

Serial Number 1942/193



PRICE ORDER NO. 94

PURSUANT to the powers conferred on it by the Control of Prices Emergency Regulations 1939,* the Price Tribunal, acting with the authority of the Minister of Industries and Commerce, doth hereby make the following Price Order:—

PRELIMINARY.

1. (1) This Order may be cited as Price Order No. 94.
 - (2) This Order shall come into force on the day following the date on which notification of the making thereof is published in the *Gazette*†.
 2. (1) In this Order, unless the context otherwise requires,—
 - “The said regulations” means the Control of Prices Emergency Regulations 1939* :
 - “Certified seed potatoes” means seed potatoes that have been certified as “mother seed” or as “commercial seed” in accordance with the scheme for the certification of seed potatoes that is in operation under the control of the Department of Agriculture; and “uncertified seed potatoes” includes all seed potatoes that have not been so certified :
 - “Distributor”, in relation to any lot of potatoes, means a wholesaler, as defined in the said regulations, who sells those potatoes otherwise than to a retailer for purposes of retail sale :
 - “Group”, in relation to certified seed potatoes, means the group into which any potatoes have been classified by the Department of Agriculture in accordance with its scheme for the certification of seed potatoes :
 - “Grower”, in relation to potatoes, means a person engaged in the business of growing potatoes for sale :
 - “Seed potatoes” includes all potatoes that are sold as seed potatoes, and also includes all potatoes that are deemed to be seed potatoes in accordance with the provisions of clause 5 of this Order.
- The expression “f.o.r.s.i.” means free on rail sacks or other containers included.

* Statutory Regulations 1939, Serial number 1939/275, page 1057.
 Amendment No. 1 : Statutory Regulations 1941, Serial number 1941/123, page 396
 Amendment No. 2 : Statutory Regulations 1942, Serial number 1942/12, page 34.

† See end note.

(2) Terms and expressions defined in the said regulations and used in this Order have the meanings severally assigned thereto by those regulations.

3. Subject to any general or specific directions that may be given by or on behalf of the Tribunal, any expenses that are reasonably incurred by a distributor, wholesaler, or retailer in undertaking the transport of any potatoes at his own expense may be regarded for the purposes of this Order as if they were transport charges paid by him, and the maximum price of the potatoes shall be determined accordingly.

APPLICATION OF THIS ORDER.

4. (1) This Order applies only to seed potatoes of the 1941-42 season.

(2) Except as otherwise provided herein, this Order applies to all such seed potatoes that (whether sold before or after the date of the coming into force of this Order) are delivered to the purchaser on or after the said date.

(3) In its application to growers' prices, this Order applies only to seed potatoes of the 1941-42 season that are grown in the South Island.

(4) In its application to distributors' prices, wholesalers' prices, and retailers' prices, this Order does not apply to any seed potatoes which have been specially hand-graded in a distributor's or wholesaler's store in the South Island, but applies to all other seed potatoes of the 1941-42 season grown anywhere in New Zealand.

(5) Nothing in this Order applies with respect to imported potatoes.

5. For the purposes of this Order all potatoes included in any one lot shall be deemed to be seed potatoes if in any sample of one hundred potatoes taken at random from such lot more than five of those potatoes can be passed through a square of which the sides have an inside measurement of 2 in.

Growers' Prices.

6. (1) The price to be charged by growers for any potatoes to which this Order applies shall be determined in accordance with the following provisions of this clause.

(2) Where any such potatoes are delivered by the grower f.o.r.s.i. any station in the South Island the basic price shall be computed in accordance with the scale set forth in the Schedule hereto, and the actual price for any such potatoes shall be the basic price, increased or reduced, if necessary and as the case may require, in accordance with the following provisions of this clause.

(3) The basic price fixed in the Schedule hereto for certified "mother seed" potatoes is fixed as for potatoes classified in Group 4.

(4) The basic price fixed in the Schedule hereto for certified "commercial seed" potatoes of the Dakota variety is fixed as for potatoes classified in Group 8, and for all other "commercial seed" potatoes is fixed as for potatoes classified in Group 6.

(5) For seed potatoes classified in a higher group than Group 4, Group 6, or Group 8, as the case may be, a premium of 5s. a ton shall be charged for each upward step in the classification.

(6) If in any sample of one hundred potatoes taken at random from any lot of seed potatoes sold by a grower more than eight of those potatoes weigh less than 2 oz. each, the price of the lot, computed in accordance with the foregoing provisions of this clause, shall be reduced by an amount computed at the rate of £1 a ton.

(7) Notwithstanding anything in the foregoing provisions of this clause, the prices fixed in accordance therewith shall be increased by £1 a ton for all seed potatoes that are delivered by the grower f.o.r.s.i. at any time on or after 7th September, 1942.

Distributors' Prices.

7. (1) The maximum price that may be charged by any distributor for any seed potatoes to which this Order applies shall not exceed the sum of the following amounts:—

- (a) The price actually paid or payable to the grower by the same or any other distributor:
- (b) Any grading, transport, or other charges (not including brokerage) actually paid by the same or any other distributor:
- (c) An amount computed at the rate of 5 per cent. of the sum of the amounts specified in paragraphs (a) and (b) hereof, or at the rate of 10s. a ton (whichever is the greater)
- (d) Any disbursements actually incurred by the same or any other distributor by way of brokerage, not exceeding in the aggregate $2\frac{1}{2}$ per cent. of the sum of the amounts specified in paragraphs (a), (b), and (c) hereof.

(2) Notwithstanding anything to the contrary in this Order, the provisions of this clause as to the computation of distributors' prices shall apply with respect to every sale by a person who is ordinarily engaged in business as a distributor to a person who is ordinarily engaged in business as a wholesaler, notwithstanding that in any such case the purchaser may sell by way of retail any potatoes acquired by him from the distributor.

Wholesalers' and Retailers' Prices.

8. (1) When any seed potatoes to which this Order applies are sold for cash by any wholesaler or by any retailer in quantities not less than one sack, the maximum price that may be charged or received by the wholesaler or retailer shall not exceed the sum of the following amounts:—

- (a) The price actually paid or payable by the wholesaler or the retailer, as the case may be, to the grower or any other person:
- (b) An amount not exceeding 2s. 6d. a ton in respect of any potatoes actually received into the wholesaler's or retailer's store, together with any grading, transport, or other charges actually paid by the wholesaler or retailer:
- (c) An amount equal to $2\frac{1}{2}$ per cent. of the sum of the amounts specified in paragraphs (a) and (b) hereof (to cover the estimated loss due to shrinkage and other natural causes), and a further amount equal to $1\frac{1}{4}$ per cent. of the said sum in respect of potatoes actually received into store:

(d) An amount computed at the rate of £1 15s. a ton (in respect of seed potatoes sold in quantities of one sack or more, but less than a ton), and computed at the rate of £1 a ton for quantities of 1 ton or more.

(2) When any seed potatoes to which this Order applies are sold by a wholesaler or a retailer otherwise than for cash, the maximum prices fixed by the foregoing provisions of this clause may be increased in accordance with trade custom.

SCHEDULE.

BASIC PRICES TO BE CHARGED BY GROWERS FOR SEED POTATOES TO WHICH THIS ORDER APPLIES.

Varieties.	Certified "Mother" Seed.	Certified "Commer- cial" Seed.	Uncertified Seed.
	Per Ton. £ s. d.	Per Ton. £ s. d.	Per Ton. £ s. d.
A. Arran Scout, Chippewa, Doon Early, Dunbar Standard, Katahdin	13 0 0
B. Arran Pilot, Aucklander Short Top, Aucklander Tall Top, Catriona, Cliffs Kidney, Epicure, Jersey Bennes, King Edward, Majestic, Robin Adair, Up-to-date, and other varieties not specified elsewhere	12 0 0	10 10 0	8 5 0
C. Arran Banner, Arran Chief, Dakota, Inverness Favourite, Iron Duke, Northern Star (Gamekeeper), Royal Salute	10 0 0	8 15 0	7 15 0

Dated at Wellington, this 26th day of June, 1942.

The seal of the Price Tribunal was affixed hereto in the presence of—

[L.S.]

W. J. HUNTER (Judge), President.
H. L. WISE, Member.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 26th day of June, 1942.

These regulations are administered in the Department of Industries and Commerce, Tourist and Publicity.