STATUTORY INSTRUMENTS

1975 No. 1074

PRICES

The Household Flour Prices Order 1975

Made - - -	1*st July* 1975
Laid before Parliament	1*st July* 1975
Coming into Operation	
(*except articles* 7 *to* 9)	7*th July* 1975
(*articles* 7 *to* 9)	18*th 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 subsection (1) of that section and under paragraph 2(1) and (5) of the Schedule to that Act 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 Household Flour Prices Order 1975 and (except articles 7 to 9) shall come into operation on 7th July 1975.

(2) Articles 7 to 9 shall come into operation on 18th August 1975.

(3) In this Order—

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

"household flour" means wheat flour of each of the descriptions referred to in column 1 of the Table set out in article 6, and in articles 4, 5 and 10 means also other household flour;

"other household flour" means flour containing not less than 90 per cent. by weight of milled wheat packed in packages but does not include—

(*a*) any household flour of a description referred to in column 1 of the Table set out in article 6; and

(*b*) batter mixes, bread mixes or cake mixes;

"package" means

(*a*) a pack of not more than 7lb. weight intended for retail sale; and

(*b*) in the case only of flour of not less than 80 per cent. extraction, a pack of 70lb. weight.

"weight" means net weight.

(a) 1974 c. 24. (b) 1975 c. 32.

(4) References to household flour of any category are references to household flour of a description referred to in column 1 of the Table set out in article 6 and packed for retail sale in a weight referred to in column 2 of that Table; and references to household flour of any variety are references to household flour of any variety within any such category.

(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 Food Subsidies (Conditions) (Flour) Order 1974(b) is hereby revoked.

Conditions relating to high extraction flour

3.—(1) Any person—

(*a*) who claims or receives a subsidy payment; or

(*b*) to whom any high extraction flour is sold otherwise than by retail and to whom a conditions notice has been given;

shall observe the conditions specified in paragraph (2).

(2) The conditions referred to in paragraph (1) above are—

(*a*) a condition that, except in the course of business carried on not with a view to profit, the high extraction flour in question shall not be used for manufacture;

(*b*) a condition that the person shall make and shall retain for a period of not less than 2 years from the date when he receives a subsidy payment or from the date when he receives any high extraction flour to which a conditions notice relates, as the case may require, records showing the following particulars, that is to say—

(i) particulars of the quantity of high extraction flour to which any conditions notice received by him relates, identifying the notice and specifying the person by whom it was given and the date when it was received;

(ii) particulars of the quantity of high extraction flour sold by him and in respect of which he gives notice of the conditions specified in this paragraph;

(iii) particulars of the quantity of high extraction flour sold by him by retail;

and shall for the like period retain all such documents as are referred to in, or are required to vouch records of, the particulars specified in (i) and (ii).

(3) In this article—

"conditions notice" means a notice of any conditions specified in paragraph (2) above and which is given under paragraph 2 of the Schedule to the Act;

"high extraction flour" means flour containing not less than 90 per cent. by weight of milled wheat of not less than 80 per cent. extraction, packed in a pack of 70lb. weight;

"subsidy payment" means any payment made in respect of high extraction flour under a scheme at any time in operation under section 1 of the Act (which makes provision for the payment of food subsidies).

(a) 1889 c. 63.

(b) S.I. 1974/1566 (1974 III, p. 5912).

Maximum prices of household flour and other household flour

4. This Order does not apply to the price for the sale of any household flour by any person who has received a declaration in writing by the person who, in the United Kingdom, first sells the household flour in any package that he has not claimed and will not claim any payment under section 1 of the Act in respect of that household flour.

Gross percentage margin for household flour and other household flour

5.—(1) This article applies to any person who sells household flour in any package if he—

(*a*) is not the first seller thereof in the United Kingdom; and

(*b*) sold household flour at a price which was not a special offer price at any time after 21st May 1975 and before the date when this Order is made.

(2) Subject to article 6, no person shall sell any household flour at a price which, taken with the prices of all household flour 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 household flour sold by him (other than at a special offer price) in the base period.

(3) In this article—

"base period", in the case of any person, means a single period of 7 days including 22nd May 1975;

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

"special offer price" means the price—

(*a*) at which a person sold household flour 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 22nd May 1975; and

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

(4) Except for the purposes of paragraph (1) above, references in paragraph (3) above to 22nd May 1975 shall, in relation to a person who did not sell household flour or who sold household flour 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 household flour at a price which was not a special offer price.

Maximum price of household flour

6. A person shall not sell by retail household flour packed for retail sale at a price which exceeds the lower of the following prices, that is to say—

(*a*) the price given by article 5 above; and

(*b*) the price specified in column 2 of the following Table in relation to the category of household flour in question.

TABLE

Column 1 Category of household flour	Column 2	
	1lb. weight Price in pence	3lb. weight Price in pence
1. Plain (other than strong, wheatmeal and wholemeal)	9	24½
2. Self-raising (other than strong, wheatmeal and wholemeal)	9	24½
	70lb. pack Price in £	
3. Chupatty (however spelt) (other than batch, brown and wholemeal)	4·00	

Display of information relating to household flour

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

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

(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 household flour of a variety to which the article applies.

(3) In this article, "maximum price" in relation to household flour sold by any person means the highest price at which that person may sell household flour of that category in accordance with article 6(*b*).

8. A person, in addition to displaying or keeping available the information in accordance with article 7, shall, in respect of the variety of household flour to which article 6 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 manner specified in article 7(1)(*a*) and (2) but more conspicuously and in larger and bolder characters.

9. Nothing in this Order shall prohibit the display of information under articles 7(1)(*a*) and (2) and 8 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 household flour and other household flour

10. A person shall not, in connection with the sale of any household flour 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.

1st July 1975.

EXPLANATORY NOTE

(This Note is not part of the Order.)

The Order regulates the maximum prices which may be charged for the sale of household flour subsidised under section 1 of the Prices Act 1974. The maximum price is generally the lower of that specified in the Table in article 6 and that resulting from the application of the gross percentage margin provided in article 5. The Order also requires the display, in a shop in which subsidised household flour is sold, of information about the maximum price set for the best selling variety of household flour in that shop and the separate display, or 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 flour on sale in the shop (Articles 7 and 8).

This Order also revokes the Food Subsidies (Conditions) (Flour) Order 1974 and, in Article 3, reproduces the provisions of that Order which prescribed conditions to be observed by claimants or recipients of subsidy relating to high extraction wheat flour and by subsequent owners of such flour to whom notice of the conditions is given. The definition of high extraction flour has been modified to bring it into line with the definitions of household flour used in the other provisions of this Order.

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