1975 No. 38

PRICES

The Cheese Prices Order 1975

Made - - - -	16*th January* 1975
Laid before Parliament -	16*th January* 1975
Coming into Operation -	
(except articles 5 to 7)	27*th January* 1975
(articles 5 to 7) - -	17*th February* 1975

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 Cheese Prices Order 1975 and (except articles 5 to 7) shall come into operation on 27th January 1975.

(2) Articles 5 to 7 shall come into operation on 17th February 1975.

(3) In this Order—

" the Act " means the Prices Act 1974;

" cheese ", except in articles 2, 3 and 8, means cheese of each of the categories of cheese specified in column 1 of the Table set out in article 4(1), and in articles 2, 3 and 8 means such cheese and other cheese;

" other cheese " means any cheese, not specified in the Table set out in article 4(1), being Cheddar, Cheshire, Caerphilly, Danbo, Derby, Double Gloucester, Elbo, Esrom, Fynbo, Havarti, Lancashire, Leicester, Maribo, Molbo, St Paulin, Samsoe, Svenbo, Tybo, Wensleydale or White Stilton;

" special offer price " means the price—

(*a*) at which a person sold cheese during a continuous period of not less than 14 days and not more than 6 months ending not later than the date on which this Order is made and including 13th August 1974; and

(a) 1974 c. 24.

(*b*) which is lower than the price at which he last sold such cheese before he began selling such cheese at the first mentioned price;

" weight " means net weight;

references to cheese of any category are references to cheese of a category referred to in column 1 of the Table set out in article 4(1) and references to cheese of any variety are references to cheese of any variety within any such category;

references to 13th August 1974 shall, in relation to a person who sold cheese only at a special offer price 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 cheese at a price which is not a special offer price.

(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 for cheese and other cheese

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

(*a*) in the case of imported cheese, by the importer; or

(*b*) in the case of any cheese other than imported cheese, by the manufacturer;

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 cheese.

3.—(1) Subject to article 4, any person (other than a person who manufactures cheese or imports cheese into the United Kingdom) shall not sell any cheese at a price which, taken with the prices of all cheese 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 cheese 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; and

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

Maximum prices for cheese

4.—(1) A person shall not sell by retail cheese wrapped or packed for retail sale in a flexible wrapping other than metal foil or cardboard at a price which exceeds the lower of the following prices, that is to say—

(*a*) the price given by article 3 above; and

(*b*) the price specified in column 2 of the following table in relation to the category within which cheese of that variety falls.

(a) 1889 c. 63.

TABLE

Column 1 *Category of cheese*	*Column 2* *Price in pence per 1lb weight*
Cheddar produced in New Zealand (other than farmhouse or matured).	48
Cheddar (including Dunlop) produced in the United Kingdom (other than farmhouse or matured).	48
Farmhouse or matured Cheddar (including Dunlop) produced in the United Kingdom.	58
Cheddar produced in a member State (other than the United Kingdom) of the European Economic Community (other than farmhouse or matured).	48
Farmhouse or matured Cheddar produced in a member state (other than the United Kingdom) of the European Economic Community.	58
Cheshire produced in the United Kingdom (other than farmhouse or matured).	46
Farmhouse or matured Cheshire produced in the United Kingdom.	56
Caerphilly, Derby, Double Gloucester, Lancashire, Leicestershire, Wensleydale and White Stilton produced in the United Kingdom (other than farmhouse or matured).	48
Edam and Gouda.	48

(2) This article does not apply to any cheese prepacked in a package or wrapping marked with an indication of quantity by net weight as part of the same printing as other information including the brand name (if any) where, at the date when this article comes into operation, it was the established practice of the manufacturer to prepack cheese of that description in the same quantity in packages or wrappings so marked: and in this article " prepack " means wrap or pack in advance ready for retail sale and " prepacked " shall be construed accordingly.

Display of information relating to cheese

5.—(1) Each person who, in any shop, sells by retail or offers or exposes for sale by retail cheese of any variety to which article 4 applies shall conspicuously display in a part of the shop to which customers have access for the purpose of buying such cheese, and in such manner that it may easily be read by them, information specifying the maximum price of each such variety of cheese; and any such information shall be printed or written in clear and legible characters and shall be headed with the words " Statutory Maximum Prices ".

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

(3) In this article, " maximum price " in relation to cheese sold by any person means the highest price at which that person may sell cheese of that category in accordance with article 4(1)(*b*).

6. A person, in addition to displaying the information in accordance with article 5, shall, in respect of each of the three varieties of cheese to which article 4 applies of which he has in the three months ending with the date when this article comes into operation sold the greatest quantity by weight, 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 Act.

Artificial transactions and unreasonable charges relating to cheese and other cheese

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

R. A. R. Maclennan,
16th January 1975. Parliamentary Under-Secretary of State,
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 cheese subsidised under section 1 of the Prices Act 1974. The maximum price is generally the lower of that specified in the Table in article 4(1) and that resulting from the application of the gross percentage margin provided in article 3.

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

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