

(2) Where in any proceedings a person is charged with a contravention of this Article in respect of the weight of any bread:-

- (a) the Court shall disregard any inconsiderable variation in the weight of a single loaf or roll of bread, and shall have regard to the average weight of a reasonable number of loaves, or rolls of the same kind (if any) sold by the person so charged, or in his possession for the purpose of sale, on the same occasion, and generally to all the circumstances of the case; and
- (b) if the person so charged proves to the satisfaction of the Court that such deficiency was due to a bona fide mistake or accident, or to other causes beyond his control, and that it occurred in spite of all reasonable precautions being taken and all due diligence being exercised by him to prevent its occurrence, or that it was due to the action of some person over whom he had no control, the person so charged shall be discharged from the prosecution.

4. Restriction on Sale of Bread.

No person shall sell by retail any bread unless at the time of such sale the seller has standard bread available for sale in the form of loaves each weighing 14 ounces or a multiple of 14 ounces: provided that this Article shall not apply to a sale by retail of standard brown bread.

5. Maximum Price.

No person shall sell by retail any standard bread or standard brown bread at a price exceeding the appropriate maximum price specified in the Second Schedule to this Order.

6. Prohibition on Exchange of Standard Bread and Standard Brown Bread.

No trader shall exchange or offer or agree to exchange any standard bread or standard brown bread which he has sold or delivered.

7. Keeping of Records.

- (1) Every person who produces standard bread or standard brown bread for sale shall keep accurate records showing -
 - (a) his stocks of Baker's flour and Baker's brown flour respectively at the end of each week;
 - (b) the quantities of Baker's flour and Baker's brown flour respectively bought and sold by him during each week;
 - (c) the quantities of standard bread and standard brown bread respectively produced by him during each week and the quantities of Baker's flour and Baker's brown flour respectively used therein.
 - (d) the quantities of standard bread and standard brown bread respectively sold by him during each week.
- (2) The retention by any person of an invoice or of a copy of an invoice shall as regards the particulars mentioned therein be sufficient compliance by him with the provisions of this Article.
- (3) Every person who is required by this Article to keep any record shall retain it for one year from the date of the transaction to which it relates or, in the case of a record of stocks, from the date when he took delivery of such stocks.

- (4) The preceding paragraphs of this Article shall not apply to bread produced by a caterer and served as a meal or part of a meal in the course of his catering business.

8. Certificate of States Analyst.

- (1) In any proceedings in respect of an infringement of this Order, the production by one of the parties of (i) a document purporting to be a certificate of the States Analyst or (ii) a document supplied to him by the other party as being a copy of such a certificate, shall be sufficient evidence of the facts stated therein, unless in the case mentioned under (i) above the other party requires that the person making the analysis shall be called as a witness.

- (2) In any such proceedings:-

- (a) if the prosecution intends to produce a certificate of the States Analyst, a copy of such certificate shall be served with the summons; and
- (b) if a defendant intends to produce a certificate of the States Analyst, or to require that the person making the analysis shall be called as a witness, he shall give the other party at least three clear days' notice of his intention,

and, if any of these requirements is not complied with, the Court may, if it thinks fit, adjourn the hearing on such terms as it deems proper.

9. Artificial Transactions.

No person shall in connection with the sale or disposition or proposed sale or disposition of any standard bread or standard brown bread enter or offer to enter into any artificial transaction or make or demand any unreasonable charge.

10. Directions, Authorisations and Licences.

- (1) The provisions of this Order are subject to any directions that may at any time be given by or on behalf of the Board, and to any licence or authorisation that may be granted by or on behalf of the Board under this Order.
- (2) Every person holding a licence or authorisation granted under this Order shall comply with every condition imposed by such licence or authorisation.
- (3) Every licence or authorisation granted under this Order is and shall remain the property of the Board; and the licensee or any person being in possession of any such licence or authorisation shall, if requested to do so by or on behalf of the Board, produce or deliver it to such person or to a person of such class or description, and within such time, as may be specified in the request.

11. Exemptions.

- (1) The provisions of this Order shall not apply to protein-enriched breads, that is to say, bread containing at the time of sale not less than 20 per cent by weight of protein. For this purpose the amount of protein shall be deemed to be equivalent to 5.7 times the amount of nitrogen contained in the bread.

- (2) Articles 4 and 5 of this Order shall not apply to (i) any sale of a loaf or roll (including a bap) which does not exceed two ounces in weight; and (ii) a sale by a caterer of bread as a meal or part of a meal served in the course of his catering business.
- (3) Article 5 of this Order shall not apply to any loaf or roll of bread (including any bap) that exceeds two ounces but does not exceed ten ounces in weight.

12. Infringements.

Infringements of this Order are offences against the Defence (General) (Guernsey) Regulations, 1945.

13. Revocations.

The following Orders are hereby revoked but without prejudice to any proceedings in respect of any contravention thereof:-

- (1) The Bread (Bailiwick of Guernsey) Order, 1953 in its application to the Island of Sark.
 - (2) The Bread (Bailiwick of Guernsey) Order, 1953, (Amendment) Order, 1956.
14. This Order may be cited as the Bread (Sark) Order, 1956, and shall come into operation on the 2nd day of December, 1956.

Dated this 20th day of November, 1956.

R. H. JOHNS.

President,
States Board of Administration.

THE FIRST SCHEDULE

Substances other than Baker's flour which may be included in standard bread and which (in addition to Baker's brown flour or a mixture of Baker's flour and Baker's brown flour) may be included in standard brown bread.

Oils and fats.

Water.

Salt.

Yeast.

Improvers of the nature of yeast food.

Any acid or acidic substances suitable for regulating the acidity of the dough.

Barm.

Any substance required by the Flour (Bailiwick of Guernsey) Order, 1956, to be added to Baker's flour or Baker's brown flour.

THE SECOND SCHEDULE

Maximum Retail Prices of Standard Bread and Standard Brown Bread

<u>Column 1</u>	<u>Column 2</u>
<u>1. Description of Sale</u>	<u>Maximum Retail Prices</u>
(a) in the case of a 14-oz. loaf	4d. per loaf at the rate of $3\frac{1}{2}$ d. per 14-oz.
(b) in any other case	
2. No additional charge in respect of transport or delivery shall be made or demanded by the seller on or in connection with any sale of bread by retail.	
3. On a sale by retail of bread which is:-	
(a) completely wrapped and sealed in either waxed paper or cellulose film, provided that at the time of such sale the seller is able and willing to sell to the buyer to the extent of the buyer's reasonable requirements bread that is not so wrapped; or	
(b) sliced and wrapped by the seller at the request of the buyer;	
a reasonable charge for such wrapping and sealing or for such slicing and wrapping, as the case may be, may be made by the seller in addition to the maximum price.	
4. Except as aforesaid, no additional charge in respect of wrapping, packing or slicing shall be made or demanded by the seller on or in connection with any retail sale of bread.	

EXPLANATORY NOTE

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

The Order repeals and re-enacts in a consolidated form Orders concerning price control on bread in Sark. The Order also provides definitions of "standard bread", "standard brown bread", "Baker's Flour" and "Baker's Brown Flour."

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