1974. No. 216 **[C]**

CONSUMER PROTECTION

Price Marking (Meat and Fish)

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 (Meat and Fish) 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;

"meat" means any part of an animal of any of the following descriptions, that is to say, cattle, sheep or swine;

"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.

Requirement as to price marking

3.—(1) Subject to paragraph (2), goods to which this Order applies are foods of any of the following descriptions, that is to say—

(*a*) fresh, chilled or frozen meat being liver, hearts, kidneys, tripe, tongue, oxtail or mince, whether pre-packed or not;

(*b*) fresh, chilled or frozen pre-packed meat of any other description;

(*c*) fresh, chilled or frozen herring, mackerel, or sprat (otherwise known as brisling), not being pre-packed;

(*d*) fresh, chilled, frozen, salted or smoked fillets (including breaded fillets) of cod or codling, haddock, plaice or coley (otherwise known as coal fish or saithe), not being pre-packed.

(2) This Order does not apply to—

(*a*) meat which is pre-packed with goods to which this Order does not apply;

(*b*) salted or smoked meat, herring, mackerel or sprat;

(**a**) 1974. c. 24. (**b**) 1954. c. 33.

(*c*) foods, including those specified in sub-paragraph (*b*) which have been subjected to any treatment or process resulting in a substantial change in the natural state of the foods, other than boning, paring, grinding, mincing, cutting, cleaning or trimming.

Application

4.—(1) 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.

(2) Nothing in paragraph (1) shall apply in relation to fish offered or exposed for sale otherwise than at a market, shop, stall or vehicle.

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—

"gross weight", in relation to any goods, means the aggregate weight of the goods and any container in or on which they are made up;

"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 meat where the container is marked with an indication of weight, the indication of the price shall consist of—

(*a*) the selling price marked on the container; and

(*b*) the unit price calculated by reference to the selling price and to the indicated weight.

3. In the case of meat, whether pre-packed or not, to which paragraph 2 does not apply, the indication shall be an indication of the unit price.

4. In the case of fish, the indication shall be an indication of the unit price.

5. An indication of the unit price, if it is not marked on the goods or on the container, 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 unit prices of other goods to which this Order applies in the form of a list or otherwise.

6. Where the indication of the unit 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. If the indications of the selling price (whether required by this Order or not) and of the unit price are both marked on the container they shall be in close proximity to each other but sufficiently distinct as not to confuse an intending purchaser under normal conditions of purchase.

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

9. Where the indication of a unit price has been calculated by reference to the gross weight of the goods, that fact shall be clearly shown.

EXPLANATORY NOTE

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

This Order requires the prices of meat and fish of the kinds specified in Article 3 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 unit price (price per lb. weight of the goods) is to be indicated in all cases; and in addition the selling price is to be indicated on the container in the case of meat pre-packed in a container bearing an indication of the weight of the goods.