

1974 No. 1369

## CONSUMER PROTECTION

## PRICES

**The Price Marking (Vegetables) Order 1974**

<i>Made - - - -</i>	<i>8th August 1974</i>
<i>Laid before Parliament</i>	<i>9th August 1974</i>
<i>Coming into Operation</i>	<i>16th September 1974</i>

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 those 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 (Vegetables) Order 1974, and shall come into operation on 16th September 1974.

(2) 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) the following vegetables, not being pre-packed, that is to say—
  - beans, brussels sprouts, brussels tops, curly kale, peas, spinach, spring greens, sprouting broccoli and turnip tops;
  - 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.

(3) 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, and in particular includes a wrapper;

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

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

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(a) 1974 c. 24.

(b) 1889 c. 63.

2. 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,  
Department of Prices and  
Consumer Protection.

8th August 1974.

#### 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 goods being 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, which are not pre-packed but 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 such conditions.

## EXPLANATORY NOTE

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

This Order requires the price of vegetables of the kinds described below which are offered or exposed for sale by retail to be indicated. Various alternative methods of indicating the price are set out in the Schedule.

The Order applies to—

- (a) pre-packed potatoes; and
- (b) potatoes, beans, brussels sprouts, brussels tops, curly kale, peas, spinach, spring greens, sprouting broccoli and turnip tops, which are not pre-packed.

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

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