hereby revoked.

(**a**) 1974 c. 24. (**b**) 1975 c. 32. (**c**) 1889 c. 63.
(**d**) S.I. 1974/1984 (1974 III, p. 6956). (**e**) S.I. 1975/279 (1975 I, p. 697).

Maximum prices of salted butter and unsalted butter

3. This Order does not apply to the price for the sale of any butter by any person who has received a declaration in writing—

(*a*) in the case of butter imported into the United Kingdom, and which is not packed in the United Kingdom, by the importer; or

(*b*) in the case of any other butter, by the packer;

that he has not claimed and will not claim any payment under section 1 of the Act (which makes provision for the payment of food subsidies) in respect of that butter.

Gross percentage margin for salted butter and unsalted butter

4.—(1) Subject to article 5, any person (other than a person who produces butter or imports butter into the United Kingdom) shall not sell any butter at a price which, taken with the prices of all butter sold by him in each period of 7 days beginning on the same day of the week as the base period, may reasonably be expected to give a greater gross percentage margin than the gross percentage margin he obtained for all butter sold by him (other than at a special offer price) in the base period.

(2) In this article—

"base period" in the case of any person, means a single period of 7 days including 13th August 1974;

"gross percentage margin" means the excess (expressed as a percentage) of the total of the prices received by any person for butter over the prices paid by him for that butter; and

"special offer price" means—

(*a*) the price—

(i) at which a person sold butter during a continuous period of not less than 14 days and not more than 6 months ending not later than 29th November 1974 and including 13th August 1974; and

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

(*b*) the price (being a price less by at least 3p than the price given by article 5(*b*)) at which a person sold butter during a continuous period of 2 months ending on 13th August 1974, notwithstanding, if such be the case, that he sold such butter at that price at any other time.

(3) References in paragraph (2) above to 13th August 1974 shall, in relation to a person who sold butter only at a special offer price on that date, be taken to be references to the first date thereafter (being a date before 29th November 1974) on which he sold butter at a price which is not a special offer price.

Maximum prices of salted butter

5. A person shall not sell butter packed for retail sale in a rectangular pack of a weight of not less than 8 oz. or of not more than 1 lb. at a price which exceeds the lower of the following prices, that is to say—

(*a*) the price given by article 4 above; and

(*b*) the price specified in column 2 of the following Table in relation to the category within which butter of the variety in question falls.

TABLE

Column 1 Category of butter	Column 2 Price in pence per 8 oz. weight
Butter produced in the United Kingdom (other than blended)	19
Butter produced in a member State (other than the United Kingdom) of the European Economic Community (other than blended)	19
New Zealand butter (other than blended)	17
Blended butter of any variety and of any origin ...	18
Any other variety of butter (other than blended) ...	19

Display of information relating to salted butter

6.—(1) Each person who, in any shop, sells by retail or offers or exposes for sale by retail butter of any variety to which article 5 applies shall—

(*a*) conspicuously display in a part of the shop to which customers have access for the purpose of buying such butter, and in such manner that it may easily be read by them, information specifying the maximum price of each such variety of butter; 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 Butter".

(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 butter of a variety to which this article applies.

(3) In this article, "maximum price" in relation to butter sold by any person means the highest price at which that person may sell butter of that category in accordance with article 5(*b*).

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 butter to which article 5 applies of which he has in the three months ending with the date when this Order comes into operation sold the greatest quantity by weight, 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 Act.

Artificial transactions and unreasonable charges relating to any butter

9. A person shall not, in connection with the sale of any butter, 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 & Consumer Protection.

28th July 1975.

EXPLANATORY NOTE

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

This Order revokes the Butter Prices Order 1974 and the Butter Prices (Amendment) Order 1975 and reproduces the provisions of those Orders which regulated the maximum prices which may be charged for the sale of butter subsidised under section 1 of the Prices Act 1974.

The maximum price which may be charged for the sale of such subsidised butter is generally the lower of that specified in the Table in article 5 and that resulting from the application of the gross percentage margin provided in article 4.

The Order also requires the display, in a shop in which subsidised butter is sold, of information about the maximum prices set for the best selling varieties of butter 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 butter on sale in the shop.

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