XXXIV. TEA

[Rationing, *see* p. 478 above.]

The Tea (Prices) Order, 1948

1948 No. 1985

Made - - - -	*27th August*, 1948
Laid before Parliament	*30th August*, 1948
Coming into Operation	*19th September*, 1948

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:—

1. In this Order:—

" The Minister " means the Minister of Food.

" Current price " means, in relation to any tea sold, agreed to be sold or offered for sale by any person, the price at which, in the ordinary course of business in the course of which that tea was sold agreed to be sold or offered for sale, tea of a substantially similar description, quality and quantity was lawfully being offered for sale by that person on substantially similar terms and conditions on the 1st day of February, 1947, provided that:—

(*a*) in relation to any tea sold agreed to be sold or offered for sale in the course of a business that included both a wholesale and a retail branch, or two or more branches in localities of a different character, or otherwise howsoever distinguishable, the reference in this definition to the business in which that tea was sold by that person shall be construed as a reference to the particular branch of the business in the course of which the transaction was effected; and

(*b*) in relation to any tea sold, agreed to be sold or offered for sale by any person in the course of a business or of a branch of a business that was not being carried on by that person on the 1st day of February, 1947, or in the course of which tea of the relevant character was not being offered for sale or was not being offered for sale on substantially similar terms and conditions on that date, this definition shall have effect with the substitution for the reference to the business in the course of which that tea was sold, agreed to be sold, or offered for sale, of a reference to a business similar to that business, or to a branch of a business similar to that branch of that

(**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 45–46.
(**c**) 10 & 11 Geo. 6. c. 55.

business, which was then being carried on, or in the course of which tea of the relevant character was then being offered for sale on substantially similar terms and conditions as the case may be.

" China tea " means a blend consisting principally but not wholly of tea produced in China.

" Pure China tea " means tea wholly produced in China.

" Formosa tea " means a blend consisting principally but not wholly of tea produced in Formosa (including Oolong tea).

" Pure Formosa tea " means tea wholly produced in Formosa (including Oolong tea).

" Sale by retail " means any sale to a person buying otherwise than for resale and includes any sale to a caterer for the purposes of a catering business carried on by him; and the word " retailer " shall be construed accordingly.

2.—(1) Except under and in accordance with the terms of a licence granted by or on behalf of the Minister, no person shall sell or offer or agree to sell or expose for sale:—

(*a*) any China tea or Formosa tea at a price exceeding the current price;

(*b*) any Pure China tea or Pure Formosa tea at a price exceeding the current price, unless there appear on the wrapper or container of the tea the words " Pure China tea " or " Pure Formosa tea ", as the case may be (when the tea may be sold without restriction of price); and

(*c*) any tea other than those specified in paragraphs (*a*) and (*b*) hereof, at a price exceeding the current price by more than 4d. per lb.

3.—(1) Every person who sells tea otherwise than by retail shall keep or cause to be kept an accurate record of all purchases and sales of tea by him; and that record shall include particulars identifying the persons from whom the tea was purchased and to whom it was sold, and particulars of the quantity and description of the tea purchased or sold and of the price paid or charged.

(2) Every person who sells tea by retail shall keep or cause to be kept an accurate record of all purchases of tea by him; and that record shall include particulars identifying the persons from whom the tea was purchased and showing the price paid.

(3) The retention by any person of an invoice or a copy of an invoice shall as regards the particulars mentioned in it 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.

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

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

6.—(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 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 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.

7.—(1) The Tea (Prices) Order, 1947(a), is hereby revoked, but without prejudice to any proceedings in respect of any contravention thereof: provided that any licence granted under the said Order and subsisting immediately before the coming into force of this Order, shall take effect as though granted under this Order.

(2) Every person shall, notwithstanding the revocation of the said Order, retain any record required to be kept by him thereunder for a period of not less than one year from the date of the transaction to which it relates.

8. This Order may be cited as the Tea (Prices) Order, 1948, and shall come into force on the 19th day of September, 1948.

By Order of the Minister of Food.

D. Perrott,
Deputy-Secretary.

Dated the 27th day of August, 1948.

EXPLANATORY NOTE

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

This Order revokes and re-enacts the Tea (Prices) Order, 1947, with the exception that Pure China and Pure Formosa tea (including Oolong tea) are freed from price control. If such teas, however, are sold at prices exceeding the current prices (i.e. the prices at which such teas were sold on 1st February, 1947) they must be labelled " Pure China tea " or " Pure Formosa tea ", as the case may be.

(a) S.R. & O. 1947 (No. 892) II, p. 1013.

XXXV. VEGETABLES

[*See* also p. 652 above (CANNED FRUIT AND VEGETABLES).]

(A) *Carrots.*
(B) *Onions*, p. 769.
(C) *Potatoes*, p. 770.
(D) *Root Vegetables*, p. 804

(A) CARROTS

The Carrots (1948 Crop) (No. 2) Order, 1948

1948 No. 2363

Made - - - -	*27th October*, 1948
Laid before Parliament	*27th October*, 1948
Coming into Operation	*1st November*, 1948

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:—

Application.

1. The provisions of this Order apply to carrots of the 1948 crop grown in the United Kingdom.

Fixed and maximum prices.

2. A person shall not sell or buy any standard grade or bunched carrots—

(*a*) in the case of a sale of standard grade carrots by the grower, except at the fixed price applicable in accordance with the provisions of the Schedule to this Order;

(*b*) in the case of any sale of bunched carrots and in the case of a sale of standard grade carrots by wholesale or by retail, at a price exceeding the maximum price applicable in accordance with the provisions of the said Schedule:

Provided that on a sale of standard grade or bunched carrots by auction effected on behalf of the grower thereof by a licensed auctioneer the maximum price which may be charged and paid shall be that applicable to a sale by retail.

Transport restrictions.

3.—(1) No person shall in connection with any trade or business consign or cause to be consigned for transport wholly or partly by rail, or transport or consign for transport or cause to be transported or consigned for transport otherwise than by rail any carrots on and after the 1st day of April, 1949, from any place in England or Wales to any place in Scotland.

(2) It shall be a defence for any person charged with an infringement of this Article to prove that any carrots transported by him in contravention of the provisions of this Article were transported in the course of his business as a carrier and that he had no reason to believe that the provisions of this Article were being infringed.

(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.