PART II

The Fish (Maximum Prices) Order, 1948(a) in all other respects than those specified in Part I of this Schedule.

The Fish Cakes (Maximum Prices) Order, 1943, as amended(b).

The Salmon (Maximum Prices and Distribution) Order, 1944, as amended(c).

The Imported Canned Fish (Maximum Prices) Order, 1950

1950 No. 584

Made - - - -	*5th April*, 1950
Laid before Parliament	*6th April*, 1950
Coming into Operation	*8th April*, 1950

In exercise 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(d) as extended by the Supplies and Services (Extended Purposes) Act, 1947(e), 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.

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

"Canned fish" means fish of a description specified in Column 1 of Part 1 of the First Schedule to this Order which has been canned outside, and imported into, the United Kingdom.

"Canned" 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, and includes any such fish which, having been so packed has been removed from 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, and the expression "caterer" shall be construed accordingly.

"First hand distributor" means, in relation to any canned fish, a person who has bought the canned fish from the Minister, or who has imported it.

"Multiple retailer" means a retailer carrying on business at not less than ten retail shops.

"Sale by retail" means any sale to a person buying otherwise than for the purpose of resale, and includes a sale to a caterer for the purposes of his catering business, but does not include a sale to a manufacturer for the purposes of his manufacturing business, and the expression "retailer" shall be construed accordingly.

Maximum Prices

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

(a) S.I. 1948 (No. 2610) II, p. 569.
(b) S.R. & O. 1943 (No. 1593) II, p. 1121; and 1944 (No. 1278) II, p. 766.
(c) S.R. & O. 1944 (Nos. 48, 474 and 1139) II, pp. 751–9 and 1948 (No. 130) II, p. 588.
(d) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1611 and 1615–25) II, pp. 39 and 45–65.
(e) 10 & 11 Geo. 6. c. 55.

Sales to a person who is both wholesaler and retailer

3. For the purposes of this Order a sale to any person who carries on business both as a wholesaler and as a retailer shall, if the buyer is buying for the purposes of his wholesale business, be deemed to be a sale to a wholesaler and if the buyer is buying for the purposes of his retail business, be deemed to be sale to a retailer.

Canned Fish to be sold only in original containers

4. No person shall buy or sell any canned fish otherwise than in the original container in which it has been canned:

Provided that nothing in this Article shall restrict the sale or purchase of canned fish contained in or forming an ingredient of any product manufactured in the United Kingdom.

Records

5.—(1) Every person who carries on any undertaking by way of trade or business in the course of which he sells canned fish otherwise than by retail shall keep or cause to be kept an accurate record of all sales and purchases thereof by him, that record to show in respect of each purchase or sale the date thereof, the name and address of the person from whom the canned fish was purchased or to whom it was sold and particulars of the quantities and descriptions thereof purchased or sold as the case may be, and of the prices charged, and of each and every addition to the maximum price made in accordance with the provisions of this Order.

(2) Every person who carries on any undertaking by way of trade or business in the course of which he sells by retail any canned fish shall keep or cause to be kept an accurate record of all purchases thereof by him, that record to show in respect of each purchase the date thereof, the name and address of the person from whom the canned fish was purchased and particulars of the quantities and descriptions thereof, and of the prices paid and of each and every addition to the maximum price made in accordance with the provisions of the Order.

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

(4) Every person who is required by this Article to keep any record shall retain it for not less than one year from the date of the transaction to which it relates.

Caterers

6. The provisions of this Order shall not apply to the sale of canned fish as a meal or part of a meal served by a caterer in the course of his catering business.

Artificial transactions

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

Directions, licences and authorisations

8.—(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, or in respect or authorisation which 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 that licence or authorisation.

Revocation

9.—(1) The Imported Canned Fish (Maximum Prices) Order, 1947, 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 until the expiration of one year from the date of the transaction to which it relates.

Infringements

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

Commencement and citation

11. This Order shall come into force on the 8th day of April, 1950 and may be cited as the Imported Canned Fish (Maximum Prices) Order, 1950.

Dated the 5th day of April, 1950.

Maurice Webb,
Minister of Food.

THE FIRST SCHEDULE

PART I

Maximum Prices on Sales other than to a manufacturer

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Description of Imported Canned Fish	Description of container	Number of containers per case	MAXIMUM PRICES		
			On a sale by a first hand distributor to a wholesaler	On a sale to a retailer	On a sale by retail
			At the rate of—per case	At the rate of—per case	At the rate of—per container
			s. d.	s. d.	s. d.
1. Salmon—					
Group 1—					
Sockeye, Red Alaska, Siberian and Japanese Red.	1's	48	144 6	148 6	3 6
	½'s	48	99 6	103 6	2 4½
	¼'s	96	138 0	142 0	1 7½
Group 2—					
Fancy Chinook, Blueback, Red Spring, King and Steelhead, Medium Red Cohoe, Silver and Chinook.	1's	48	123 6	127 6	3 0
	½'s	48	83 0	87 0	2 0
	¼'s	96	116 0	120 0	1 4½

(**a**) S.R. & O. 1947 (No. 136) II, p. 660; and S.I. 1948 (No. 152) II, p. 584; and S.I. 1949 No. 1685.

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Description of Imported Canned Fish	Description of container	Number of containers per case	Maximum Prices: On a sale by a first hand distributor to a wholesaler	Maximum Prices: On a sale to a retailer	Maximum Prices: On a sale by retail
			At the rate of—per case	At the rate of—per case	At the rate of—per container
			s. d.	s. d.	s. d.
1. Salmon—(*contd.*) *Group* 3— Pink, Keta, Chum, Whitespring and any description or variety of Canned Salmon not specified above.	1's	48	93 6	97 6	2 3
	½'s	48	61 6	65 6	1 6
	¼'s	96	83 3	87 3	1 0
2. Pilchards	1's	48	60 6	64 6	1 6
	½'s	48	39 6	43 6	1 0
	5 oz. or 6 oz.	100	50 6	54 6	7½
3. Crawfish (Crayfish)	½'s	48	69 6	73 6	1 9
	¼'s	96	80 0	84 0	1 0
4. Sardines (other than American or Canadian Sardines).	1/10th club 20 mm.	100	66 10	70 10	9½
	1/8th club 25 mm.	100	77 3	81 3	11
	1/8th club 30 mm.	100	81 5	85 5	11½
	1/8th flat 24 mm.	100	96 0	100 0	1 1½
	¼'s special 25 mm.	100	92 10½	96 10½	1 1
	¼'s club 27 mm.	100	99 1½	103 1½	1 2
	¼'s club 30 mm.	100	99 1½	103 1½	1 2
	¼'s club 40 mm.	100	140 9½	144 9½	1 7½
	¼'s oval 30 mm.	100	144 11½	148 11½	1 8
	¼'s reduced 18 mm.	100	81 5	85 5	11½
	¼'s usual or Dingley 22 mm.	100	99 1½	103 1½	1 2
	¼'s usual 24 mm.	100	118 11	122 11	1 4½
	¼'s usual 30 mm.	100	140 9½	144 9½	1 7½
	¼'s American 30 mm. (nominal 12 ozs.)	100	159 6½	163 6½	1 10
	Large ½'s 40 mm. (nominal 18 ozs.)	100	263 8½	267 8½	3 0
	4/4 80 mm. (nominal 36 ozs.)	50	251 2½	255 2½	5 9
5. Brisling	¼'s	100	82 5½	86 5½	1 0
6. Sild	¼'s	100	74 1½	78 1½	10½
7. Crab	½'s	48	155 1½	159 1½	3 9
8. Barracouta	1's	48	69 6	73 6	1 9
	½'s	48	37 6	41 6	1 0
9. Tunny (Tuna) ...	½'s	48	92 6	96 6	2 3
	¼'s	96	125 0	129 0	1 6

PART II

Maximum prices on a sale to a manufacturer

On a sale of any description of canned fish to a manufacturer the maximum price shall be at the rate of 9d. per case more than the maximum price specified in relation to that description of fish in Column 4 of Part I of this Schedule.

THE SECOND SCHEDULE

Additions to and deductions from the maximum price

1. On a sale of any canned fish in a container not corresponding with any description of container specified in respect of the canned fish in Column 2 of the First Schedule, the price shall be the price applicable to the description of canned fish in the container (if any) described in the said column which is next smaller in size or capacity.

2.—(1) 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;

(*b*) all costs and charges of and incidental to delivery of the canned fish to the premises of the buyer and no additional charge may be made by the seller in respect of any such costs or charges.

(2) Where on a sale to a wholesaler or to a manufacturer, delivery is given to the buyer at any place not mentioned in the preceding sub-paragraph, the maximum price may be increased by the amount of any costs and charges reasonably paid or incurred by the seller in respect of the transport of the canned fish from the place where it was stored on the seller's behalf to the place at which delivery is given to the buyer.

3.—(1) Save as provided in paragraph 4 of this Schedule the maximum prices on a sale to a retailer include all costs and charges—

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

(*b*) of and incidental to delivery of the canned fish at the retailer's premises; and save as aforesaid, no additional charge shall be made on any such sale in respect of packing, packages, containers, transport or delivery.

(2) Where on a sale to a multiple retailer, delivery is given or the buyer requests that delivery be given at a central depot or warehouse from which distribution is ordinarily made by the buyer to not less than ten of his retail shops, the maximum price shall be reduced by a sum at the rate of 1s. 3d. per case.

4. There may be added to the maximum price—

(*a*) on a sale to a retailer where delivery is given at the premises of the buyer situate on the mainland of Scotland north of the Caledonian Canal, on any of the Islands of the Pentland Firth, or in the counties of Orkney or Zetland, and also on any sale by retail in any such area, a sum at a rate not exceeding ¼d. per container in the case of canned fish sold in containers described either as 1's or ½'s or by reference to a weight or nominal weight of 8 oz. or more;

(*b*) on a sale to a retailer, where delivery is given at the premises of the buyer situate on any of the Islands of the West of Scotland other than those of the Firth of Clyde, and also on any sale by retail in any such area, a sum at a rate not exceeding—

(i) ½d. per container in the case of canned fish sold in containers described either as 1's or by reference to weight or nominal weight of 18 oz. or more;

(ii) ¼d. per container in the case of canned fish sold in containers described either as ½'s or by reference to a weight or nominal weight of 8 oz. or more but less than 18 oz.

5. Where on a sale to a retailer part only of a case is sold or is at the buyer's request delivered to him, the maximum price may be increased by an amount not exceeding a sum at the rate of 1d. per dozen containers.

6. Where on a sale of canned fish any addition is made to the maximum price in accordance with this Schedule the amount of each and every such addition shall be shown as a separate item in an invoice to be furnished by the seller to the buyer within three days of the delivery of the canned fish.

EXPLANATORY NOTE

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

This consolidating Order revokes and re-enacts the Imported Canned Fish (Maximum Prices) Order, 1947, with some amendments, of which the principal are:—

(1) the maximum prices of sardines are increased;
(2) imported canned mackerel and snoek are removed from price control;
(3) changes are made in certain maximum wholesale prices.

The Imported Canned Fish (Amendment) Order, 1950

1950 No. 1341

Made - - - - 4*th August*, 1950
Laid before Parliament 5*th August*, 1950
Coming into Operation 13*th August*, 1950

In exercise of the powers conferred upon him by Regulations 55 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 of all other powers him enabling, the Minister of Food hereby makes the following Order:—

1. The Imported Canned Fish (Maximum Prices) Order, 1950(c) shall be amended by substituting for the entry numbered 9 in Part I of the First Schedule thereto the following entry:—

" Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
			Maximum Prices		
Description of Imported Canned Fish	Description of container	Number of containers per case	On a sale by a first hand distributor to a wholesaler	On a sale to a retailer	On a sale by retail
			At the rate of— per case	At the rate of— per case	At the rate of— per container
			s. d.	s. d.	s. d.
9. Tunny (Tuna)...	½'s	48	68 8	72 8	1 9
	¼'s	96	77 4	81 4	1 0".

(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. 584, p. 610 above.