

## Serial Number 1940/80.



**THE PURCHASE OF TALLOW ORDER 1940.**

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 1st day of May, 1940.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the powers conferred on him by section 4 of the Marketing Amendment Act, 1939, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following Order.

**THE PURCHASE OF TALLOW ORDER 1940.**

1. This Order may be cited as the Purchase of Tallow Order 1940.
2. In this Order, unless the context otherwise requires.

“Department” means the ~~Marketing~~ Department established under the Marketing Act, 1936 :

“Minister” means the Minister of Marketing.

“Ton”, in relation to tallow, means a ton of 2,240 lb. net weight.

3. (1) The owner of any tallow of a class specified in the Schedule hereto may offer the same for sale to the Department upon the terms and conditions contained in this Order.

(2) Any tallow offered for sale under this Order and accepted by the Department shall be delivered by or on behalf of the owner free on board an exporting ship at a port at which tallow is customarily delivered for export beyond New Zealand, and shall be graded, packed, marked, and branded in such manner as the Department may from time to time require.

4. (1) If the Department agrees to purchase any tallow offered to it in accordance with this Order, the gross price to be paid for that tallow shall, subject to the provisions of this clause, be calculated by reference to the scale of prices set out in the Schedule hereto.

(2) The grading of any tallow for the purpose of computing the gross price thereof in accordance with the last preceding subclause shall be such grading as may be assigned to that tallow by the Department.

(3) The net price of any tallow purchased by the Department shall be the gross price thereof reduced by such deductions as the Department may determine in accordance with the following provisions of this clause.

(4) If, in respect of any tallow purchased by the Department under this Order, any examination or analysis thereof subsequently made by or on behalf of the Department or by or on behalf of His Majesty's Government in the United Kingdom discloses any inferiority of quality or any error of grading, or any loss of weight in excess of 2 per centum of the gross weight, or the presence of any water, dirt, or other foreign matter, there shall be deducted from the gross price such sum (if any) as the Department shall determine to be appropriate in the circumstances of the case.

(5) In any case where a deduction from the gross price of any tallow has been made in accordance with the last preceding subclause, there shall also be deducted from that price the cost of any examination or analysis of the tallow made by or on behalf of the Department or by or on behalf of His Majesty's Government in the United Kingdom.

5. The price to be paid by the Department for any tallow purchased by it under the provisions of this Order shall be paid out of any appropriate account established in accordance with section 5 or section 6 of the Marketing Amendment Act, 1939.

6. (1) The price of any tallow so purchased by the Department shall be paid in accordance with the following provisions of this clause:—

(a) Upon delivery to the Director of the Export Division of the Department of the relative bills of lading and other documents of title and of any other documents which the Department may require, the Department in its discretion shall pay to or to the order of the owner either such portion of the gross price as it may determine or the full amount of the gross price subject to the condition that any deductions authorized by subclause (4) or subclause (5) of clause 4 hereof may be recovered in accordance with the provisions of subclause (2) of this clause.

(b) Upon receipt by the Department of notice of the result of any examination or analysis of the tallow made by or on behalf of the Department or by or on behalf of His Majesty's Government in the United Kingdom the Department, in any case where portion only of the price has been paid, shall pay to or to the order of the owner the difference between the amount so paid and the net price ascertained in accordance with clause 4 of this Order, and in any other case shall deliver to the owner or other person to whom payment has been made by a debit note of the sums (if any) to be deducted from the gross price in accordance with subclause (4) and subclause (5) of clause 4 of this Order.

(2) Upon delivery of a debit note in accordance with paragraph (b) of the last preceding subclause, the sums stated therein shall become a debt due to the Crown by the owner or other person to whom payment has been made in accordance with the foregoing provisions of this clause and may be recovered by action or may be deducted by the Department from any moneys that may be or may thereafter become payable by the Department to the owner or such other person, whether in respect of the purchase of tallow in accordance with this Order or otherwise.

(3) Any debit note as aforesaid may be delivered personally or may be posted to the last known place of abode or business of the person to whom it is required to be delivered, and where any such debit note is posted it shall be deemed to be delivered on the day on which it would be delivered by the Post Office in the ordinary course of post.

### SCHEDULE.

#### SCALE OF PRICES.

| CLASSES AND GRADES OF TALLOW.  | Price per Ton<br>f.o.b. (packed<br>in Casks). |       | Price per Ton<br>f.o.b. (packed<br>in Barrels or<br>Drums). |       |
|--|---|-------|---|-------|
|  | £   | s. d. | £   | s. d. |
| First beef .. .. .   | 26  | 19 6  | 26  | 13 0  |
| First mutton .. .. .   | 25  | 2 0   | 24  | 16 0  |
| Good bright prime mixed .. .. .  | 21  | 13 6  | 21  | 7 6   |
| Good colour mixed .. .. .  | 21  | 7 6   | 21  | 1 0   |
| Fair to good colour mixed .. .. .  | 20  | 15 0  | 20  | 9 0   |
| Fair colour mixed .. .. .  | 19  | 10 0  | 19  | 4 0   |
| Good gut .. .. .   | 18  | 5 6   | 17  | 19 0  |
| Medium gut .. .. .   | 17  | 0 6   | 16  | 14 0  |
| Low and no colour gut .. .. .  | 13  | 18 0  | 13  | 12 0  |
| Premier jus .. .. .  | 26  | 19 6  | 26  | 13 0  |
| Stearine superior .. .. .  | 28  | 4 6   | 27  | 18 0  |
| Stearine medium .. .. .  | 26  | 7 0   | 26  | 0 6   |
| Lard edible .. .. .  | 44  | 7 6   | 44  | 1 6   |
| Pig fat inedible, steam rendered .. .. .                                 | 35  | 13 6  | 35  | 7 6   |
| HOG GREASE.  |   |       |   |       |
| Under 1 per cent. free fatty acid .. .. .                                | 28  | 4 6   | 27  | 18 0  |
| Not less than 1 per cent. and under 2 per cent. free fatty acid .. .. .  | 26  | 19 6  | 26  | 13 0  |
| Not less than 2 per cent. and under 3 per cent. free fatty acid .. .. .  | 25  | 14 6  | 25  | 8 6   |
| Not less than 3 per cent. and under 4 per cent. free fatty acid .. .. .  | 24  | 9 6   | 24  | 3 6   |
| Not less than 4 per cent. and under 5 per cent. free fatty acid .. .. .  | 23  | 5 0   | 22  | 18 6  |
| Not less than 5 per cent. and under 6 per cent. free fatty acid .. .. .  | 22  | 0 0   | 21  | 13 6  |
| Not less than 6 per cent. and under 7 per cent. free fatty acid .. .. .  | 20  | 15 0  | 20  | 9 0   |
| Not less than 7 per cent. and under 8 per cent. free fatty acid .. .. .  | 19  | 10 0  | 19  | 4 0   |
| Not less than 8 per cent. and under 9 per cent. free fatty acid .. .. .  | 18  | 5 6   | 17  | 19 0  |
| Not less than 9 per cent. and under 10 per cent. free fatty acid .. .. . | 17  | 0 6   | 16  | 14 0  |

C. A. JEFFERY,  
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.  
Date of notification in *Gazette*: 9th day of May, 1940.  
These regulations are administered in the Export Division of the Marketing Department.