

Price Order No. 128 (Eggs).

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. This Order may be cited as Price Order No. 128, and shall come into force on the 13th day of March, 1943.

2. (1) Price Order No. 118† is hereby revoked.

(2) The revocation of the said Order shall not affect the liability of any person for any offence in relation thereto committed before the coming into force of this Order.

3. (1) In this Order,—

“Egg-marketing area” means an egg-marketing area or a special egg-marketing area, as constituted for the time being under the Egg Marketing Regulations 1940‡ or under the Egg Marketing Emergency Regulations 1942§;

“Egg-price area” means an egg-price area as defined in the First Schedule hereto.

(2) Every egg-price area that is defined in the First Schedule hereto by reference to the counties included therein shall include all such counties, and shall also include all cities, boroughs, and town districts that are situated within or are contiguous to the boundaries of any such county. Where any city, borough, or town district as aforesaid is not itself contiguous to the boundaries of a county but is contiguous to any other city, borough, or town district that is contiguous to a county, all such contiguous cities, boroughs, and town districts shall be deemed to be included in the same egg-price area.

APPLICATION OF THIS ORDER.

4. (1) Except as provided in the next succeeding subclause, this Order applies with respect to all sales, whether wholesale or retail, of eggs of domestic fowls or ducks (whether fresh, chilled, or preserved).

(2) This Order shall not apply with respect to the sale of eggs for the purpose of hatching.

CLASSIFICATION OF EGGS FOR PURPOSES OF THIS ORDER.

Hen-eggs.

5. (1) For the purposes of this Order every lot of hen-eggs sold by a producer, or wholesaler, or retailer shall be classified as “Heavy Grade”, “Standard Grade”, “Medium Grade”, “Pullet Grade”, or “Ungraded”.

(2) With respect to hen-eggs that have been graded in accordance with the Egg Marketing Regulations 1940‡, the classification of such eggs for the purposes of this Order shall correspond to the grading under those regulations.

(3) With respect to hen-eggs that have not been graded in accordance with the said regulations, the following special provisions shall apply:—

(a) No such eggs shall be classified as “Heavy Grade”, “Standard Grade”, “Medium Grade”, or “Pullet Grade” unless they would be so graded if they were graded under the said regulations:

(b) No such eggs shall be classified as “Ungraded” unless they are fairly representative of the normal output of eggs produced in the poultry-run from which they have been derived, or if, from the eggs produced during the same period, there has been any selection by the producer of graded eggs for the purposes of separate sale.

(4) All graded eggs bought by a retailer from a producer or wholesaler shall be sold by him as being of the same respective grades.

Duck-eggs.

6. (1) For the purposes of this Order, every lot of duck-eggs sold by a producer, wholesaler, or retailer in the Auckland Egg-price Area shall be classified as “Standard”, “Medium”, “Small”, or “Ungraded”; and every lot of duck-eggs sold elsewhere than in the Auckland Egg-price Area shall be classified as “Large”, “Small”, or “Ungraded”.

(2) With respect to the classification of duck-eggs sold in the Auckland Egg-price Area, the following provisions shall apply, namely:—

(a) No lot of eggs shall be classified as Standard duck-eggs if any of the eggs comprised in the lot weighs less than $2\frac{1}{16}$ oz.:

(b) No lot of eggs shall be classified as Medium duck-eggs if any of the eggs comprised in the lot weighs less than $2\frac{1}{16}$ oz. or is classifiable as a Standard duck-egg:

(c) If all the eggs comprised in any lot weigh less than $2\frac{1}{16}$ oz. each, they shall be deemed to have been classified as Small duck-eggs:

(d) All mixed lots of eggs—that is to say, lots comprising eggs classifiable into different grades—shall be deemed to be Ungraded.

(3) With respect to the classification of duck-eggs sold elsewhere than in the Auckland Egg-price Area, the following provisions shall apply, namely:—

(a) No lot of eggs shall be classified as Large duck-eggs if any of the eggs comprised in the lot weighs less than $2\frac{1}{16}$ oz.:

(b) If all the eggs comprised in any lot weigh less than $2\frac{1}{16}$ oz. each, they shall be deemed to have been classified as Small duck-eggs:

* Statutory Regulations 1939, Serial number 1939/275, page 1057.

† Statutory Regulations 1942, Serial number 1942/325, page 794.

‡ Statutory Regulations 1940, Serial number 1940/146, page 505.

§ Statutory Regulations 1942, Serial number 1942/179, page 423.

(c) All mixed lots of eggs—that is to say, lots comprising some eggs classifiable as “Large” and some classifiable as “Small”—shall be deemed to be Ungraded.

(4) All graded eggs bought by a retailer from a producer or wholesaler shall be sold by him as being of the same respective grades.

FIXING MAXIMUM WHOLESALE PRICES OF EGGS TO WHICH THIS ORDER APPLIES.

7. (1) The price that may be charged or received by any wholesaler (including a producer selling otherwise than by way of retail) for any eggs to which this Order applies, when sold for resale in any marketing area within an egg-price area, shall not exceed the appropriate maximum price specified in the Second Schedule hereto.

(2) The price that may be charged or received by any wholesaler (including a producer selling otherwise than by way of retail) for any eggs to which this Order applies, when sold for resale elsewhere than in a marketing area, shall not exceed the appropriate maximum price specified in the Third Schedule hereto.

FIXING MAXIMUM RETAIL PRICES OF EGGS TO WHICH THIS ORDER APPLIES.

8. (1) Subject to the provisions of the next succeeding subclause, the maximum retail price that may be charged or received by any retailer (other than a producer) for any eggs to which this Order applies shall be computed as follows:—

	Maximum Price per Dozen.
(a) Where the retailer's cost into store is less than 1s. 6½d. per dozen	Cost, plus 2d.
(b) Where the retailer's cost into store is not less than 1s. 6½d. but is less than 2s. per dozen	Cost, plus 2½d.
(c) Where the retailer's cost into store is not less than 2s. but is less than 2s. 4½d. per dozen	Cost, plus 3d.
(d) Where the retailer's cost into store is 2s. 4½d. per dozen or more	Cost, plus 3½d.

(2) The maximum retail price that may be charged or received by any retailer for any eggs that (having been acquired by him as ungraded eggs) have been graded by him shall be the appropriate maximum wholesale price, as for graded eggs, increased by the appropriate allowance specified in the last preceding subclause (as if such maximum wholesale price were his cost into store).

9. The maximum retail price that may be charged or received by any producer for any eggs sold by him by way of retail shall be the appropriate maximum wholesale price that he could charge if the eggs were sold by him by way of wholesale, increased by the appropriate allowance specified in subclause (1) of the last preceding clause (as if such maximum wholesale price were the producer's cost into store).

SCHEDULES.

FIRST SCHEDULE.

THE WELLINGTON EGG-PRICE AREA.

The counties of Akitio, Castlepoint, Clifton, Dannevirke, Egmont, Eketahuna, Eltham, Featherston, Hawera, Horowhenua, Hutt, Inglewood, Kairanga, Kiwitea, Makara, Manawatu, Masterton, Mauriceville, Oroua, Pahiatua, Patea, Pohangina, Rangitikei, Stratford, Taranaki, Waimate West, Wairarapa South, Waitotara, Wanganui, Weber, Whangamomona, and Woodville (in the North Island), and the counties of Sounds, Collingwood, Takaka, Waimea, Marlborough, and Awatere (in the South Island), together with all cities, boroughs, and town districts included in the area by virtue of clause 3 (2) of this Order.

THE HAWKE'S BAY EGG-PRICE AREA.

The counties of Patangata, Waipukurau, Waipawa, Hawke's Bay, and Wairoa, together with all boroughs and town districts included in the area by virtue of clause 3 (2) of this Order.

THE AUCKLAND EGG-PRICE AREA.

All that part of the North Island that is not included in the Wellington Egg-price Area or the Hawke's Bay Egg-price Area.

THE CHRISTCHURCH EGG-PRICE AREA.

The counties of Kaikoura, Amuri, Cheviot, Waipara, Tawera, Ashley, Kowhai, Oxford, Rangiora, Eyre, Waimairi, Mount Herbert, Heathcote, Paparua, Akaroa, Wairera, Halswell, Springs, Ellesmere, Malvern, Selwyn, Ashburton, Geraldine, Mackenzie, and Levels, together with the city of Christchurch and all boroughs and town districts included in the area by virtue of clause 3 (2) of this Order.

THE WESTLAND EGG-PRICE AREA.

The counties of Buller, Murchison, Inangahua, Grey, and Westland, together with all boroughs and town districts included in the area by virtue of clause 3 (2) of this Order.

THE DUNEDIN EGG-PRICE AREA.

All that part of the South Island (including Stewart Island) that is not included in the Wellington Egg-price Area, the Christchurch Egg-price Area, or the Westland Egg-price Area.