

STATUTORY INSTRUMENT

1949 No. 23

THE POULTRY (CONTROL AND MAXIMUM PRICES) (BAILLIWICK OF
GUERNSEY) ORDER, 1949.

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:-

1. In this Order the following expressions shall, unless repugnant to the context, have the meanings respectively assigned to them:-

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

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

"Catering business" includes the business or undertaking of an inn, public house, hotel, restaurant, buffet, coffee stall, or of any place of refreshment open to the public, or of any club, boarding house, refreshment contractor or canteen and the expression "caterer" shall be construed accordingly.

"Drawn and trussed" means with the feathers, head, shanks and all inedible offal removed, but inclusive of the giblets and without the addition of any other substance.

"First-hand sale" means a sale by a producer to a wholesaler.

"Giblets" means the edible gizzard, heart, liver and neck.

"Imported turkeys" means turkeys which have been imported into the United Kingdom from a place outside the United Kingdom, the Isle of Man, Eire and the Channel Islands.

"Plucked" in relation to poultry other than turkeys, means with all quill feathers removed and all other feathers except those in the neck above the hackle and those on the wing tips; and in relation to turkeys means with all quill feathers removed and all other feathers except those on the neck above the hackle, on the rump, and on that part of the wing extending from the tip to the second joint thereof.

"Poultry" includes domestic fowls, ducks, geese and turkeys (including imported turkeys) but does not include any such poultry which are less than eight days old and stock poultry.

"Poussin" means a young domestic fowl which weighs, if alive, not less than $1\frac{1}{4}$ lb. and not more than 2 lbs. or if plucked, undrawn and untrussed, not less than 1 lb. and not more than $1\frac{3}{4}$ lb.

"Producer" means in respect of any poultry, the person who has reared the poultry or who, immediately before a sale thereof, had the poultry in his possession for the purpose of breeding, rearing or egg production.

"Sale by retail" means any sale other than to a person buying for the purposes of resale and includes a sale to a person for the purposes of his catering business or for ships' stores, but does not include a sale to a manufacturer.

"Sale by wholesale" means any sale other than a first-hand sale or a sale by retail, and the expression "wholesaler" shall be construed accordingly.

"Stock Poultry" means poultry which is used or intended to be used for the purpose of breeding, or rearing, or egg production, or which is sold or bought for any such purpose or for resale for any such purpose.

Maximum Prices.

2. (1) Subject as hereinafter provided a person shall not sell or buy -
 - (a) any poultry at a price exceeding the maximum price applicable in accordance with the provisions of the Schedule to this Order (hereinafter referred to as "the maximum price"); or
 - (b) any poultry except poussins otherwise than by weight.
- (2) A person shall not weigh any poultry on the occasion of, or for the purpose of, a sale thereof unless it has an empty crop.
- (3) Where on a sale by retail the maximum price of any poultry includes any fraction of a farthing, that fraction shall be regarded as a farthing.

Restriction on Sales.

3. A person shall not sell or buy any description of poultry unless a maximum price for that description of poultry is prescribed in the Schedule to this Order and is applicable to that sale.

Invoices on sales by retail.

4. On a sale of poultry by retail the seller shall not deliver or cause to be delivered any of the poultry without furnishing to the buyer a legible statement in writing of the net weight and price thereof, unless delivery of the poultry is made to the buyer at the time and place of sale immediately after the poultry has been weighed in the presence of the purchaser:

Provided that where the poultry so sold has been drawn and trussed or subjected to any other process involving loss of weight, the said statement shall include a statement of the net weight of the poultry as delivered as well as the net weight upon which the price was charged.

Sales by auction.

5. (1) Poultry shall not be sold or offered for sale by auction unless it has been weighed before sale and the weight of each lot has been declared by the auctioneer to prospective purchasers: provided that where poultry is sold by auction in a lot consisting of two or more head of poultry the lot may be weighed as a whole.
- (2) Where on a sale by auction a purchaser buys more than two head of poultry at the same time, the birds shall, notwithstanding anything to the contrary in this Order, be deemed to be sold by wholesale and the maximum price applicable on a sale by wholesale shall not be exceeded.

Records by Wholesalers.

6. (1) Every person who sells poultry by wholesale shall keep or cause to be kept an accurate record of all purchases and sales of poultry by him, the record to include in respect of each purchase and sale -
 - (i) the date thereof;
 - (ii) the name and address of the person from whom the poultry was purchased, or to whom it was sold, as the case may be;
 - (iii) the description of poultry purchased or sold (indicating separately each species of poultry included in the purchase or sale, and whether live or plucked;
 - (iv) the net weight of each species; and
 - (v) the price paid or charged.

Records by Retailers.

- (2) Every person who sells poultry by retail shall keep or cause to be kept an accurate record of all purchases of poultry by him, the record to include in respect of each purchase -
- (i) the date thereof;
 - (ii) the name and address of the person from whom the poultry was purchased;
 - (iii) the description of poultry purchased (indicating separately each species of poultry included in the purchase, and whether live or plucked);
 - (iv) the net weight of each species; and
 - (v) the price paid or charged.
- (3) The record kept by any person pursuant to paragraph (1) or (2) of this Article shall, in the case of imported turkeys, state that they are imported.

Retention of Invoices.

- (4) Retention by any person of an invoice or copy of an invoice containing the particulars mentioned in any of the three preceding paragraphs of this Article shall, as respects those particulars, be sufficient compliance by that person with the provisions of this Article.
- (5) Every person who is required by this Article to keep any record shall retain it for not less than one year from the date of the transaction to which it relates.

Display of notices.

7. (1) Every person who sells poultry by retail shall keep posted on his premises (or, in the case of sales from a vehicle, stall or barrow, on that vehicle, stall or barrow) in a conspicuous position, so as to be clearly legible by all customers throughout the time during which the poultry is being sold or offered for sale, a notice stating in plain words and figures the maximum prices for the time being chargeable for all such poultry pursuant to the Schedule to this Order.
- (2) Every person who sells imported turkeys by retail, shall in addition to posting the notice required by paragraph (1) of this Article, affix on or in close proximity to such turkeys a legible label or notice bearing the words "Imported Turkeys".

Artificial transactions and unreasonable charges.

8. A person shall not in connection with the sale or disposition or proposed sale or disposition of any poultry enter or offer to enter into any artificial transaction or make or demand any unreasonable charge.

Exclusions from the Order.

9. This Order shall not apply to -
- (a) the sale of cooked poultry or parts of cooked poultry by a caterer as a meal or part of a meal consumed on the caterer's premises; or
 - (b) the sale of canned poultry.

Directions, licences and authorisations.

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

(3) Every licence or authorisation granted under this Order is and shall remain the property of the Committee.

Infringements.

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

1450 12. The Poultry (Control and Maximum Prices) (Bailiwick of Guernsey) Order, 1947, dated 10th December, 1947, and The Poultry (Control and Maximum Prices) (Bailiwick of Guernsey) (Amendment No. 2) Order, 1947, dated 31st December, 1947, are hereby revoked but without prejudice to any proceedings in respect of any contravention thereof.

Commencement and Citation.

13. This Order may be cited as The Poultry (Control and Maximum Prices) (Bailiwick of Guernsey) Order, 1949, and shall come into force on the 4th day of July, 1949.

Dated this 1st day of July, 1949.

S. P. HERIVEL.

President,
States of Alderney.

A. FALLA.

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

THE SCHEDULE.

PART I.

MAXIMUM PRICES OF POULTRY REARED IN THE UNITED KINGDOM AND EIRE.

<u>Description of Poultry</u>	<u>On a sale</u>	<u>On a sale</u>	<u>On a sale</u>
	<u>by a</u> <u>wholesaler</u> <u>to another</u> <u>wholesaler.</u>	<u>by a</u> <u>wholesaler</u> <u>to a</u> <u>retailer.</u>	<u>by</u> <u>retail.</u>
	<u>per lb.</u>	<u>per lb.</u>	<u>per lb.</u>
	<u>s. d.</u>	<u>s. d.</u>	<u>s. d.</u>
<u>Live poultry -</u>			
Turkeys	3 0½	3 1	- -
Poultry other than turkeys and poussins... ..	2 2½	2 3	- -
<u>Plucked poultry -</u>			
Turkeys	3 4½	3 5	3 10½
Poultry other than turkeys and poussins... ..	2 5½	2 6	2 10½
	<u>per bird.</u>	<u>per bird.</u>	<u>per bird.</u>
	<u>s. d.</u>	<u>s. d.</u>	<u>s. d.</u>
Poussins (live)... ..	4 0½	4 1½	- -
Poussins (dead)... ..	4 3½	4 4½	4 10½
	<u>per lb.</u>	<u>per lb.</u>	<u>per lb.</u>
	<u>s. d.</u>	<u>s. d.</u>	<u>s. d.</u>
<u>Poultry drawn and trussed</u> <u>including giblets -</u>			
Turkeys	- -	- -	5 2½
Poultry other than turkeys and poussins... ..	- -	- -	3 11½
Poultry (other than turkeys) drawn and trussed with neck but without other giblets	3 9½	3 10	4 2½

PART I: (Contd.)

<u>Description of Poultry</u>	<u>On a sale</u>	<u>On a sale</u>	<u>On a sale</u>
	<u>by a</u>	<u>by a</u>	<u>by</u>
	<u>wholesaler</u>	<u>wholesaler</u>	<u>retail.</u>
	<u>to another</u>	<u>to a</u>	
	<u>wholesaler.</u>	<u>retailer.</u>	
	<u>per lb.</u>	<u>per lb.</u>	<u>per lb.</u>
	<u>s. d.</u>	<u>s. d.</u>	<u>s. d.</u>
Foultry or Parts of Poultry other than giblets drawn and trussed -			
Turkeys	- -	- -	5 7½
Poultry other than turkeys	- -	- -	4 2½
Giblets	- -	- -	2 3½
* Cooked poultry (exclusive of stuffing and giblets) -			
Turkeys	- -	- -	6 4½
Poultry other than turkeys	- -	- -	4 8½
* Parts of cooked poultry (exclusive of stuffing and giblets) -			
Turkeys	- -	- -	6 7½
Poultry other than turkeys	- -	- -	4 10½

* The maximum prices of cooked poultry shall be calculated on the weight of the poultry or part thereof without stuffing or giblets.

PART II.

MAXIMUM PRICES OF POULTRY REARED IN THE CHANNEL ISLANDS.

<u>Description of Poultry.</u>	<u>On a first</u>	<u>On a sale</u>	<u>On a sale</u>	<u>On a sale</u>
	<u>hand sale</u>	<u>by a</u>	<u>by a</u>	<u>by</u>
		<u>wholesaler</u>	<u>wholesaler</u>	<u>retail.</u>
		<u>to another</u>	<u>to a</u>	
		<u>wholesaler.</u>	<u>retailer.</u>	
	<u>per lb.</u>	<u>per lb.</u>	<u>per lb.</u>	<u>per lb.</u>
	<u>s. d.</u>	<u>s. d.</u>	<u>s. d.</u>	<u>s. d.</u>
Live Poultry -				
Turkeys	3 5½	3 6½	3 7	- -
Poultry other than turkeys and poussins	2 7½	2 8½	2 9	- -
Plucked poultry -				
Turkeys	3 9½	3 10½	3 11	4 4½
Poultry other than turkeys and poussins	2 10½	2 11½	3 0	3 4½
	<u>per bird.</u>	<u>per bird.</u>	<u>per bird.</u>	<u>per bird.</u>
	<u>s. d.</u>	<u>s. d.</u>	<u>s. d.</u>	<u>s. d.</u>
Poussins (live)	4 4½	4 6½	4 7½	- -
Poussins (dead)	4 7½	4 9½	4 10½	5 4½
	<u>per lb.</u>	<u>per lb.</u>	<u>per lb.</u>	<u>per lb.</u>
	<u>s. d.</u>	<u>s. d.</u>	<u>s. d.</u>	<u>s. d.</u>
Poultry drawn and trussed including giblets -				
Turkeys	- -	- -	- -	5 8½
Poultry other than turkeys and poussins	- -	- -	- -	4 5½
Poultry (other than turkeys) drawn and trussed with neck but without other giblets-	- -	4 3½	4 4	4 8½
Poultry or Parts of Poultry other than giblets drawn and trussed -				
Turkeys	- -	- -	- -	6 1½
Poultry other than turkeys.	- -	- -	- -	4 8½

<u>Description of Poultry.</u>	<u>On a first</u> <u>hand sale</u>	<u>On a sale</u> <u>by a</u> <u>wholesaler</u> <u>to another</u> <u>wholesaler.</u>	<u>On a sale</u> <u>by a</u> <u>wholesaler</u> <u>to a</u> <u>retailer.</u>	<u>On a sale</u> <u>by</u> <u>retail.</u>
	per lb. s. d.	per lb. s. d.	per lb. s. d.	per lb. s. d.
Giblets	- -	- -	- -	2 9½
* Cooked poultry (exclusive of stuffing and giblets)	- -	- -	- -	- -
Turkeys.. ...	- -	- -	- -	6 10½
Poultry other than turkeys. ...	- -	- -	- -	5 2½
* Parts of cooked poultry (exclusive of stuffing and giblets) -	- -	- -	- -	- -
Turkeys.. ...	- -	- -	- -	7 1½
Poultry other than turkeys. ...	- -	- -	- -	5 4½

* The maximum prices of cooked poultry shall be calculated on the weight of the poultry or part thereof without stuffing or giblets.

PART III.

MAXIMUM PRICES OF IMPORTED TURKEYS.

<u>Description</u>	<u>On a sale</u> <u>by a</u> <u>wholesaler</u> <u>to another</u> <u>wholesaler.</u>	<u>On a sale</u> <u>by a</u> <u>wholesaler</u> <u>to a</u> <u>retailer.</u>	<u>On a sale</u> <u>by</u> <u>retail.</u>
	per lb. s. d.	per lb. s. d.	per lb. s. d.
Plucked turkeys	2 11½	3 0	3 5
Turkeys drawn and trussed, including giblets... ..	- -	- -	4 7
Turkeys drawn and trussed with neck but without other giblets	4 6	4 6½	4 11½
Turkeys or parts of turkeys other than giblets drawn and trussed.	- -	- -	4 11½
Giblets	- -	- -	2 5

NOTE: - No charge additional to the maximum price shall be made for killing, plucking, trussing, drawing or for packing or packages, except that on a first hand sale, or a sale by a wholesaler to another wholesaler, or by a wholesaler to a retailer, the seller may make a reasonable additional charge for the cost of providing a returnable package for the poultry, provided that the sum so charged shall be repaid by the seller to the buyer on the return of the package at the expense of the buyer in such condition as is reasonable having regard to its condition when supplied and to ordinary wear and tear.

EXPLANATORY NOTE.

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

This Order replaces The Poultry (Control and Maximum Prices) (Bailiwick of Guernsey) Order, 1947, as amended.