

STATUTORY INSTRUMENT

S.I. 99(1951)

S.I. 132(1951)

1951 No. 64

Revised by S.I. 95(1953)

THE BREAD (MAXIMUM PRICES) (BAILLIWICK OF GUERNSEY) ORDER, 1951.

As Competent Authorities as regards the Bailiwick of Guernsey excluding the Island of Alderney and as regards the Island of Alderney respectively in relation to Regulation 55 of the Defence (General) (Guernsey) Regulations, 1945, we hereby make the following Order:-

Interpretation.

1. (1) In this Order -

"The Committee" means the States of Guernsey Committee for the Control of Essential Commodities;

"Bread" includes rolls, but does not include fruit loaves or bun loaves;

"Buy" includes offer or agree to buy; and "sell" includes offer or agree to sell or expose for sale;

"By retail" means, in relation to a sale of bread, a sale to a person buying otherwise than for the purpose of resale, and includes a sale to a caterer for the purposes of his catering business;

"Catering business" includes the business or undertaking of an inn, public-house, hotel, restaurant, café, tea-shop, buffet, coffee-stall or of any place of refreshment open to the public, or of a club, boarding-house, apartment-house, refreshment contractor, school feeding-centre, staff dining-room or canteen; and the word "caterer" shall be construed accordingly;

"Imported flour", "National flour" and "W flour" have the meanings assigned thereto in The Flour Order, 1947, as amended, of the United Kingdom;

"Loaf" includes wrapped sliced bread;

"National bread" means bread in the production of which -

(i) at least 87½ per cent of the flour used is national flour; and

(ii) no ingredients besides national flour have been used, other than one or more of the substances specified in the First Schedule to this Order.

"Rye bread" means bread in the production of which at least 25 per cent of the flour used is rye flour or rye meal or both;

"Week" means a period of seven days ending at midnight between Saturday and Sunday.

(2) The Interpretation (Guernsey) Law, 1948, applies to the interpretation of this Order as it applies to the interpretation of a Guernsey enactment.

Restriction on the use of Imported Flour.

2. In the production of bread by any person by way of trade or business, not more than 25 per cent of the flour used in each loaf or other unit shall consist of imported flour.

Provisions as to weight; legal proceedings.

3. (1) No person shall sell or have in his possession for sale -

- (a) any loaf of bread (other than a Vienna Loaf) unless its weight is 14 ounces or a multiple of 14 ounces; or is 2 ounces or less;
 - (b) any Vienna loaf except a loaf weighing 7 ounces; or
 - (c) any bap or other roll of bread exceeding 2 ounces in weight.
- (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.

Maximum Prices.

4. Except as provided in Article 10 of this Order, no person shall buy or sell any bread at a price exceeding the maximum price applicable in accordance with the Second Schedule to this Order.

Prohibition of the exchange of bread.

5. No trader shall exchange or offer or agree to exchange any bread for other bread which he has sold or delivered.

Records.

6. (1) Every person who produces bread for sale shall keep accurate records showing
- (a) his stock of flour at the end of each week;
 - (b) the quantity of flour bought and sold by him during each week;
 - (c) the quantity of bread produced by him and the quantity of flour used therein; and
 - (d) the quantity of bread sold by him during each week, specifying separately sales subject to the maximum prices imposed by Article 4 of this Order and sales not so subject.
- (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 in relation to bread produced for sale by a caterer and served as a meal or part of a meal in the course of his catering business.

Evidence of certificates of analysis.

7. In any proceedings under this Order, the production by one of the parties of a document purporting to be a certificate of the States Analyst shall be sufficient evidence of the facts stated therein, unless the other party requires that the person who made the analysis shall be called as a witness.

Artificial transactions.

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

Directions, authorisations and licences.

9. (1) The provisions of this Order are subject to any directions that may at any time be given by or on behalf of the Committee, and to any licence or authorisation which may be granted by or on behalf of the Committee 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 Committee; 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 Committee, 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.

Exemptions.

10. (1) The provisions of this Order shall not apply to bread of a description specified in Part I of the Third Schedule to this Order.
- (2) Article 4 of this Order shall not apply to any sale of -
- (a) rolls (including baps) or Vienna bread; or any loaf that does not exceed 2 oz. in weight;
- (b) bread of a description specified in Part II of the Third Schedule to this Order, if at the time of sale the seller has also national bread available for sale;
- (c) bread by a caterer as a meal or part of a meal served in the course of his catering business.

Infringements.

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

Revocation.

12. (1) The following Orders are hereby revoked but without prejudice to any proceedings in respect of any contravention thereof:-
- (a) The Bread (Control and Maximum Prices) (Bailiwick of Guernsey) Order, 1948, dated 5th February, 1948.
- (b) The Bread (Control and Maximum Prices) (Bailiwick of Guernsey) (Amendment) Order, 1948, dated 11th August, 1948.
- (c) The Bread (Control and Maximum Prices) (Bailiwick of Guernsey) (Amendment No. 2) Order, 1949, dated 8th February, 1949.

- (d) The Bread (Control and Maximum Prices) (Bailiwick of Guernsey) (Amendment No. 3) Order, 1949, dated 28th June, 1949 (a).
- (e) The Bread (Control and Maximum Prices) (Bailiwick of Guernsey) (Amendment No. 4) Order, 1949, dated 28th October, 1949 (b).
- (f) The Bread (Control and Maximum Prices) (Bailiwick of Guernsey) (Amendment No. 5) Order, 1949, dated 27th December, 1949 (c).

Citation and Commencement.

13. This Order may be cited as The Bread (Maximum Prices) (Bailiwick of Guernsey) Order, 1951, and shall come into force on the 30th day of April, 1951.

Dated this 28th day of April, 1951.

R. P. WALKER.

Chairman,
Alderney Committee for the Control
of Essential Commodities.

A. FALLA. (S)

President,
States' Committee for the Control
of Essential Commodities.

THE FIRST SCHEDULE.

Substances other than National Flour which may be included in
National Bread.

- | | |
|-----------------|--|
| Imported Flour. | Improvers of the nature of yeast food. |
| Oils and fats. | Any acid or acidic substances suitable |
| Water. | for regulating the acidity of the |
| Salt. | dough. |
| Yeast. | Potato and potato flour. |
| | Barm. |

THE SECOND SCHEDULE.

Maximum Prices of Bread.

1. (Note:- These prices do not apply in the cases specified in Article 10 of the Order).

Column 1.

Column 2.

Description of Sale.

Maximum Prices.

- | | | | |
|----------------------------------|-----|-----|--|
| (a) in the case of a 14 oz. loaf | ... | ... | 3 $\frac{3}{4}$ d. per loaf. |
| (b) in any other case | ... | ... | at the rate of 3 $\frac{3}{4}$ d. per 14 oz. |

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 that is completely wrapped and sealed in either waxed paper or cellulose film, the maximum price may be increased at the rate of one farthing per 14 oz. net weight of bread sold:

Provided that the seller shall at the time of such sale be able and willing to sell to any buyer, to the extent of that buyer's reasonable requirements, bread that is not so wrapped.

- (a) S.I. 1949 No. 22. ✓
- (b) S.I. 1949 No. 109. ✓
- (c) S.I. 1950 No. 4. ✓

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 sale of bread.
5. If, on a sale of bread, the maximum price calculated in accordance with the provisions of this Order includes any fraction of a farthing, such fraction shall if equal to half a farthing or more be regarded as one farthing and shall otherwise be disregarded.

THE THIRD SCHEDULE.

PART I.

Bread to which the provisions of the Order do not apply.

1. 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. Gold Label bread manufactured by Starch Free Foods Ltd.
3. Longuets, Gressins and Gressinettes manufactured by Heudebert Foods Co. Ltd.

PART II.

Bread to which the maximum price provisions of the Order do not apply if at the time of sale the seller has also national bread available for sale.

1. Bread in the production of which no national flour or "W" flour has been used.
2. Rye bread.
3. Malt bread.
4. Bread the entire flour content of which consists of "Bervita Cereal Flour" manufactured by Temple Knight Ltd.
5. Bread made in accordance with the Nutrex formula from gluten manufactured by Nutrex Ltd.
6. Bread made in accordance with the Opus formula from gluten manufactured by Glutens Ltd.
7. Bread made in accordance with the Procea formula from gluten manufactured by Procea Products Ltd.
8. Bread known by the description specified in Column 1 below and manufactured by the person named in relation thereto in Column 2 below.

Column 1.

Column 2.

Description.

Manufactured by -

- | | |
|-------------------------|---|
| (1) Soyvita. | Beatties Bakeries Ltd. |
| (2) Plus Four Loaf. | Birkett & Bostock Ltd. |
| (3) Sevenex Loaf. | Garners (7x) Ltd. |
| (4) Health Loaf. | G. & J. Girdwood (Bakers) Ltd. |
| (5) Bran Loaf. | Jack's Bakery, 40, High Street, Dalkeith. |
| (6) Granary Flake Loaf. | James Kirkwood (Bakers) Ltd. |
| (7) Special Brown. | Record Bread Co. Ltd. |
| (8) Stevita. | Stevens Bakeries Ltd. |
| (9) Wheaten Farles. | J. Wylie & Son, Gilpin Road Bakery, Urmston, Lancs. |

EXPLANATORY NOTE.

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

This Order replaces The Bread (Control and Maximum Prices) (Bailiwick of Guernsey) Order, 1948, as amended. The principal changes are:-

- (1) The maximum price of bread is increased to 3³/₄d. for a 14 oz. loaf and 6¹/₂d. for a 28 oz. loaf;
- (2) licences to manufacture bread are no longer needed;
- (3) the sale of loaves weighing two ounces or less is allowed, and is allowed free of price control;
- (4) a new brand of gluten bread has been added to the list of breads that can be sold free of price control;
- (5) wrapped sliced bread is included in the definition of "loaf".