

8. The provisions of this Order fixing growers' prices shall apply only with respect to potatoes grown in New Zealand that are the produce of seed potatoes planted on or before the 31st March, 1943, and that are delivered to the purchaser on or before the 30th November, 1943.

9. (1) With respect to potatoes grown in New Zealand, the provisions of this Order as to distributors' prices, wholesalers' prices, and retailers' prices respectively shall apply only with respect to potatoes that are the produce of seed potatoes planted on or before 31st March, 1943.

(2) Except as provided in the last preceding subclause, the provisions of this Order as to distributors' prices, wholesalers' prices, and retailers' prices respectively shall apply with respect to all potatoes intended for human consumption (whether grown in New Zealand or imported into New Zealand) that are sold by a distributor, wholesaler, or retailer (as the case may be) at any time after the coming into force of this Order.

FIXING PRICES OF POTATOES THAT ARE SUBJECT TO THIS ORDER.

Growers' Prices.

10. (1) Subject to the following provisions of this clause the actual price to be charged by any grower for f.a.q. potatoes and the maximum price to be charged by any such grower for under-grade potatoes shall be determined in accordance with the following scale, namely:—

(a) For Sutton's Supreme or King Edward potatoes grown in the South Island and sold for delivery in the month of—

		Actual Price (f.a.q.) and Maximum Price (Under-grade).		
		£ s. d.		
March, 1943	..	..	8 10 0	} Per ton f.o.b.s.i. a port in the South Island.
April, 1943	..	..	7 15 0	
May, 1943..	..	..	8 5 0	
June, 1943	..	..	8 5 0	
July, 1943, to November, 1943		Pending the issue of an amend- ing Price Order, and subject to the provisions of any such Order, the prices as for June, 1943, shall also apply with respect to potatoes sold for delivery in the months of July to November*.		

(b) For any other variety of potatoes grown in the South Island and sold for delivery in the month of—

		Actual Price (f.a.q.) and Maximum Price (Under-grade).			Per ton f.o.b.s.i. a port in the South Island.
		£ s. d.			
March, 1943	..	..	8	0 0
April, 1943	..	..	7	5 0
May, 1943..	..	..	7	15 0
June, 1943	..	..	7	15 0
July, 1943, to November, 1943		Pending the issue of an amend- ing Price Order, and subject to the provisions of any such Order, the prices as for June, 1943, shall also apply with respect to potatoes sold for delivery in the months of July to November*.			

(c) For potatoes (other than "tagged" potatoes) grown in the North Island—

		Actual Price (f.a.q.) and Maximum Price (Under-grade).			
		£ s. d.			
March, 1943	..	10	10	0	} Per ton f.o.r.s.i. the grower's station.
April, 1943	..	9	15	0	
May, 1943	..	10	5	0	
June, 1943	..	10	5	0	
July, 1943, to November, 1943		Pending the issue of an amend- ing Price Order, and subject to the provisions of any such Order, the prices as for June, 1943, shall also apply with respect to potatoes sold for delivery in the months of July to November*.			

(2) With respect to "tagged" potatoes the prices to be charged by the grower shall be not less than the appropriate prices fixed in accordance with paragraph (c) of the last preceding subclause, but may exceed such prices by an amount not exceeding 10s. a ton in any case.

(3) For the purposes of this clause potatoes shall be deemed to be f.a.q. or under-grade, as the case may be, in accordance with the following rules:—

(a) *Rule as to Size.*—If in any sample of one hundred potatoes taken at random from any lot more than 15 per cent. by number of the sample can be passed through a square of which the sides have an inside measurement of 2 in., all the potatoes in the lot from which the sample is taken shall be deemed to be under-grade:

(b) *Rule as to Quality.*—If in any lot of potatoes more than 4 per cent. by weight of the lot is affected by disease, damage, second growth, or other defect, or if the lot is not reasonably free from earth or from rough or unshapely tubers, all the potatoes in the lot shall be deemed to be under-grade:

(c) Potatoes that are not under-grade in accordance with paragraph (a) or paragraph (b) hereof shall be deemed to be f.a.q. potatoes.

* See end note.

(4) Where any potatoes grown in the South Island are delivered by a grower otherwise than f.o.b.s.i. a port in the South Island the price that may be charged by the grower shall be the appropriate price in terms of the foregoing provisions of this clause, increased by the amount of the charges (if any) incurred by him in effecting delivery and then reduced by the amount of the charges that would have been incurred by him if he had delivered the potatoes f.o.b.s.i. a port in the South Island.

(5) Where any potatoes grown in the North Island are delivered by a grower otherwise than f.o.r.s.i. the grower's station, the price that may be charged by the grower shall be the appropriate price in terms of the foregoing provisions of this clause, increased by the amount of the charges (if any) incurred by him in effecting delivery and then reduced by the amount of the charges that would have been incurred by him if he had delivered the potatoes f.o.r.s.i. the grower's station.

(6) Notwithstanding anything in the foregoing provisions of this clause, where any extraordinary charges beyond the control of the grower are reasonably incurred by him in or in the course of delivering any potatoes at the place specified in any contract as the place of delivery, the amount of such charges may, with the approval of the Tribunal, be added to the price to be paid to the grower for those potatoes.

Distributors' Prices.

11. The maximum price that may be charged or received by any distributor for any potatoes grown in New Zealand 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 disbursements actually incurred and paid by the same or any other distributor by way of brokerage (not exceeding in the aggregate 2s. 6d. a ton) together with any grading, transport, or other charges actually paid by the same or any other distributor:

(c) An amount computed at the rate of 10s. a ton.

12. The maximum price that may be charged or received by any distributor for any potatoes imported into New Zealand by the distributor or any other person shall not exceed the sum of the following amounts:—

(a) The landed cost of the potatoes to the importer at the port of discharge:

(b) Any disbursements actually incurred and paid by the same or any other distributor by way of brokerage in New Zealand (not exceeding in the aggregate 2s. 6d. a ton) together with any grading, transport, or other charges incurred in New Zealand and actually paid by the same or any other distributor:

(c) An amount computed at the rate of 10s. per ton.

Wholesalers' Prices.

13. The maximum price that may be charged or received by any wholesaler for any potatoes grown in New Zealand and sold by him to a retailer for purposes of retail sale shall not exceed the sum of the following amounts:—

(a) The price actually paid or payable by the wholesaler to the grower or any other person:

(b) An amount (not exceeding 2s. 6d. a ton) in respect of any potatoes actually received into and delivered from the wholesaler's store, together with any grading, transport, or other charges actually paid by the wholesaler:

(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, in the case of potatoes that have been actually received into the wholesaler's store, a further amount equal to $1\frac{1}{2}$ per cent. of the aforesaid sum:

(d) An amount computed at the rate of £1 5s. a ton for lots of less than a half-ton, and at the rate of £1 a ton in all other cases.

14. The maximum price that may be charged or received by any wholesaler for any potatoes imported into New Zealand by the wholesaler or any other person and sold by the wholesaler to a retailer for purposes of retail sale shall not exceed the sum of the following amounts:—

(a) The price actually paid or payable by the wholesaler:

(b) An amount (not exceeding 2s. 6d. a ton) in respect of any potatoes actually received into and delivered from the wholesaler's store, together with any grading, transport, or other charges incurred in New Zealand and actually paid by the wholesaler:

(c) In respect of potatoes that have been actually received into the wholesaler's store, an amount equal to $1\frac{1}{2}$ per cent. of the sum of the amounts specified in paragraphs (a) and (b) hereof:

(d) An amount computed at the rate of £1 5s. a ton for lots of less than a half-ton, and at the rate of £1 a ton in all other cases.

Computation of Distributors' and Wholesalers' Prices by reference to Average Prices.

15. In computing the maximum price that may be charged by any distributor or by any wholesaler for potatoes that have been acquired by him in different lots at different prices, the appropriate maximum price may, with the general or special approval of the Tribunal, and subject to any conditions that may be imposed by the Tribunal, be computed by reference to the average of the several prices paid for such potatoes.