



SUPPLEMENT

TO THE

NEW ZEALAND GAZETTE

OF

THURSDAY, JUNE 3, 1943

Published by Authority

WELLINGTON, FRIDAY, JUNE 4, 1943

*Price Order No. 142 (Apples and Pears)*

**P**URSUANT 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. 142.
- (2) This Order shall come into force on the 7th day of June, 1943.
2. (1) Price Order No. 136† and Price Order No. 136, Amendment No. 2‡, are hereby revoked.
- (2) The revocation of the said Orders 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, unless the context otherwise requires,—
  - “ Bushel case ”, in relation to apples, means a package of the kind numbered 1 in the First Schedule to the New-Zealand-grown Fruit Regulations 1940§, and, in relation to pears, means a package of the kind numbered 2 in the said Schedule :
  - “ Half-bushel case ”, in relation to apples, means a package of the kind numbered 5 in the First Schedule to the New-Zealand-grown Fruit Regulations 1940§, and, in relation to pears, means a package of the kind numbered 6 in the said Schedule :
  - “ Internal Marketing Division ” means the Internal Marketing Division of the Marketing Department :
  - “ Retailer’s railway-station ”, in relation to sales by a wholesaler to a retailer, means the railway-station that is nearest or most convenient of access to the retailer’s premises.

(2) References in the First and Second Schedules to this Order to counts and grades are references to the counts and grades of apples and pears respectively, determined in accordance with the New-Zealand-grown Fruit Regulations 1940§, as modified in accordance with the Apple and Pear Marketing Regulations 1942||.

(3) Terms and expressions defined in the Control of Prices Emergency Regulations 1939,\* and used in this Order, have the meanings severally assigned thereto by those regulations.

4. The provisions of this Order fixing prices by reference to the weight of the fruit to which any sale relates shall apply notwithstanding that in any case the seller may sell or purport to sell otherwise than by weight.

APPLICATION OF THIS ORDER

5. This Order applies with respect to all sales of apples and pears grown in New Zealand.

6. The maximum prices fixed by this Order apply with respect to sales by auction as well as to other sales.

\* Statutory Regulations 1939, Serial number 1939/275, page 1057.  
 † Gazette, 7th May, 1943, Vol. II, page 515.  
 ‡ Gazette, 21st May, 1943, Vol. II, page 563.  
 § Statutory Regulations 1940, Serial number 1940/195, page 621.  
 || Statutory Regulations 1942, Serial number 1942/314, page 767.

MAXIMUM WHOLESALE PRICES

7. (1) The maximum price that may be charged or received by any wholesaler for apples to which this Order applies shall be determined in accordance with the First Schedule hereto.
- (2) The maximum price that may be charged or received by any wholesaler for pears to which this Order applies shall be determined in accordance with the Second Schedule hereto.
- (3) The several wholesale prices fixed by this clause are fixed as for delivery by the wholesaler to the retailer at the wholesaler’s store. Where, with the concurrence or by direction of the Internal Marketing Division, delivery to the retailer is effected at the retailer’s railway-station, freight charges to the retailer’s railway-station from the depot from which the fruit is actually supplied will be borne by the Internal Marketing Division.

MAXIMUM RETAIL PRICES

8. (1) For the purposes of the Third and Fourth Schedules hereto, the retailer’s cost into store per bushel case of any apples or pears sold by him by way of retail sale shall be determined as if on the day of the retail sale he had bought the fruit from a wholesaler at the appropriate maximum wholesale price ruling on that day, and the amount of the retailer’s cost into store of any such fruit shall be ascertained as follows:—

- (a) Where no transport expenses have been incurred by the retailer in effecting delivery into his shop or other premises, his cost into store per bushel case shall be the appropriate maximum wholesale price per bushel case :
- (b) Where any transport expenses have been actually and reasonably incurred by the retailer in effecting delivery into his shop or other premises as aforesaid of fruit delivered to him either at the wholesaler’s store or at the retailer’s railway-station, as the case may be, the retailer’s cost into store per bushel case shall be the approximate maximum wholesale price per bushel case, increased by a proportionate part of the transport expenses incurred by him as aforesaid (not exceeding in any case sixpence per bushel case, or the charges that would have been incurred if delivery had been effected by a common carrier at current rates, whichever is the less).

(2) If in respect of any variety or grade of apples or pears there is no maximum wholesale price ruling on the date of any retail sale, the maximum retail price shall be the maximum retail price that was last fixed in respect of such apples or pears.

(3) Notwithstanding anything in the foregoing provisions of this clause, if by reason of a reduction of the maximum wholesale price of any apples or pears the maximum retail price is reduced, the reduction of the maximum retail price shall not take effect until noon of the day on which the reduction of the maximum wholesale price took effect.

9. (1) Except as otherwise provided in this clause the maximum price that may be charged or received by any retailer for apples to which this Order applies, when sold by him in bushel-case or half-bushel-case lots or in 10 lb. lots, shall be determined in accordance with the Third Schedule hereto.