

Government Circular No. 70/50.
G.O. Reference No. F.C. 6/1/11.

SUPPLIES AND SERVICES

THE IMPORTED CANNED FISH (MAXIMUM PRICES) ORDER, 1950

His Excellency the Lieutenant Governor has made the above-styled Order, a copy of which is appended.

This Consolidating Order revokes and re-enacts the Imported Canned Fish (Maximum Prices) Order, 1947, with some amendments, of which the principal are:—

- (1) The maximum prices of sardines are increased. The retail price of the popular sized tin (quarter club 30 mm.) will be 1s. 2d. instead of 1s. 0d.;
- (2) Imported canned mackerel and snoek are removed from price control;
- (3) Changes are made in certain maximum wholesale prices.

The Order comes into force on the 13th April, 1950.

Copies of the Order may be obtained at Government Office, or may be seen at any Police Station on application to the Officer in Charge, at the Douglas Public Library, the Douglas Town Hall and the Offices of all the Town and Village Commissioners.

Failure to comply with the terms of the Order renders a person liable to the penalties imposed by the Defence Regulations.

By Order.

J. N. PANES,

Government Secretary.

Government Office,
Isle of Man.
12th April, 1950.

ISLE OF MAN TO WIT.

By His Excellency Air Vice Marshal SIR GEOFFREY RHODES BROMET,
K.B.E., C.B., D.S.O., Lieutenant Governor of the said Isle, &c., &c., &c.

SUPPLIES AND SERVICES

THE IMPORTED CANNED FISH (MAXIMUM PRICES) ORDER, 1950

I, the said Lieutenant Governor, in exercise of the powers conferred upon me by Regulations 55, 55AA and 98 of the Defence (General) Regulations (Isle of Man), 1939, as having effect by virtue of the Supplies and Services (Transitional Powers) (Isle of Man) Order in Council, 1946, as extended by the Supplies and Services (Extended Purposes) (Isle of Man) Order in Council, 1948, DO hereby make the following Order:—

Interpretation.

1. In this Order—

“Buy” includes offer or agree to buy and “sell” includes offer or agree to sell or expose for sale.

“Canned fish” means fish of a description specified in Column 1 of the First Schedule to this Order which has been canned outside and imported into the United Kingdom.

“Canned” means packed in an airtight metal container by any means involving the application of heat, whether before, during, or after the placing of the fish in the container, and includes any such fish which,

having been so packed has been removed from the container.

"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.

"Multiple retailer" means a retailer carrying on business at not less than ten retail shops.

"Sale by retail" means any sale to a person buying otherwise than for the purpose of resale, and includes sale to a caterer for the purposes of his catering business, but does not include a sale to a manufacturer for the purposes of his manufacturing business, and the expression "retailer" shall be construed accordingly.

Maximum Prices.

2. No person shall buy or sell any canned fish at a price exceeding the price applicable in accordance with the First and Second Schedules to this Order.

Sales to a person who is both wholesaler and retailer.

3. For the purposes of this Order a sale to any person who carries on business both as a wholesaler and as a retailer shall, if the buyer is buying for the purposes of his wholesale business, be deemed to be a sale to a wholesaler and if the buyer is buying for the purposes of his retail business, be deemed to be sale to a retailer.

Canned fish to be sold only in original containers.

4. No person shall buy or sell any canned fish otherwise than in the original container in which it has been canned:

Provided that nothing in this Article shall restrict the sale or purchase of canned fish contained in or forming an ingredient of any product manufactured in the United Kingdom or the Isle of Man.

Records.

5.—(1) Every person who carries on any undertaking by way of trade or business in the course of which he sells canned fish otherwise than by retail shall keep or cause to be kept an accurate record of all sales and purchases thereof by him, that record to show in respect of each purchase or sale the date thereof, the name and address of the person from whom the canned fish was purchased or to whom it was sold and particulars of the quantities and descriptions thereof purchased or sold as the case may be, and of the prices charged, and of each and every addition to the maximum price made in accordance with the provisions of this Order.

(2) Every person who carries on any undertaking by way of trade or business in the course of which he sells by retail any canned fish shall keep or cause to be kept an accurate record of all purchases thereof by him, that record to show in respect of each purchase the date thereof, the name and address of the person from whom the canned fish was purchased and particulars of the quantities and descriptions thereof, and of the prices paid and of each and every addition to the maximum price made in accordance with the provisions of the Order.

(3) Retention by any person of an invoice or of a copy of an invoice shall as regards the particulars mentioned in that document be a sufficient compliance by that person with the provisions of this Article.

(4) 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.

Caterers.

6. The provisions of this Order shall not apply to the sale of canned fish as a meal or part of a meal served by a caterer in the course of his catering business.

Artificial Transactions.

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

Directions, Licences and authorisations.

8.—(1) The provisions of this Order are subject to any directions

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THE FIRST SCHEDULE

Maximum Prices on Sales other than to a Manufacturer

Column 1	Column 2	Column 3	Column 4	Column 5
Description of Imported Canned Fish	Description of container	Number of containers per case	MAXIMUM PRICES	
			On a sale to a Retailer	On a sale by Retail
			At the rate of—per case	At the rate of—per container
			s. d.	s. d.
1. Salmon—				
Group 1:				
Sockeye, Red Alaska,	1's	48	148 6	3 6
Siberian and Japanese	½'s	48	103 6	2 4½
Red	¼'s	96	142 0	1 7½
Group 2:				
Fancy Chinnoek, Blue-	1's	48	127 6	3 0
back, Red Spring, King	½'s	48	87 0	2 0
and Steelhead, Medium	¼'s	96	120 0	1 4½
Red Cohoe, Silver and				
Chinook				
Group 3:				
Pink, Keta, Chum White-	1's	48	97 6	2 3
spring and any descrip-	½'s	48	65 6	1 6
tion or variety of Canned	¼'s	96	87 3	1 0
Salmon not specified				
above				
2. Pilchards				
	1's	48	64 6	1 6
	½'s	48	43 6	1 0
	5 oz. or 6 oz.	100	54 6	7½
3. Crawfish (Crayfish) ...				
	½'s	48	73 6	1 9
	¼'s	96	84 0	1 0
4. Sardines (other than 1/10th club 20mm.				
American or Canadian	1/8th club 25 mm.	100	81 3	11
Sardines)	1/8th club 30 mm.	100	85 5	11½
	1/8th flat 24 mm.	100	100 0	1 1½
	¼'s special 25 mm.	100	96 10½	1 1
	¼'s club 27 mm.	100	103 1½	1 2
	¼'s club 30mm.	100	103 1½	1 2
	¼'s club 40 mm.	100	144 9½	1 7½
	¼'s oval 30 mm.	100	148 11½	1 8
	¼'s reduced 18 mm.	100	85 5	11½
	¼'s usual or	100	103 1½	1 2
	Dingley 22 mm.			
	¼'s usual 24 mm.	100	122 11	1 4½
	¼'s usual 30 mm.	100	144 9½	1 7½
	¼'s American	100	163 6½	1 10
	30 mm.			
	(nominal 12 ozs.)			
	Large ½'s 40 mm.	100	267 8½	3 0
	(nominal 18 ozs.)			
	4/4 80mm.	50	255 2½	5 9
	(nominal 36 ozs.)			
5. Brisling				
	¼'s	100	86 5½	1 0
6. Sild				
	¼'s	100	78 1½	10½
7. Crab				
	½'s	48	159 1½	3 9
8. Barracouta				
	1's	48	73 6	1 9
	½'s	48	41 6	1 0
9. Tunny (Tuna)				
	½'s	48	96 6	2 3
	¼'s	96	129 0	1 6

which may at any time be given by or on behalf of the Governor, and to any licence or authorisation which may be granted by or on behalf of the Governor 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.

Revocation.

9.—(1) The Imported Canned Fish (Maximum Prices) Order, 1947, as amended is hereby revoked, but without prejudice to any proceedings in respect of any contravention thereof.

(2) Every person shall, notwithstanding the revocation of the said Order, retain any record required to be kept by him thereunder until the expiration of one year from the date of the transaction to which it relates.

Infringements.

10. Infringements of this Order are offences against the Defence (General) Regulation (Isle of Man), 1939.

Commencement and citation.

11. This Order shall come into force on the 13th day of April, 1950, and may be cited as the Imported Canned Fish (Maximum Prices) Order, 1950.

GIVEN under my hand this 12th day of April, 1950.

G. R. BROMET,

Lieutenant Governor.

THE SECOND SCHEDULE

Additions to and Deductions from the Maximum Price

1. On a sale of any canned fish in a container not corresponding with any description of container specified in respect of the canned fish in Column 2 of the First Schedule, the price shall be the price applicable to the description of canned fish in the container (if any) described in the said column which is next smaller in size or capacity.

2.—(1) The maximum prices on a sale to a wholesaler or to a manufacturer include—

- (a) all costs and charges in respect of packing and packages or containers;
- (b) all costs and charges of and incidental to delivery of the canned fish to the premises of the buyer and no additional charge may be made by the seller in respect of any such costs or charges.

(2) Where on a sale to a wholesaler or to a manufacturer, delivery is given to the buyer at any place not mentioned in the preceding subparagraph, the maximum price may be increased by the amount of any costs and charges reasonably paid or incurred by the seller in respect of the transport of the canned fish from the place where it was stored on the seller's behalf to the place at which delivery is given to the buyer.

3.—(1) The maximum prices on a sale to a retailer include all costs and charges—

- (a) in respect of packing and packages or containers;
- (b) of and incidental to delivery of the canned fish at the retailer's premises; and save as aforesaid, no additional charge shall be made on any such sale in respect of packing, packages, containers, transport or delivery.

(2) Where on a sale to a multiple retailer, delivery is given or the buyer requests that delivery be given at a central depot or warehouse from which distribution is ordinarily made by the buyer to not less than ten of his retail shops, the maximum price shall be reduced by a sum at the rate of 1s. 3d. per case.

4. Where on a sale to a retailer part only of a case is sold or is at the buyer's request delivered to him, the maximum price may be increased by an amount not exceeding a sum at the rate of 1d. per dozen container.

5. Where on a sale of canned fish any addition is made to the maximum price in accordance with this Schedule the amount of each and every such addition shall be shown as a separate item in an invoice to be furnished by the seller to the buyer within three days of the delivery of the canned fish.