

1979 No. 405

CONSUMER PROTECTION

**Price Marking (Pre-Packed Milk in Vending Machines) Order
(Northern Ireland) 1979***Made* 20th November 1979*Coming into operation* 24th December 1979

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, having consulted in such manner as appeared to it to be appropriate having regard to the subject-matter and urgency of the Order, with such organisations representative of interests substantially affected by the Order as appeared to it, having regard to those matters, to be appropriate, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Price Marking (Pre-Packed Milk in Vending Machines) Order (Northern Ireland) 1979 and shall come into operation on 24th December 1979.

Revocation

2. The Price Marking (Pre-Packed Milk in Vending Machines) Order (Northern Ireland) 1976(b) is hereby revoked.

Interpretation

3.—(1) In this Order—

“container” includes any form of packaging of milk for sale as a single item;

“milk” means cows’ milk in any liquid form other than that of condensed milk (including evaporated milk) or of cream;

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

“unit price” means the price per pint.

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

Control of sale

4. No person shall offer or expose for sale by retail, by means of a vending machine, milk pre-packed in a quantity of less than half a pint unless an indication of the unit price is given, being an indication complying with the provisions of the Schedule.

Sealed with the Official Seal of the Department of Commerce for Northern Ireland on 20th November 1979.

(L.S.)

W. T. McCrory

Assistant Secretary

(a) 1974 c. 24: s. 4 was amended by the Price Commission Act 1977 (1977 c. 33) s. 16

(b) S.R. 1976 No. 304 (II, p. 1511)

(c) 1954 c. 33 (N.I.)

SCHEDULE

Article 4

1. Any indication shall be clear and legible and easily read by an intending purchaser under normal conditions of purchase.

2.—(1) The characters in which any indication is given shall be marked upon a plain background and in a colour which is a distinct and conspicuous contrast thereto.

(2) The characters in which any indication is given shall be not less than 10 mm in height.

(3) A vulgar fraction shall be indicated by showing the numerator directly above the denominator and for the purpose of sub-paragraph (2) shall be treated as a single character.

3.—(1) Any indication, unless it is near to or upon an example of the relevant container which is visible in the machine to a prospective buyer, shall be—

(a) in the case of a machine by means of which a selection of items can be offered to prospective buyers, in a position near to or upon the device by means of which selection of the relevant item is effected; and

(b) in any other case, near to a coin slot.

(2) In the case of a machine by means of which a selection of items can be offered, any indication shall be such as to show clearly to which of any series of coin slots, press buttons, drawers or other selecting devices, or to which selecting position of any single selecting device, the indication relates.

EXPLANATORY NOTE

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

The Order revokes the Price Marking (Pre-Packed Milk in Vending Machines) Order (Northern Ireland) 1976 and reproduces without modification its provisions which require the price per pint of milk offered or exposed for retail sale to be indicated when it is pre-packed in any quantity less than half a pint and sold by means of a vending machine.

The requirements to be fulfilled in indicating the unit price are set out in the Schedule.

The reason for revoking and re-enacting the 1976 Order is that it was not a statutory rule for the purposes of the Statutory Rules Act (Northern Ireland) 1958. By virtue of section 16(3) of the Price Commission Act 1977 this Order is a statutory rule.