The Coffee Order, 1951

1951 No. 860

Made - - - -	15*th May*, 1951
Laid before Parliament	16*th May*, 1951
Coming into Operation	22*nd May*, 1951

The Minister of Food, in pursuance of the powers conferred upon him by Regulations 55, 55AA and 55AB of the Defence (General) Regulations, 1939, as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945(a) (as extended by the Supplies and Services (Extended Purposes) Act, 1947(b) and continued in force by the Supplies and Services (Continuance) Order, 1950(c)), and of all other powers him enabling in that behalf, hereby orders as follows:—

Interpretation

1. In this Order—

" The Minister " means the Minister of Food.

" Coffee " includes coffee mixture (except where the context otherwise requires), but does not include any essence or extract of coffee or of coffee and chicory or any preparation of coffee and milk.

" Coffee mixture " means any mixture containing coffee which is commonly sold under the name of coffee or of coffee and chicory mixture.

" Sell " includes offer or agree to sell or expose for sale; and " buy " includes offer or agree to buy.

Maximum retail prices; prohibited additions

2.—(1) No person shall buy or sell coffee by retail at a price exceeding a price calculated at the rate of—

(*a*) (i) 4s. 3d. per lb. for roasted coffee, or

(ii) 3s. 7d. per lb. for coffee mixture,

when packed in containers containing not more than ¼ lb. each;

(*b*) (i) 4s. 2d. per lb. for roasted coffee, or

(ii) 3s. 6d. per lb. for coffee mixture,

when packed in containers containing more than ¼ lb. each; or

(*c*) 3s. 7d. per lb. for raw coffee (other than coffee mixture):

Provided that any person may buy or sell coffee by retail at a price exceeding the above prices, but not exceeding the price applicable in accordance with Part I of the Schedule to this Order, if the appropriate condition in Part II of the said Schedule is complied with.

(2) Except as is expressly provided in the Schedule to this Order, no addition to the maximum prices specified in this Article or in the said Schedule shall be made, on a sale of coffee by retail, in respect of grinding or packing or of packages or containers.

(a) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1611 and 1615–25) II, pp. 39 and 45–56.
(b) 10 & 11 Geo. 6. c. 55.
(c) S.I. 1950 (No. 1769) III, p. 51.

Constituents of coffee mixture

3. No person shall manufacture any coffee mixture, prepare any coffee mixture by way of trade, or sell any coffee mixture by retail, unless it contains not less than 51 per cent. by weight of pure coffee.

Keeping of records

4.—(1) Every person who sells coffee by retail shall keep or cause to be kept an accurate record of all purchases of coffee by him; and such record shall include, in respect of each purchase, the date thereof, the name and address of the person from whom the coffee was purchased, the description and quantity of coffee purchased, and the price paid.

(2) The retention by any person of an invoice or of a copy of an invoice shall as regards the particulars mentioned therein be a sufficient compliance by him with the provisions of this Article.

(3) Every person who is required by this Article to keep any record shall retain it for one year from the date of the transaction to which it relates.

Exemption of beverages

5. This Order shall not apply to the sale or purchase of coffee in the form of a beverage.

Artificial transactions

6. No person shall, in connection with the sale or disposition or proposed sale or disposition of any coffee by retail, enter or offer to enter into any artificial transaction or make or demand any unreasonable charge.

Directions, authorisations and licences

7.—(1) The provisions of this Order are subject to any directions that may at any time be made by or on behalf of the Minister, and to any licence or authorisation that may be granted by or on behalf of the Minister under this Order.

(2) Every person holding a licence or authorisation granted under this Order shall comply with every condition imposed by such licence or authorisation.

(3) Every licence or authorisation granted under this Order is, and shall remain, the property of the Minister; and the licensee or any person being in possession of any such licence or authorisation shall, if requested to do so by or on behalf of the Minister, produce or deliver it to such person or to a person of such class or description, and within such time, as may be specified in the request.

Infringements

8. Infringements of this Order are offences against the Defence (General) Regulations, 1939.

Revocation

9.—(1) The Coffee (Maximum Retail Prices) Order, 1946 as amended(a) is hereby revoked, but without prejudice to any proceedings in respect of any contravention thereof.

(2) Every person shall, notwithstanding the revocation of the said Order, retain any record required to be kept by him thereunder for one year from the date of the transaction to which it relates.

(a) S.R. & O. 1946 (No. 132) II, p. 702; and S.I. 1950 (No. 1431) III, p. 499.

Citation and Commencement

10. This Order may be cited as the Coffee Order, 1951; and shall come into operation on the 22nd day of May, 1951.

Maurice Webb,
Minister of Food.

Dated the 15th day of May, 1951.

THE SCHEDULE

PART I

MAXIMUM RETAIL PRICE OF COFFEE WHEN THE CONDITIONS IN PART II ARE COMPLIED WITH

The maximum retail price of coffee, when the appropriate condition in Part II of this Schedule is complied with, shall be in accordance with the following table:—

	Per lb. s. d.
1. Roasted coffee (not including coffee mixture)—	
(*a*) pre-packed in a container made of glass containing—	
(i) not more than ½ lb. of coffee	5 11
(ii) not more than 1lb. of coffee	5 10
(*b*) pre-packed in a container made of metal containing—	
(i) not more than ½ lb. of coffee	5 7
(ii) not more than 1 lb. of coffee	5 6
(*c*) pre-packed in a sealed, air-tight, film-lined container (lined otherwise than with a cellulose-based film) capable of being gas-packed, containing—	
(i) not more than ¼ lb. of coffee	5 6
(ii) not more than ½ lb. of coffee	5 5
(iii) not more than 1 lb. of coffee	5 4
(*d*) not pre-packed as aforesaid	4 10
2. Coffee mixture—	
(*a*) pre-packed in a container made of glass containing—	
(i) not more than ½ lb. of coffee	5 0
(ii) not more than 1 lb. of coffee	4 11
(*b*) pre-packed in a container made of metal containing—	
(i) not more than ½ lb. of coffee	4 8
(ii) not more than 1 lb. of coffee	4 7
(*c*) pre-packed in a sealed, air-tight, film-lined container (lined otherwise than with a cellulose-based film) capable of being gas-packed, containing—	
(i) not more than ¼ lb. of coffee	4 7
(ii) not more than ½lb. of coffee	4 6
(iii) not more than 1 lb. of coffee	4 5
(*d*) not pre-packed as aforesaid	3 11
3. Raw coffee	4 4

For the purposes of the above table, "pre-packed" means packed in advance ready for retail sale.

PART II

CONDITIONS

1. Roasted coffee or coffee mixture.

Throughout the whole time during which roasted coffee or coffee mixture is being offered for sale at the appropriate price specified in Part I of this Schedule:—

(*a*) the seller shall be able and willing to sell to any customer, to the extent of that customer's reasonable requirements, either—

(i) roasted coffee at a price not exceeding 4s. 2d. per lb. (or 4s. 3d. if packed in containers containing not more than ¼ lb. each); or

(ii) coffee mixture at a price not exceeding 3s. 6d. per lb. (or 3s. 7d. if packed in containers containing not more than ¼ lb. each); and

(*b*) there shall be displayed at the place of sale (except in the case of a sale from a vehicle), in a conspicuous position and so as to be clearly legible by customers, a notice stating in plain words and figures either—

(i) that roasted coffee is on sale at a price (which shall be specified in the notice) not exceeding 4s. 2d. per lb. (or 4s. 3d. if packed in containers containing not more than ¼ lb. each); or

(ii) that coffee mixture is on sale at a price (which shall be specified in the notice) not exceeding 3s. 6d. per lb. (or 3s. 7d. if packed in containers containing not more than ¼ lb. each).

2. Raw coffee.

Throughout the whole time during which raw coffee is being offered for sale at the appropriate price specified in Part I of this Schedule:—

(*a*) the seller shall be able and willing to sell to any customer, to the extent of that customer's reasonable requirements, raw coffee at a price not exceeding 3s. 7d. per lb; and

(*b*) there shall be displayed at the place of sale (except in the case of a sale from a vehicle), in a conspicuous position and so as to be clearly legible by customers, a notice stating in plain words and figures that raw coffee is on sale at a price (which shall be specified in the notice) not exceeding 3s. 7d. per lb.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order replaces the Coffee (Maximum Retail Prices) Order, 1946 as amended, and raises the maximum retail prices of roasted coffee, coffee mixture, and raw coffee.

The increases vary (according to the size and type of container) from 10d. to 1s. 5d. for roasted coffee, from 3d. to 10d. for coffee mixture, and from 8d. to 10d. for raw coffee.