

1974. No. 217

[C]

CONSUMER PROTECTION**Price Marking (Vegetables)**

ORDER, DATED 28TH AUGUST 1974, MADE BY THE DEPARTMENT OF COMMERCE UNDER SECTION 4 OF THE PRICES ACT 1974.

The Department of Commerce, in exercise of the powers conferred on it by section 4 of the Prices Act 1974(a) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Price Marking (Vegetables) Order (Northern Ireland) 1974, and shall come into operation on 16th September 1974.

Interpretation

2.—(1) In this Order—

“container” includes any form of packaging of goods for sale as a single item, whether by way of wholly or partly enclosing the goods or by way of attaching the goods to some other article, and in particular includes a wrapper;

“pre-packed” means made up in advance ready for retail sale in or on a container;

(2) The Interpretation Act (Northern Ireland) 1954(b) shall apply to this Order as it applies to a measure of the Northern Ireland Assembly.

Requirements as to price marking

3. Goods to which this Order applies are foods of any of the following descriptions, that is to say—

(a) potatoes, whether pre-packed or not;

(b) beans, brussels sprouts, peas, spinach or sprouting broccoli, not being pre-packed;

such goods being either—

(i) in the state in which they were harvested; or

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

(iii) in the case of peas, in the said state apart from having been shelled.

Application

4. No person shall 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.

(a) 1974. c. 24.

(b) 1954. c. 33.

Sealed with the Official Seal of the Department of Commerce for Northern Ireland this 28th day of August 1974.

(L.S.)

Ernest Simpson,

Assistant Secretary.

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 the case of pre-packed potatoes, the indication of the price shall be an indication of the selling price.
3. In the case of goods to which this Order applies other than pre-packed potatoes, which are offered or exposed for sale in a specified quantity exceeding one pound net weight at a specific selling price, the indication of the price shall be an indication of the specific selling price.
4. In all cases other than a case to which paragraph 2 or 3 applies the indication of the price shall be an indication of the unit price of 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 the 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 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 normal conditions of purchase.

EXPLANATORY NOTE

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

This Order requires the prices of vegetables of the kinds described below which are offered or exposed for sale by retail to be indicated.

There are alternative methods of indicating the price as set out in the Schedule.

The Order applies to:

- (a) potatoes which are pre-packed; and
- (b) potatoes, beans, brussels sprouts, peas, spinach and sprouting broccoli, which are not pre-packed.

The selling price must be indicated in the case of pre-packed potatoes. In the case of vegetables under head (b) above which are offered or exposed for sale in specified quantities exceeding 1 lb net weight at a specified price, that price must be indicated. In all other cases the unit price (price per lb weight of the goods) must be indicated.