1976 No. 49

CONSUMER PROTECTION

Price Marking (Fruits and Vegetables) Order (Northern Ireland) 1976

Made	*10th February* 1976.
Coming into operation . . .	*12th April* 1976

The Department(a) of Commerce in exercise of the powers conferred on it by section 4 of the Prices Act 1974(b) and of every other power enabling it in that behalf, and after consultation with such organisations representative of interests affected hereby as appeared to it appropriate, hereby makes the following order:

Citation and commencement

1. This order may be cited as the Price Marking (Fruits and Vegetables) Order (Northern Ireland) 1976 and shall come into operation on 12th April 1976.

Revocation

2. The Price Marking (Vegetables) Order (Northern Ireland) 1974(c) is hereby revoked.

Interpretation

3.—(1) In this order—

"container" includes any form of packaging of goods for sale as a single item, whether by way of wholly or partially enclosing the goods, and in particular includes a wrapper or confining band;

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

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

Requirements as to price marking

4.—(1) Goods to which this order applies are foods consisting of fruits or vegetables either—

    (*a*) in the state in which they were harvested; or

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

    (*c*) in the case of beetroots, in the said state apart from having been cooked; or

    (*d*) in the case of peas, in the said state apart from having been shelled; or

    (*e*) in the case of fruits (other than nuts) or vegetables which have divided into pieces or have had part thereof removed or both, any part of those fruits or vegetables which has not been subjected to any further process other than those mentioned in sub-paragraphs (*b*) to (*d*).

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(2) This order does not apply to goods pre-packed with goods to which this order does not apply.

5. 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.

Sealed with the Official Seal of the Department of Commerce for Northern Ireland on 10th February 1976.

(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 goods, 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 weight or exceeding one in number at a specific selling price, the indication of the price shall be an indication of the specific selling price.

4. In the case of goods which are not pre-packed but which are offered or exposed for sale otherwise than in the manner mentioned in paragraph 3 (whether or not they are also offered or exposed for sale in that manner) the indication of the price shall—

(a) if they are offered or exposed for sale by weight, be an indication of the the unit price of the goods;

(b) if they are offered or exposed for sale by number, be the selling price of each fruit or vegetable or each part of a fruit or vegetable;

and where the goods are offered or exposed for sale in the manner mentioned in paragraph 3 and also in the manner mentioned in this paragraph, the provisions of both that paragraph and this paragraph shall be complied with in relation to 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 a 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 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 of the same price 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 price of fresh fruits and vegetables which are offered or exposed for retail sale to be indicated. Various methods of indicating the price are provided for in the Schedule.

The order applies to all fresh fruits (including nuts in shell) and vegetables, whether pre-packed or not. It also applies to cooked beetroots.

The selling price must be indicated for pre-packed goods. For non-pre-packed goods the price indication is to be —

(a) in the case of fruits and vegetables offered or exposed for sale in a specified quantity exceeding one pound weight or one in number at a specific price, the selling price of that quantity;

(b) in other cases where goods are offered or exposed for sale by weight, the unit price (price per pound weight);

(c) in other cases where goods are offered or exposed for sale by number, the selling price of each fruit or vegetable.

The Price Marking (Vegetables) Order (Northern Ireland) 1974, which applied to certain kinds of vegetables, is revoked.