STATUTORY INSTRUMENTS

1975 No. 713

PRICES

The Tea Prices Order 1975

Made - - - -	29*th April* 1975
Laid before Parliament	29*th April* 1975
Coming into Operation (*except articles* 6 *and* 7)	5*th May* 1975
(*articles* 6 *and* 7)	16*th June* 1975

The Secretary of State, after consulting in accordance with subsection (6) of section 2 of the Prices Act 1974**(a)** 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 Tea Prices Order 1975 and (except articles 6 and 7) shall come into operation on 5th May 1975.

(2) Articles 6 and 7 shall come into operation on 16th June 1975.

(3) In this Order—

"The Act" means the Prices Act 1974;

"tea", except in articles 3, 4 and 8, means tea of each of the varieties specified in column 1 of the Table set out in article 5, and in articles 3, 4 and 8 means such tea and other tea;

"other tea" means any tea not specified in column 1 of the Table set out in article 5 and—

(*a*) in the case of a retailer, does not include tea of any description which was sold by him on 16th April 1975 at a price exceeding, in the case of tea not in tea bags, 17 pence per 4 oz. weight or, in the case of tea in tea bags, the rate of 25 pence per 4 oz. weight; and

(*b*) in the case of any other person who has received a notice under article 2, includes the tea to which that notice relates;

"special offer price" means the price—

(*a*) at which a person sold tea 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 16th April 1975; and

(a) 1974 c. 24. *See also* S.I. 1975/527.

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

"weight" means net weight;

(4) References to tea of any variety are references to tea of a variety referred to in column 1 of the Table set out in article 5.

(5) References to 16th April 1975 shall, in relation to a person who did not sell tea or who sold tea 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 tea at a price which is not a special offer price: Provided that this paragraph does not apply to any person who sold tea only at a special offer price within the period beginning on 16th April 1975 and ending immediately before this Order is made.

(6) The Interpretation Act 1889**(a)** shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Obligation to give notice of claims for subsidy

2.—(1) Any person—

(*a*) who claims or receives a payment in respect of tea under a scheme at any time in operation under section 1 of the Act (which makes provision for the payment of food subsidies) ("a subsidy payment"); or

(*b*) to whom tea is sold otherwise than by retail and to whom notice of the condition specified in paragraph (2) has been given;

shall observe the condition so specified.

(2) The condition referred to in paragraph (1) is a condition that, not later than the time when he sells the tea in question, he shall give to any person to whom he sells that tea otherwise than by retail notice that a subsidy payment has been or is to be claimed in respect of that tea.

Maximum prices for tea and other tea

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

4.—(1) This article applies to any person who, not being the first seller thereof in the United Kingdom, sells tea in packets.

(2) Subject to article 5, no person shall sell any tea at a price which, taken with the prices of all tea 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 tea sold by him (other than at a special offer price) in the base period.

(3) In paragraph (2) above—

"base period", in the case of any person, means a single period of 7 days including 16th April 1975; and

(a) 1889 c. 63.

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

Maximum prices for tea

5. A person shall not sell by retail tea packed for retail sale other than in a container of wood or metal at a price which exceeds the lower of the following prices, that is to say—

(*a*) the price given by article 4 above; and

(*b*) the price specified in column 2 of the following Table in relation to tea of the variety and weight in question.

TABLE

Column 1 Variety of tea	*Column* 2		
1. *Tea not in tea bags*	Price in pence per 4 oz. weight		
Brooke Bond Dividend	9½		
Co-op 99	11		
Lyons Quick Brew	11½		
Nambarrie	11		
PG Tips	11½		
Rington's Blue Label	11		
Typhoo	11½		
	Price in pence		
	per 4 oz. weight	per 8oz. weight	per 1lb weight
2. *Tea in tea bags*			
Brooke Bond Dividend	14½	28	—
Co-op 99	16	30½	60
Lyons Quick Brew	17	33	65
Nambarrie	15½	30	—
PG Tips	17	33	65
Tetley	17	33	65
Typhoo	17	33	65

Display of information relating to tea

6.—(1) Each person who, in any shop, sells by retail or offers or exposes for sale by retail tea of any variety to which article 5 applies shall conspicuously display in a part of the shop to which customers have access for the purpose of buying such tea, and in such manner that it may easily be read by them, information specifying the maximum price of each of the two varieties of tea not in tea bags and of each of the two varieties of tea in tea bags of which he has in the three months ending with the date when this article comes into operation sold the greatest quantity by weight; and any such information shall be printed or written in clear and legible characters and shall be headed with the words "Statutory Maximum Prices".

(2) Information displayed under this article shall be displayed in a position where it may be read by a customer before he pays for tea of a variety to which this article applies.

(3) In this article, "maximum price" in relation to tea sold by any person means the highest price at which that person may sell tea of that variety in accordance with article 5(*b*).

7. Nothing in this Order shall prohibit the display of information under article 6 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 tea and other tea

8. A person shall not, in connection with the sale of any tea, 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.

29th April 1975.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order regulates the maximum price which may be charged for the sale of tea subsidised under section 1 of the Prices Act 1974. The maximum price is generally the lower of that specified in the Table in article 5 and that resulting from the application of the gross percentage margin provided in article 4. The Order also requires the display, in a shop in which subsidised tea is sold, of information about the maximum prices.

This Order prescribes a condition to be observed by claimants or recipients of subsidy relating to tea and by subsequent owners of such tea to whom notice of the condition is given.

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