STATUTORY INSTRUMENTS

1975 No. 1317

CONSUMER PROTECTION

PRICES

The Price Marking (Fruits and Vegetables) Order 1975

Made - - - -	*4th August* 1975
Laid before Parliament	*14th August* 1975
Coming into Operation	*1st November* 1975

Whereas the Secretary of State, in accordance with the provisions of section 4(3) of the Prices Act 1974**(a)**, has consulted, in such manner as appeared to her to be appropriate having regard to the subject-matter and urgency of this Order, with such organisations representative of interests substantially affected by this Order as appeared to her, having regard to these matters, to be appropriate:

Now, therefore, the Secretary of State, in exercise of her powers under section 4 of that Act, hereby makes the following Order:—

1.—(1) This Order may be cited as the Price Marking (Fruits and Vegetables) Order 1975 and shall come into operation on 1st November 1975.

(2) Goods to which this Order applies are foods consisting of fruits or vegetables either—

(*a*) in the state in which they were harvested; or

(*b*) in the said state apart from cleaning or trimming; or

(*c*) in the case of beetroots, in the said state apart from having been cooked; or

(*d*) in the case of peas, in the said state apart from having been shelled; or

(*e*) in the case of fruits (other than nuts) or vegetables which have been divided into pieces or have had part thereof removed or both, any part of those fruits or vegetables which has not been subjected to any further process other than those mentioned in subparagraphs (*b*) to (*d*) above.

(3) This Order does not apply to goods pre-packed with goods to which this Order does not apply.

(4) In this Order—

"container" includes any form of packaging of goods for sale as a single item, whether by way of wholly or partially enclosing the goods, and in particular includes a wrapper or confining band;

"pre-packed" means made up in advance ready for retail sale in or on a container.

(a) 1974 c. 24.

(5) The Interpretation Act 1889(a) applies 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.

2. The Price Marking (Vegetables) Order 1974(b) is hereby revoked.

3. No person shall, in Great Britain, offer or expose for sale by retail goods to which this Order applies unless an indication of the price of the goods is given, being an indication complying with the appropriate requirements of the Schedule hereto.

Robert Maclennan,
Parliamentary Under-Secretary of State,
4th August 1975. Department of Prices and Consumer Protection.

(a) 1889 c. 63.

(b) S.I. 1974/1369 (1974 II, p. 5256).

SCHEDULE

1. In this Schedule—

"selling price", in relation to any goods, means the price at which the goods are offered or exposed for sale, not being a price expressed by reference to a unit of measurement;

"unit price", in relation to any goods, means the price per pound weight of those goods.

2. In cases of pre-packed goods, the indication of the price shall be an indication of the selling price.

3. In the case of goods to which this Order applies which are not pre-packed but which are offered or exposed for sale in a specified quantity exceeding one pound weight or exceeding one in number at a specific selling price, the indication of the price shall be an indication of the specific selling price.

4. In the case of goods which are not pre-packed but which are offered or exposed for sale otherwise than in the manner mentioned in paragraph 3 (whether or not they are also offered or exposed for sale in that manner) the indication of the price shall—

(*a*) if they are offered or exposed for sale by weight, be an indication of the unit price of the goods;

(*b*) if they are offered or exposed for sale by number, be the selling price of each fruit or vegetable or each part of a fruit or vegetable;

and where the goods are offered or exposed for sale in the manner mentioned in paragraph 3 and also in the manner mentioned in this paragraph, the provisions of both that paragraph and this paragraph shall be complied with in relation to the goods.

5. An indication of the price shall be easily recognisable by an intending purchaser under normal conditions of purchase as referring to the goods in question; but the indication need not be adjacent to the goods and may be grouped with other indications of the prices of other goods to which this Order applies in the form of a list or otherwise.

6. Where the indication of a price is not adjacent to the goods to which it refers it shall be in such a position that it is readily discernible by an intending purchaser from the place where he would under normal conditions of purchase select the goods, or, if he would not select the goods himself, where he would, under those conditions, ask for the goods. If there is more than one such indication of the same price in relation to any goods it shall be sufficient if one such indication complies with this paragraph.

7. Any indication shall be clear and legible, and easily read by an intending purchaser under such conditions.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order requires the price of fresh fruits and vegetables which are offered or exposed for retail sale to be indicated. Various methods of indicating the price are provided for in the Schedule.

The Order applies to all fresh fruits (including nuts in shell) and vegetables, whether prepacked or not. It also applies to cooked beetroots.

The selling price must be indicated for prepacked goods. For non-prepacked goods the price indication is to be:—

(*a*) in the case of fruits and vegetables offered or exposed for sale in a specified quantity exceeding one pound weight or one in number at a specific price, the selling price of that quantity;

(*b*) in other cases where goods are offered or exposed for sale by weight, the unit price (price per pound weight);

(*c*) in other cases where goods are offered or exposed for sale by number, the selling price of each fruit or vegetable.

The Price Marking (Vegetables) Order 1974, which applied to certain kinds of vegetables, is revoked.

SI 1975/1317
ISBN 0-11-051317-7

