



SUPPLEMENT
TO THE
NEW ZEALAND GAZETTE

OF
THURSDAY, SEPTEMBER 2, 1943

Published by Authority

WELLINGTON, MONDAY, SEPTEMBER 6, 1943

Price Order No. 153 (New Potatoes)

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. 153, and shall come into force on the 7th day of September, 1943.

2. (1) In this Order, unless the context otherwise requires,—

“The said regulations” means the Control of Prices Emergency Regulations 1939*:

“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:

“Grower”, in relation to potatoes, means a person engaged in the business of growing potatoes for sale:

The expression “f.o.r.s.i.” means “free on rail, sacks or other containers included.”

(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 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.

4. The provisions of this Order shall apply notwithstanding that any potatoes to which the Order is applicable are sold otherwise than by weight.

5. If any potatoes to which this Order applies are bought at auction by any distributor, wholesaler, or retailer, no account shall be taken of any commission or other charges paid or payable to the auctioneer in computing, for the purposes of this Order, the price paid or payable for those potatoes by any distributor, wholesaler, or retailer.

APPLICATION OF THIS ORDER

6. (1) This Order applies with respect to all potatoes grown in New Zealand that, being the produce of seed potatoes planted after the 31st day of March, 1943, are sold after the coming into

force of this Order and on or before the 29th day of February, 1944, by any grower, distributor, wholesaler, or retailer.

(2) Nothing in Price Order No. 127† shall apply with respect to any potatoes to which this Order applies.

FIXING PRICES OF POTATOES THAT ARE SUBJECT TO THIS ORDER
Growers' Prices

7. (1) The growers' prices fixed by this Order are fixed by reference to—

- (a) The place where the potatoes are grown; and
- (b) The period (including in any period both the first and the last of the appropriate specified dates) within which, in accordance with the contract of sale, the potatoes are to be delivered by the grower to the purchaser.

(2) The growers' prices fixed by this Order are the actual prices to be charged by the grower—

- (a) For first-grade potatoes grown in the North Island and sold for delivery at any time during the period commencing on the 1st day of December, 1943, and ending on the 29th day of February, 1944; or
- (b) For first-grade potatoes grown in the provincial district of Nelson and sold for delivery in that district or in the North Island at any time during the said period.

(3) Except as provided in the last preceding subclause, the growers' prices fixed by this Order are the maximum prices that may be lawfully charged by a grower for any potatoes to which this Order applies.

(4) The growers' prices fixed as aforesaid are fixed in respect of sales f.o.r.s.i.—

- (a) The railway-station at Christchurch, in the case of potatoes grown in the Nelson Provincial District and sold for delivery elsewhere than in that district or in the North Island; or
- (b) The grower's railway-station (being the railway-station nearest or most convenient of access to the grower's premises) in the case of any potatoes to which the last preceding paragraph does not apply.

(5) Where any potatoes to which this Order applies are delivered by a grower otherwise than f.o.r.s.i. the appropriate railway-station (as determined in accordance with the last preceding subclause) 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 appropriate railway-station determined as aforesaid.

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

† Gazette, 1st March, 1943, Vol. I, page 265.

8. (1) The actual price to be charged by any grower for first-grade potatoes referred to in paragraph (a) or paragraph (b) of subclause (2) of the last preceding clause shall be determined as follows:—

Period (both Dates inclusive) within which Delivery to be made.	Actual Price Per Ton.	
	£	s. d.
1st December, 1943, to 31st December, 1943	14	0 0
1st January, 1944, to 31st January, 1944	12	0 0
1st February, 1944, to 29th February, 1944	11	0 0

(2) For the purposes of this clause potatoes shall be deemed to be first-grade or undergrade, as the case may be, in accordance with the following rules:—

(a) *Rules as to Size*—

(i) If in any sample of one hundred potatoes taken at random from any lot sold for delivery during the period 1st December, 1943, to 31st December, 1943 (both dates inclusive), 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 1½ in., all the potatoes in the lot from which the sample is taken shall be deemed to be undergrade:

(ii) If in any sample of one hundred potatoes taken at random from any lot sold for delivery during the period 1st January, 1944, to 29th February, 1944, 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 1½ in., all the potatoes in the lot from which the sample is taken shall be deemed to be undergrade:

(b) *Rule as to Quality*.—If in any lot of potatoes more than 3 per cent. by weight of the lot is affected by disease, damage, or other defect, or if the lot is not reasonably free from earth, all the potatoes in the lot shall be deemed to be undergrade:

(c) Potatoes that are not undergrade in accordance with paragraph (a) or paragraph (b) hereof, shall be deemed to be first-grade potatoes.

9. The maximum price that may be charged or received by any grower for any potatoes referred to in subclause (3) of clause 7 hereof shall be determined as follows:—

(a) For potatoes grown in the North Island or for potatoes grown in the Nelson Provincial District and sold for delivery in that district or in the North Island:—

Period (both Dates inclusive) within which Delivery to be made.	Maximum Price per Ton.	
	£	s. d.
7th September, 1943, to 30th September, 1943	42	10 0
1st October, 1943, to 15th October, 1943	35	0 0
16th October, 1943, to 31st October, 1943	30	0 0
1st November, 1943, to 15th November, 1943	25	0 0
16th November, 1943, to 30th November, 1943	20	0 0
1st December, 1943, to 31st December, 1943	14	0 0
1st January, 1944, to 31st January, 1944	12	0 0
1st February, 1944, to 29th February, 1944	11	0 0

(b) For any other potatoes to which this clause applies:—

Period (both Dates inclusive) within which Delivery to be made.	Maximum Price per Ton.	
	£	s. d.
7th September, 1943, to 30th November, 1943	42	10 0
1st December, 1943, to 31st December, 1943	35	0 0
1st January, 1944, to 31st January, 1944	25	0 0
1st February, 1944, to 29th February, 1944	18	0 0

Distributors' Prices

10. The maximum price that may be charged or received by any distributor for any potatoes to which this Order applies shall be the sum of the following amounts:—

- The price actually paid or payable to the grower by the same or any other distributor:
- Any disbursements (other than brokerage) actually incurred and paid by the same or any other distributor by way of grading, transport, or other charges:
- An amount computed at the rate of 30s. a ton when the price paid to the grower is £20 a ton or more, or computed at the rate of 20s. a ton when the price paid to the grower is less than £20 a ton.

Wholesalers' Prices

11. The maximum price that may be charged or received by any wholesaler for any potatoes to which this Order applies that are sold by him to a retailer for purposes of retail sale shall be the sum of the following amounts:—

- The price actually paid or payable by the wholesaler to the grower or any other person:
- 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 transport or other charges actually paid by the wholesaler:
- An amount equal to 2½ 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):

(d) Whichever of the following amounts is appropriate in the circumstances of the case, namely:—

(i) When the sum of the amounts specified in paragraphs (a), (b), and (c) of this clause is less than an average of £19 a ton, an amount computed at the rate of 20s. a ton for lots of ½ ton or more, and computed at the rate of 30s. a ton for lots of less than ½ ton; or

(ii) When the sum of the amounts specified in paragraphs (a), (b), and (c) of this clause is an average of £19 a ton or more, an amount computed at the rate of 30s. a ton for lots of ½ ton or more, and computed at the rate of 40s. a ton for lots of less than ½ ton.

Computation of Distributors' and Wholesalers' Prices by Reference to Average Prices

12. 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.

Retailers' Prices

13. (1) Subject to the provisions of subclauses (3) and (4) hereof, the maximum price that may be charged or received by any retailer for potatoes to which this Order applies shall be the sum of the following amounts:—

- The price actually paid or payable by the retailer for the potatoes:
- Any transport or other charges actually paid or payable by the retailer:
- An amount equal to 33½ per cent. of the sum of the amounts specified in paragraphs (a) and (b) hereof.

(2) The retail price of any potatoes, computed in accordance with the last preceding subclause, shall be calculated by reference to the prices and weights disclosed in the appropriate invoices.

(3) Notwithstanding anything to the contrary in the foregoing provisions of this clause, the retail price of potatoes shall not in any case exceed—

For Potatoes sold (by Retail) in the North Island (exclusive of the Provincial District of Auckland)

Period (both Dates inclusive) within which Retail Sale is made	Maximum Retail Price per Pound.
7th September, 1943, to 6th October, 1943	7d.
7th October, 1943, to 21st October, 1943	6d.
22nd October, 1943, to 6th November, 1943	5½d.
7th November, 1943, to 21st November, 1943	4½d.
22nd November, 1943, to 6th December, 1943	4d.
7th December, 1943, to 6th January, 1944	3d.
7th January, 1944, to 29th February, 1944	2½d.

For Potatoes sold (by Retail) in the Provincial Districts of Auckland and Nelson

Period (both Dates inclusive) within which Retail Sale is made.	Maximum Retail Price per Pound.
7th September, 1943, to 3rd October, 1943	7d.
4th October, 1943, to 18th October, 1943	6d.
19th October, 1943, to 3rd November, 1943	5½d.
4th November, 1943, to 18th November, 1943	4½d.
19th November, 1943, to 3rd December, 1943	4d.
4th December, 1943, to 3rd January, 1944	3d.
4th January, 1944, to 29th February, 1944	2½d.

For Potatoes sold (by Retail) elsewhere in New Zealand

Period (both Dates inclusive) within which Retail Sale is made.	Maximum Retail Price per Pound.
7th September, 1943, to 3rd December, 1943	7d.
4th December, 1943, to 3rd January, 1944	6d.
4th January, 1944, to 3rd February, 1944	4½d.
4th February, 1944, to 29th February, 1944	3½d.

(4) If in respect of any lot of potatoes sold by a retailer the maximum price, calculated in accordance with the foregoing provisions of this clause, is not an exact number of half-pence (in the case of a lot of less than 5 lb.) or is not an exact number of pence (in the case of a lot of 5 lb. or more), the maximum price of the lot shall be the next highest halfpenny or the next highest penny, as the case may be. The provisions of this subclause shall apply notwithstanding that in any case the retailer purports to sell any potatoes otherwise than by weight.

(5) For the purpose of this clause the price paid or payable by a retailer for any lot of potatoes and the transport and other charges paid or payable by him in respect of the same lot shall be apportioned evenly over the whole lot, and the price and charges paid or payable by the retailer for each pound of potatoes included in the lot shall be determined accordingly.

Dated at Wellington, this 6th day of September, 1943.

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

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