XIV. FISH

[For the Fish Sales (Charges) O., 1948, made by the Treasury, *see* p. 1049 below, and for export charges *see* Index to Vol. I (CUSTOMS).]

(A) *Generally.*
(B) *Canned Fish*, p. 584.
(C) *Salmon*, p. 588.

(A) GENERALLY

The Fish (Maximum Prices) Order, 1948

1948 No. 2610

Made - - - - 30th November, 1948
Laid before Parliament 1st December, 1948
Coming into Operation on the dates specified in Article 24 (1) of the Order.

In exercise of the powers conferred upon him by Regulations 55, 55AA, and 55AB of the Defence (General) Regulations, 1939(a), as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945(b) as extended by the Supplies and Services (Extended Purposes) Act, 1947(c), and of all other powers him enabling, the Minister of Food hereby makes the following Order:—

Interpretation.

1. In this Order—

" The Minister " means the Minister of Food.

" Bloatered " in relation to herrings means dry-salted or pickled and subsequently smoked by means of wood smoke.

" Block fillet " means fish from which all guts, bones and head have been removed but which has not been severed down the middle of the back, provided that the small bones in the flaps need not be removed.

" Boned herrings " means herrings from which the head and guts and all or substantially all the backbone have been removed.

" Boned kippered herrings " means kippered herrings made from boned herrings.

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

" Canned " in relation to any fish means packed in an airtight metal container by any means involving the application of heat, whether before, during or after the placing of the fish in the container.

" Catering business " includes the business or undertaking of an inn, public house, hotel, restaurant, buffet, coffee stall or of any place of refreshment open to the public or of any club, boarding house, refreshment contractor or canteen.

" Cured (pickled) herrings " means herrings, gutted or ungutted, hand packed in tiers with salt in barrels, but does not include roused or sprinkled herrings.

(a) *See* Note, p. 15 above.
(b) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1611 and 1615–25) II, pp. 39 and 45–56.
(c) 10 & 11 Geo. 6. c. 55.

" Cut " in relation to any fish means a portion thereof which weighs not more than half the weight of the whole fish and which does not include any part of the head.

" Fillet " means fish from which all guts, roe, sound, bones, head, tail, fins and belly wall or flap and substantially all discoloured flesh have been removed, and includes, in the cases of haddock and whiting only, a block fillet which does not exceed $\frac{3}{4}$ lb. in weight; provided that the following need not be removed—

(*a*) small pieces of bone necessarily severed in filleting; and

(*b*) in the case of any variety or description of flat fish, the belly wall or flap.

" First hand sale " means—

(*a*) in relation to fish which has been smoked, wet salted, dry salted or pickled in the United Kingdom, the first sale thereof (other than a sale by retail) after it has been so processed;

(*b*) in relation to fish imported or intended to be imported or brought or intended to be brought into the United Kingdom, the first sale thereof whether in the United Kingdom or elsewhere to a person purchasing the fish for the purposes of a business carried on by him in the United Kingdom;

(*c*) in relation to any other fish, the first sale thereof (other than a sale by retail) after it has been landed in the United Kingdom;

and the expression " at first hand " shall be construed accordingly.

" Fish " means any fish found in the sea other than shell fish, pilchards, sprats, mackerel, horse mackerel, sturgeon, salmon, trout, eels (except conger eels), smelt, shad, whitebait, bass, grey mullet and red mullet, and includes any such fish which has been frozen, smoked, cured, salted, pickled or otherwise processed, and any part of a fish, but does not include canned fish or processed fish packed in advance ready for retail sale in containers made wholly or mainly of metal, glass or earthenware, or any manufactured product containing fish, or cooked fish other than roes, milts, smokies and bucklings.

" Fresh " in relation to fish means fish which has not been frozen, smoked, cured, pickled, wet salted or dry salted.

" Frozen " in relation to fish means fish which by way of trade has been subjected to a temperature of or lower than 18 degrees Fahrenheit.

" Guts " includes the liver.

" Headless " in relation to any fish means a whole fish from which both the head and guts have been removed.

" Imported boxed fish " means boxed fresh fish (other than herrings) imported into the United Kingdom from any country other than Eire.

" Manufacturer " means a person who by way of trade or business cans fish or subjects it to any process (with the exception of filleting, heading, cleaning, gutting or any process of a similar character), but does not include any person in so far as he processes fish for sale by him by retail or in the course of his catering business or fish frying business.

" Port " includes the whole of the county borough, borough, burgh, urban or rural district, as the case may be, in which the port or any part thereof is situate.

" Primary wholesaler " means with respect to any fish a wholesaler who has bought the fish at first hand.

" Sale by retail " means a sale to a person buying otherwise than for the purpose of resale, and includes a sale to a person for the purposes of his catering business, but does not include a sale to a person for the purposes of his fish frying business or manufacturing business, or for use by him as bait, and the expression " retailer " shall be construed accordingly.

" Sale by wholesale " means any sale other than a first hand sale or a sale by retail, and the expression " wholesaler " shall be construed accordingly.

" Secondary Wholesaler " means with respect to any fish a wholesaler who has bought the fish from another wholesaler, and in respect of smoked fish includes a wholesaler who has bought the fish from the smoker.

" Skinned " means with all or substantially all the skin removed.

" Whole " in relation to any fish includes a fish from which the guts only have been removed.

" Wing " means, in relation to ray or skate, that portion of the fish which remains after the head, guts, backbone, tail and all or substantially all the gills have been removed, but does not include pieces cut from the back.

Maximum prices.

2. No person shall sell or buy any fish at a price exceeding the price applicable in accordance with the provisions of the First and Second Schedules to this Order.

Prices on sale of part of fish.

3. Where under the provisions of this Order a maximum price is applicable on the sale of a whole fish of any description that maximum price shall apply on the sale of any part of a fish of that description, except a sale in respect of which a different maximum price is expressly provided by this Order.

Fractions of halfpennies.

4. Where the maximum price of any fish calculated in accordance with the provisions of this Order includes any fraction of a halfpenny that fraction shall be regarded as one halfpenny.

Maximum prices; miscellaneous provisions.

5.—(1) A sale to any person who carries on business both as a wholesaler and a retailer shall for the purposes of this Order be deemed to be a sale to a retailer unless the purchaser is buying for the purposes of his wholesale business.

(2) For the avoidance of doubt it is hereby declared that any reference in this Order to a sale to a retailer shall be deemed to include a sale of fish to a retailer for resale by him after processing.

(3) On a sale of fish for use by the buyer as bait the maximum price shall, if the sale is a first hand sale, be the maximum price applicable on such a sale, and, in any other case, shall be the maximum price applicable on a sale to a manufacturer.

Returnable containers.

6.—(1) Where on a sale of fish the seller delivers the fish to the buyer in a wooden container which at the time of despatch is of such strength or construction that it might reasonably be expected to be fit, after transit to the buyer's premises, for use for the safe transport

of fish, that container shall not be supplied by the seller except as a returnable container and upon the terms that a sum of the amount specified in paragraph 2 (1) of the Second Schedule to this Order shall be charged by him to the buyer, that charge to be repayable to the buyer in accordance with paragraph (2) (*b*) of this Article. Should the buyer fail or refuse to redeliver the container, the sum so charged shall be forfeited to the seller.

(2) Any sum charged in respect of a returnable container in accordance with this Article shall—

(*a*) be specified as a separate item on an invoice which shall be furnished by the seller to the buyer within three days of the delivery of the fish; and

(*b*) be repaid, subject to paragraph 2 (1) of the Second Schedule to this Order, by the seller to the buyer on the redelivery by the buyer of the container in respect of which the charge is made in such condition as is reasonable having regard to its condition when supplied and to ordinary wear and tear.

(3) Where any person to whom a returnable container has been supplied (including a person to whom fish has been sent in the container for sale by him as an agent on commission) shall receive from the person who supplied the container to him a written request for the redelivery thereof, it shall be an offence for him to fail to redeliver or secure the redelivery of the container forthwith unless he shows reasonable cause for the failure.

(4) For the purposes of this Article redelivery of a returnable container means—

(*a*) in the case where the seller is a secondary wholesaler, delivery carriage paid to the seller at the seller's premises (except where the seller elects to take delivery at the buyer's premises);

(*b*) in any other case, delivery to the seller either at the buyer's premises, if the seller so elects, or at the seller's premises or to a carrier for conveyance to the seller's premises or other destination agreed with the seller, any transport costs reasonably incurred by the buyer in respect of that conveyance to the seller's premises or other such destination to be for the account of the seller.

(5) This Article shall not apply—

(*a*) to any box of a capacity not exceeding one stone of fish;

(*b*) to any container in which fish is imported or brought into the United Kingdom on the first sale of the fish to a person for the purposes of a business carried on by him in the United Kingdom,

and no such box or container shall be supplied or obtained in connection with the sale of any such fish except upon the terms that the property in the container is transferred to the buyer.

Restriction on use of returnable containers.

7. No person shall use or cause to be used any container which has been used as a returnable container for the transport of fish except for the purpose of the transport, storage or display for sale of fish; provided that it shall be a defence in any proceedings for an infringement of this Article for the defendant to prove that the container in question was no longer reasonably fit for any of the said purposes.

Sales by weight.

8. No person shall sell or buy fish otherwise than by weight except that on a first hand sale, fresh herrings may be sold or bought by the cran or quarter cran in accordance with Part II of the First Schedule to this Order.

Tallies.

9.—(1) On any sale of fish the seller shall fix or cause to be fixed to each box or other container in which the fish is sold, a tally indicating clearly

(*a*) the net weight of the fish packed therein;

(*b*) the species of fish packed therein and (except in the case of herrings other than boned herrings), whether the fish are whole, headless, filleted or (in the case of boned herrings) boned:

Provided that—

(i) this Article shall not apply to a sale of fish by retail or to a first hand sale of fish except fish which has been smoked, wet salted, dry salted or pickled in the United Kingdom;

(ii) sub-paragraph (*b*) of this Article shall not apply to kippered herrings, other than boned kippered herrings.

(2) For the purposes of this Article any species of fish may be indicated by any customary trade name.

Packing, icing and delivery on sales by wholesale.

10. On a sale of fish by wholesale the seller shall, unless the buyer otherwise requires—

(*a*) suitably pack and ice the fish; and

(*b*) take all reasonably practicable steps to deliver or cause to be delivered the fish to the buyer's premises or other destination specified by the buyer.

Restriction on kippering.

11. No person shall kipper any cured (pickled) herrings.

Sales of kippered herrings.

12. Every manufacturer who kippers herrings for sale shall dispose of them in the following manner:—

(*a*) he shall in the first instance offer for sale to wholesalers at least 50 per cent. of the kippers produced by him on any day from herrings landed either at the port at which his kippering premises are situated, or landed at another port in the same specified area (as defined by the Fish (Port Allocation Committees) Order, 1943, as amended(*a*)), as that in which his said premises are situated and at least 25 per cent. of the kippers produced by him on any day from any herrings landed at any other port;

(*b*) any kippers remaining for sale after the quantities specified in this Article have been offered for sale to wholesalers may be sold to any person to whom the seller may lawfully sell fish.

Smoked fish; restrictions on weight.

13. No person shall sell any smoked fish exceeding 3 lb. each in weight or, in the case of haddock, exceeding 5 lb. each in weight, unless the backbone has been removed before sale.

Display of maximum retail prices.

14. Every person who sells fish by retail shall keep displayed on his premises (or in the case of a sale from a vehicle, stall or barrow, on that vehicle, stall or barrow) in a conspicuous position, and so as to be clearly legible by all customers throughout the whole time during which any fish is being offered for sale, a notice stating the descriptions of fish mentioned in Column 1 of Parts I, II, III and IV of the

(*a*) S.R. & O. 1943 (No. 1657) II, p. 1077; 1945 (Nos. 820 and 1567) II, pp. 647–8; and 1946 (No. 941) II, p. 806.

First Schedule to this Order and the maximum retail prices applicable to all such descriptions of fish in accordance with the provisions of the said Schedule.

Weight statements.

15. On any sale by retail the seller shall not deliver or cause to be delivered to the purchaser any fish without a legible statement of the net weight and purchase price thereof, unless delivery of the fish is made to the purchaser at the place of sale immediately after the fish has been weighed in the presence of the purchaser:

Provided *that* where at the request of the purchaser the fish is filleted, gutted, trimmed or subjected to any other process involving loss of weight before delivery, and the bones or other material thus removed are not delivered with the fish the said statement shall include a statement of the net weight of the fish as sent out for delivery as well as the net weight on which the purchase price is based.

Smoked salted fish and wind dried herrings; display of notices.

16. Every person who sells by retail smoked salted fish of the following species, namely cod, haddock, ling, saithe or tusk, or wind dried herrings, shall place on or in close proximity to every lot of such fish offered or exposed for sale and so as to be clearly legible by any purchaser or intended purchaser a notice bearing the words " Smoked Salted Fish ", or " Wind Dried Herrings ", as the case may be and that notice shall not bear any other words which would materially alter or qualify the meaning of the said words.

Restriction on sale or consignment of ungutted fish.

17. Except on a first hand sale no person shall sell, or consign for sale to any agent—

(*a*) any fish (other than bream, gurnards, latchets and herrings) from which all the guts have not been removed;

(*b*) monkfish from which the head and all the guts have not been removed:

Provided that this Article shall not apply to the consignment of fish by any person in the course of his business to a servant employed by him in that business.

Restriction on soaking and de-salting.

18.—(1) No person shall sell except by retail any wet salted, dry salted or brine pickled fish which after salting or pickling has been soaked or de-salted.

(2) This Article shall not apply to the sale of smoked salted fish of the following species, namely, cod, haddock, ling, saithe or tusk, which has been soaked or de-salted incidentally to the process of smoking.

Keeping of records.

19.—(1) Every person who sells fish otherwise than by retail and every manufacturer shall keep or cause to be kept an accurate record of all his purchases and sales of fish otherwise than by retail, that record to include in respect of each purchase or sale, the date thereof, the name and address of the person from whom the fish was purchased or to whom it was sold, the descriptions of fish purchased or sold (indicating separately each species of fish, and any headless fish or fillets), the net weight of each such description, the price paid or charged and particulars of each and every addition to the maximum price (including any charge in respect of a returnable container) made in accordance with the provisions of this Order.

(2) Every retailer and fish frier shall keep or cause to be kept an accurate record of all his purchases of fish, that record to include in respect of each purchase the date thereof, the name and address of the person from whom the fish was purchased, the descriptions of fish purchased (indicating separately each species of fish, and any headless fish or fillets), the net weight of each such description, the price paid

and particulars of each and every addition to the maximum price (including any charge in respect of a returnable container) made in accordance with the provisions of this Order.

(3) The retention by any person of an invoice or of a copy of an invoice shall as respects the particulars mentioned in that document be a sufficient compliance by that person with the provisions of this Article.

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

(5) For the purposes of this Article any species of fish may be indicated by any customary trade name.

Artificial transactions; unreasonable charges.

20. No person shall in connection with the sale or disposition or proposed sale or disposition of any fish enter or offer to enter into any artificial transaction or make or demand any unreasonable charge.

Directions, licences and authorisations.

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

(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 that licence or authorisation or deliver the same to a person of such class or description and at such time as may be specified in the request.

Revocation.

22.—(1) The Fish (Control and Maximum Prices) Order, 1947, as amended(a), is hereby revoked, but without prejudice to any proceedings in respect of any contravention thereof.

(2) Any licence or authorisation granted or having effect as though granted under that Order, and subsisting immediately before the date of the coming into force of this Order, shall continue to have effect as though granted under this Order.

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

Infringements.

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

Commencement and title.

24.—(1) This Order shall come into force in relation to all first hand sales of fish, and to all sales of fish by wholesale at the port where the fish was landed, on the 4th day of December, 1948, and in all other respects on the 5th day of December, 1948.

(2) This Order may be cited as the Fish (Maximum Prices) Order, 1948.

John Strachey,
Minister of Food.

Dated the 30th day of November, 1948.

(a) S.R. & O. 1947 (Nos. 1989 and 2755) II, pp. 641–58; and S.I. 1948 Nos. 78 and 1508.

THE FIRST SCHEDULE

MAXIMUM PRICES OF FISH

PART I

Description of fish	On a first hand sale of fish other than imported boxed fish			On a sale (other than a first hand sale) by a wholesaler or manufacturer to a wholesaler or manufacturer			On a sale (other than a first hand sale) to a retailer or a fish frier			On a sale by retail			
Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9	Col. 10	Col. 11	Col. 12	Col. 13	Col. 14
	Whole	Headless	Fillets	Whole	Headless	Fillets	Whole	Headless	Fillets	Whole	Headless	Cuts	Fillets
	per stone and pro rata	per stone and pro rata	per stone and pro rata	per stone and pro rata	per stone and pro rata	per stone and pro rata	per stone and pro rata	per stone and pro rata	per stone and pro rata	per lb. and pro rata	per lb. and pro rata	per lb. and pro rata	per lb. and pro rata
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
1. Soles (other than lemon soles)	25 5	—	—	26 11	—	—	27 6	—	—	2 3	—	—	—
2. Brill and turbot—													
(i) fresh	22 10	—	—	24 3	—	—	24 10	—	—	2 0½	—	2 8	4 1
(ii) frozen	23 0	—	51 1	24 4	—	52 5	24 10	—	52 11	2 0½	—	2 8	4 1
3. Halibut (other than mock halibut)—													
(i) fresh	20 6	25 8	—	21 11	27 4	—	22 6	27 11	—	1 10	2 2½	2 6	3 8
(ii) frozen	20 8	25 10	45 6	22 0	27 5	46 10	22 6	27 11	47 4	1 10	2 2½	2 6	3 8
4. Plaice and lemon soles													
(i) fresh	13 10	—	—	15 3	—	—	15 10	—	—	1 4½	—	—	2 9
										(1 2½)	—		(2 5)
(ii) frozen	14 0	—	32 8	15 4	—	34 0	15 10	—	34 6	1 4½	—	—	2 9
5. Dabs, megrims, witches and any flat fish not otherwise specified (other than mock halibut)—													
(i) fresh	8 7	—	—	10 0	—	—	10 7	—	—	1 0	—	—	2 0
										(10)			(1 8)
(ii) frozen	8 9	—	22 2	10 1	—	23 6	10 7	—	24 0	1 0	—	—	2 0

6. Hake	11 10	14 11	—	13 3	16 7	—	13 10	17 2	—	1 2½	1 5	1 6	2 1	
7. Haddock—														
(i) fresh, skinned or unskinned	6 0	8 1	—	7 5	9 10	17 10	8 0	10 5	18 5	9½ (8½)	11½ (10½)	1 1 (1 0)	1 6½	
(ii) frozen, skinned or unskinned	—	—	16 1	7 6	9 11	17 5	8 0	10 5	17 11	9½	11½	1 1	1 6½	
8. Whiting—														
(i) fresh, skinned or unskinned	5 4	6 7	—	6 9	8 5	16 1	7 4	9 0	16 8	8½ (7½)	10 (9)	—	1 5	
(ii) frozen, skinned or unskinned	—	—	14 3	6 10	8 6	15 8	7 4	9 0	16 2	8½	10	—	1 5	
9. Cod, fresh or frozen ...	4 9	6 4	—	6 2	8 2	—	6 9	8 9	—	8 (7)	10 (9)	11½ (10½)	—	
10. Dogfish and nurses—														
(i) unskinned ...	4 0	—	—	5 3	—	—	5 6	—	—	5	—	—	—	
(ii) skinned	—	10 8	—	—	12 1	—	—	12 8	—	—	1 1½	1 1½	—	
11. Catfish—														
(i) fresh or frozen, unskinned	4 1	—	—	5 4	—	9 11	5 7	—	10 2	5	—	—	10	
(ii) fresh skinned ...	—	—	—	—	9 9	16 6	—	10 4	17 1	—	11½	11½	1 5	
(iii) frozen skinned ...	—	—	14 9	—	9 10	16 1	—	10 4	16 7	—	11½	11½	1 5	
12. Ray and skate ...	5 3	—	—	6 8	—	—	7 2	—	—	8½	8½	8½	8½	
13. Gurnards and latchets—														
(i) gutted	3 6	4 6	—	4 11	6 2	—	5 5	6 9	—	7	8½	—	—	
(ii) ungutted... ...	2 10	—	—	4 3	—	—	4 9	—	—	6½	—	—	—	
14. Saithe (coalfish)—														
(i) fresh unskinned	3 6	4 4	—	4 11	6 0	10 10	5 5	6 7	11 5	7 (6)	8 (7)	9 (8)	1 0½	
(ii) fresh, skinned ...	—	—	—	—	—	13 0	—	—	13 7	—	—	—	1 2	
(iii) frozen, unskinned	—	—	9 1	4 11	6 1	10 5	5 5	6 7	10 11	7	8	9	1 0½	
(iv) frozen, skinned...	—	—	11 3	—	—	12 7	—	—	13 1	—	—	—	1 2	

Description of fish	On a first hand sale of fish other than imported boxed fish			On a sale (other than a first hand sale) by a wholesaler or manufacturer to a wholesaler or manufacturer			On a sale (other than a first hand sale) to a retailer or a fish frier			On a sale by retail			
Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9	Col. 10	Col. 11	Col. 12	Col. 13	Col. 14
	Whole	Headless	Fillets	Whole	Headless	Fillets	Whole	Headless	Fillets	Whole	Headless	Cuts	Fillets
	per stone and pro rata	per stone and pro rata	per stone and pro rata	per stone and pro rata	per stone and pro rata	per stone and pro rata	per stone and pro rata	per stone and pro rata	per stone and pro rata	per lb. and pro rata	per lb. and pro rata	per lb. and pro rata	per lb. and pro rata
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d. (Except hake)
15. Fillets of hake, cod, and of any fish not specified above, other than herrings—													
(i) fresh, unskinned	—	—	—	—	—	14 6	—	—	15 1	—	—	—	1 3½
(ii) fresh, skinned ...	—	—	—	—	—	16 6	—	—	17 1	—	—	—	1 5
(iii) frozen, unskinned	—	—	12 9	—	—	14 1	—	—	14 7	—	—	—	1 3½
(iv) frozen, skinned...	—	—	14 9	—	—	16 1	—	—	16 7	—	—	—	1 5
16. Any description of fresh or frozen fish (including mock halibut) other than herrings, for which no other maximum price is specified in any part of this Schedule or is applicable under Article 3 of this Order—	4 9	6 0	—	6 2	7 8	14 6	6 9	8 3	15 1	8 (7)	9½ (8½)	11 (10)	1 3½

NOTES :—

1. The price specified in Column 2 of item 16 above does not apply to monkfish for which the maximum price on a first hand sale of a whole fish shall be at the rate of 1s. 7d. per stone.
2. The price specified in Column 14 of item 7 above does not apply to a sale in Scotland of fresh skinned block fillets of haddock weighing not more than ¾ lb. for which the maximum price on a sale by retail in Scotland shall be at the rate of 2s. 1d. per lb.
3. Except where otherwise provided the above prices apply to fish whether skinned or unskinned.
4. Where a bracketed price appears in Columns 11–14 of the above table, it shall be substituted for the maximum price appearing immediately above it on any sale by retail in any of the Islands in the Counties of Zetland, Ross and Cromarty, Inverness and Argyll.
5. On a sale of skinned headless gurnards by retail the maximum price shall be at the rate of 1s. 1d. per lb.
6. On a sale of skinned and curled whitings by retail the maximum price shall be at the rate of 1s. 2d. per lb.
7. The prices specified in Column 14 of item 15 above do not apply to fillets of hake for which a separate price on a sale by retail is prescribed in item 6.

PART II

Description of fish	On a first hand sale	On a sale (other than a first hand sale) by a wholesaler or manufacturer to a wholesaler or manufacturer	On a sale (other than a first hand sale) to a retailer or a fish frier	On a sale by retail
Column 1	Column 2	Column 3	Column 4	Column 5
	per stone and pro rata	per stone and pro rata	per stone and pro rata	per lb. and pro rata
	s. d.	s. d.	s. d.	s. d.
1. Herrings, fresh, frozen, salted or otherwise processed (except cured (pickled) herrings, including marinated herrings) for which no other maximum price is specified in any part of this Schedule	3 2½	4 5	4 11	6½ (5½)
2. Chitlings, milts and roes (other than cooked, smoked or cured)—				
(i) fresh	8 1	9 6	10 1	1 0
(ii) frozen	8 3	9 7	10 1	1 0
3. Fish heads	—	—	—	4
4. Fish flaps	—	3 0	3 7	6
5. Wings or parts of wings of ray or skate—				
(i) unskinned	10 11	12 6	13 2	1 2
(ii) skinned	—	—	—	1 6

NOTES:

1. Where on a first hand sale fresh herrings are sold by the cran or quarter cran, a cran or quarter cran shall for the purpose of calculating the maximum price applicable in accordance with this Schedule be deemed to contain 392 lbs. and 98 lbs. respectively of fresh herrings.
2. Except where otherwise provided the above prices shall apply to fish whether skinned or unskinned.
3. Where a bracketed price appears in Column 5 of the above table it shall be substituted for the maximum price appearing immediately above it on any sale by retail in any of the Islands in the Counties of Zetland, Ross and Cromarty, Inverness and Argyll.
4. On a sale by retail of headless herrings, fresh or frozen, the maximum price shall be at the rate of 8d. per lb. except that on a sale by retail in any of the Islands in the Counties of Zetland, Ross and Cromarty, Inverness and Argyll, the maximum price shall be at the rate of 7d. per lb.
5. On a sale of cooked roes or cooked milts, the maximum price may be increased at the rate of 6d. per lb.

PART III

Description of fish	On a sale to a wholesaler or a manufacturer		On a sale to a retailer or a fish frier		On a sale by retail	
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
	Whole or headless	Fillets	Whole or headless	Fillets	Whole or headless	Fillets
	per stone and pro rata	per stone and pro rata	per stone and pro rata	per stone and pro rata	per lb. and pro rata	per lb. and pro rata
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
1. Smoked haddock, skinned or unskinned, for which no other maximum price is specified in this Part of this Schedule	13 10	20 11	14 5	21 6	1 3	1 9
2. Smokies (cooked smoked haddocks)	15 9	—	16 4	—	1 5	—
3. Golden cutlets not exceeding ¾ lb. each in weight—						
(i) haddock	—	22 1	—	22 8	—	1 10
(ii) whiting	—	20 4	—	20 11	—	1 8½
4. Smoked whiting, skinned or unskinned, for which no other maximum price is specified in this Part of this Schedule	12 8	19 5	13 3	20 0	1 2	1 8
5. Smoked saithe (coalfish), gurnards, latchets, dogfish and nurses—						
(i) unskinned...	9 2	12 8	9 9	13 3	11	1 2
(ii) skinned	—	15 6	—	16 1	—	1 4½
6. Smoked fish of any description, other than haddock, whiting, saithe (coalfish), gurnards, latchets, dogfish, nurses and herrings—						
(i) unskinned...	11 7	17 10	12 2	18 5	1 1	1 6½
(ii) skinned	—	20 1	—	20 8	—	1 8½
7. Kippered herrings...	8 8	—	9 0½	—	9½	—
8. Bloatered herrings...	7 2	—	7 7	—	8½	—
9. Wind dried herrings	—	—	—	—	7½	—
10. Bucklings (cooked smoked herrings)—						
(i) whole	11 3	—	11 8	—	1 1	—
(ii) headless	14 9	—	15 2	—	1 4	—
11. Red herrings	8 2	—	8 6	—	9	—
12. Smoked roes	22 1	—	22 10	—	2 2	—

NOTES:

1. Except where otherwise provided the above prices apply to fish whether skinned or unskinned.
2. The prices specified in Columns 2 and 4 of item 7 in Column 1 do not apply on a first hand sale of kippered herrings imported or intended to be imported or brought or intended to be brought into the United Kingdom from Eire or the Isle of Man the maximum prices for which on such a sale shall be at the rates of 8s. 1½d. per stone and 8s. 6d. per stone respectively.

PART IV

Description of fish	On a sale to a wholesaler or a manufacturer	On a sale to a retailer or a fish frier	On a sale by retail
Column 1	Column 2	Column 3	Column 4
	per stone and pro rata	per stone and pro rata	per lb. and pro rata
	s. d.	s. d.	s. d.
1. Boned herrings	9 0	9 5	10½
2. Boned kippered herrings ...	11 10	12 3	1 0½

PART V

MAXIMUM FIRST HAND PRICES OF IMPORTED BOXED FISH

Description of fish	On a first hand sale of imported boxed fish	
Column 1	Column 2	Column 3
	Whole	Headless
	per stone and pro rata	per stone and pro rata
	s. d.	s. d.
1. Soles (other than lemon soles) ...	23 7	—
2. Brill and turbot	21 1	—
3. Halibut (except mock halibut) ...	18 10	23 6
4. Plaice and lemon soles	12 11	—
5. Dabs, flounders, megrims, witches	8 2	—
6. Hake	11 1	—
7. Haddock	5 9	7 6
8. Whiting	5 3	6 6
9. Cod	4 8	6 0
10. Dogfish (skinned)	—	9 9
11. Catfish (skinned)	—	7 8
12. Ray and skate	5 2	10 0 (wings)
13. Gurnards and latchets	3 6	4 5
14. Saithe (coalfish)	3 6	4 3
15. Roes	—	7 3
16. Any other white fish	4 8	5 10

NOTES :

1. Except where otherwise stated the above prices apply to fish whether skinned or unskinned.

2. The maximum prices of imported boxed fish on sales other than first hand sales are those specified in Part I of the First Schedule, except in the cases of wings of ray and skate, and roes, when they are those specified in Part II of the Schedule.

THE SECOND SCHEDULE

ADDITIONS TO AND DEDUCTIONS FROM THE MAXIMUM PRICES PRESCRIBED IN THE FIRST SCHEDULE

Gutting

1.—(1) Where any fish other than bream or herrings is sold on a first hand sale without the guts having been removed, a deduction of 20 per cent. shall be made from the maximum price of that fish unless a maximum price is prescribed for the fish ungutted.

(2) No addition shall be made to the maximum price of any fish in respect of gutting.

Containers

2.—(1) The sum to be charged by the seller in accordance with Article 6 of this Order shall be 5s. 0d. per container, and of this sum 3s. 0d. shall be repayable to the buyer on redelivery of the container without the lid, and 2s. 0d. shall be so repayable on redelivery of the lid without the container; provided that the full sum of 5s. 0d. shall be repayable to the buyer on redelivery by him of any lidless herring containers of not less than 7 stones capacity.

(2) Where fish is sold otherwise than by retail in wooden boxes of a capacity not exceeding 1 stone, a charge additional to the maximum price may be made of 3d. per box (the property in the box being transferred to the buyer in accordance with paragraph (5) of Article 6 of this Order).

(3) Save as provided in this paragraph no charge whether by way of deposit or otherwise and no addition to the maximum price shall be made for or in respect of containers on any sale of fish.

Packing and Icing

3.—(1) Where on a first hand sale of fresh fish, other than imported boxed fish, the seller packs, ices and places the fish on rail, ship or road vehicle, as may be appropriate, the seller may in addition to the maximum price charge a sum calculated in accordance with the following scale :—

Description of fish	On a first hand sale to a wholesaler or manufacturer		On any other first hand sale	
	Whole	Other than whole	Whole	Other than whole
	per stone and pro rata	per stone and pro rata	per stone and pro rata	per stone and pro rata
	d.	d.	s. d.	s. d.
1. Soles (other than lemon soles)	8	—	1 3	—
2. Flat fish (other than halibut and soles but including lemon soles)	7	—	1 2	—
3. Dogfish and nurses—				
(i) unskinned	5	—	8	—
(ii) skinned	—	7	—	1 2
4. Catfish	5	—	8	—
5. Ray and skate...	7	—	1 1	—
6. Wings of ray and skate ...	—	9	—	1 5
7. Chitlings, milts and roes ...	—	7	—	1 2
8. Saithe (coalfish), gurnards and latchets	7	7	1 1	1 2
9. Herrings	7½	—	1 1½	—
10. Haddock	7	8	1 2	1 3
11. Cod and whiting	7	9	1 2	1 4
12. Any fish not specified above (including halibut)	7	7	1 2	1 2

(2) Save as provided in this paragraph no addition to the maximum price shall be made on any sale of fish in respect of packing or icing.

Splitting of Herrings

4. Where on any sale of herrings other than a sale by retail the seller splits the herrings at the request of the buyer, the seller may make a charge additional to the maximum price at the rate of 6d. per stone (calculated on the weight of herrings as sold, before splitting). No additional charge for splitting shall be made in the case of boned fresh herrings. Save as provided in this paragraph no additional charge shall be made on any such sale in respect of splitting.

Transport and Delivery

5.—(1) The maximum price on a first hand sale of imported boxed fish includes all costs and charges up to the arrival of the fish at a United Kingdom port, and is fixed on the basis of delivery by the seller to the buyer ex ship. Where the first hand sale is an f.o.b. sale, or where the buyer otherwise pays freight or any other charge in respect of the transport of the fish to the United Kingdom port, the amount paid by the buyer for freight and other such charges (if any) shall be deducted from the maximum first hand price, and the balance only shall be the maximum price payable to the seller.

(2) Where, on a first hand sale of fresh fish (not being fish imported or brought into the United Kingdom) otherwise than through an agent the seller at the request of the buyer delivers the fish to the buyer's premises or to a road vehicle, the seller may charge and the buyer may pay in addition to the maximum price an amount calculated at a rate not exceeding 3d. per stone of fish so delivered ;

Provided that (*a*) where the fish is delivered in any package or parcel containing more than 2 stones of fish the charge for the delivery of that package or parcel shall not exceed 6d. ; and (*b*) where pursuant to paragraph 3 (1) of this Schedule a charge is made by the seller in addition to the maximum price, no additional charge may be made by him under this sub-paragraph.

(3) On a sale to a retailer or a fish frier either by a secondary wholesaler or by any person selling through the agency of a wholesaler acting as a commission agent, the following additions may be made to the maximum price in respect of transport or delivery :—

(*a*) the amount of any porterage charge customary in the market in which the seller's premises are situated which may have been actually and reasonably incurred by the seller on or in connection with the sale ;

(*b*) where pursuant to Article 10 of this Order the seller delivers or causes to be delivered the fish to the buyer's premises or other destination specified by the buyer—

(i) in respect of transport by rail (including collection or delivery by the railway company) a sum equal to the amount actually and reasonably incurred by the seller ;

(ii) in respect of transport otherwise than by rail (in addition to any amount added in respect of porterage under sub-paragraph (*a*) of this paragraph) a reasonable charge at a rate not exceeding 3d. per stone, or where less than 2 stones of fish is delivered at one time a reasonable charge not exceeding 6d.

(4) No addition to the maximum price shall be made under this paragraph in respect of any transport for which payment is made by the Minister.

(5) Save as provided in this paragraph no charge additional to the maximum price shall be made on any first hand sale or sale by wholesale in respect of transport or delivery.

Charges for other Services

6. No charge additional to the maximum price shall be made on any sale in respect of any service other than a charge authorised by this Schedule.

Interpretation

7. In this Schedule—

(*a*) any reference to the maximum price of any fish shall be construed as a reference to the maximum price specified in the First Schedule to this Order ;

(*b*) " seller's premises " includes any store or warehouse where fish is stored or kept on behalf of the seller.

EXPLANATORY NOTE

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

This Order replaces the Fish (Control and Maximum Prices) Order, 1947, as amended. The principal modifications are as follows:—

(1) The maximum prices of all varieties of headless fish, except dogfish and wings of ray or skate, are reduced by 3d. per stone on a first hand sale;

(2) Cooked fish, with the exception of roes, milts, smokies and bucklings, is removed from price control;

(3) A maximum retail price of 2s. 1d. per lb. is prescribed for fillets of hake.

(B) CANNED FISH

The Imported Canned Fish (Maximum Prices) Order, 1947 (Amendment No. 2) Order, 1948

1948 No. 152

Made - - - - 30*th January*, 1948
Coming into Operation 1*st February*, 1948
*To be laid before Parliament**

In exercise of the powers conferred upon him by Regulations 55 and 55AB of the Defence (General) Regulations, 1939(**a**), as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945(**b**) as extended by the Supplies and Services (Extended Purposes) Act, 1947(**c**), and of all other powers him enabling, the Minister of Food hereby makes the following Order:—

1. The Imported Canned Fish (Maximum Prices) Order, 1947, as amended(**d**), shall be further amended as follows:—

(*a*) by substituting for Part I of the First Schedule thereto the Schedule to this Order:

(*b*) by substituting for paragraph 2 of the Second Schedule thereto the following paragraph:—

" 2. The maximum prices on a sale to a wholesaler or to a manufacturer include—

(*a*) all costs and charges in respect of packing and packages or containers; and

(*b*) all costs and charges of and incidental to delivery of the canned fish to the premises of the buyer;

and no charge additional to the maximum price may be made by the seller for or in respect of any such costs and charges."

2. The Imported Canned Fish (Maximum Prices) Order, 1947 (Amendment No. 1) Order, 1947(**e**), is hereby revoked.

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* This Order was laid before Parliament on the 2nd February, 1948.

(**a**) *See* Note, p. 15 above.

(**b**) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1611 and 1615–25) II, pp. 39 and 45–56.

(**c**) 10 & 11 Geo. 6. c. 55.

(**d**) S.R. & O. 1947 (Nos. 136 and 2110) II, pp. 660–5.

(**e**) S.R. & O. 1947 (No. 2110) II, p. 665.