SUPPLEMENT TO THE NEW ZEALAND GAZETTE

THURSDAY, FEBRUARY 17, 1944
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WELLINGTON, TUESDAY, FEBRUARY 22, 1944

Price Order No. 196 (Main Crop 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. 196, and shall come into force on the 1st day of March, 1944.

2. (1) Price Order No. 127t is hereby revoked.

(2) The revocation of the said Price 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, 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:

"Grower's station", in relation to any grower, means the railway-station that is nearest or most convenient of access to the grower's premises:

"Tagged potatoes" means potatoes which, being grown in the North Island by members of an association approved for the purpose by the Minister of Agriculture, are graded according to standards laid down by the association concerned and are bagged in sacks bearing the official tag of the association and endorsed with the registered number of the grower:

"The expression "f.o.b.s.i." means potatoes which, being grown in the North Island by members of an association approved for the purpose by the Minister of Agriculture, are graded according to standards laid down by the association concerned and are bagged in sacks bearing the official tag of the association and endorsed with the registered number of the grower:

"f.a.q.", in relation to any potatoes, means a potato which is fair average quality, as determined in accordance with the rules laid down in clause 10 (3) hereof:

"Tagged potatoes" means potatoes which, being grown in the North Island by members of an association approved for the purpose by the Minister of Agriculture, are graded according to standards laid down by the association concerned and are bagged in sacks bearing the official tag of the association and endorsed with the registered number of the grower:

"f.o.b.s.i." in relation to any potatoes, means potatoes of fair average quality, as determined in accordance with the rules laid down in clause 10 (3) hereof:

The expression "f.o.b.s.i." means "free on board, sacks or other containers included", and 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, when used in this Order, have the meanings severally assigned thereto by those regulations.

4. 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 distributor, 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.

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

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

Application of this Order

7. (1) This Order applies only with respect to potatoes that are intended for human consumption.

(2) All potatoes sold or delivered to a purchaser during the currency of this Order shall be deemed to be intended for human consumption unless they are sold for some other specific purpose.

8. (1) 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, 1944, and that are delivered to the purchaser after the commencement of this Order and on or before the 30th November, 1944.

(2) For the purposes of the last preceding subclause no potatoes sold on the basis of f.o.b.s.i. or f.o.r.s.i. shall be deemed to be delivered to the purchaser after the commencement of this Order if—

(a) In the case of sales f.o.b.s.i., the vessel on which the potatoes are laden leaves the port of shipment at any time before midnight of the 29th day of February, 1944; or

(b) In the case of sales f.o.r.s.i., the trucks on which the potatoes are laden leave the grower's station at any time before midnight of the said date.

(3) Except as provided in the last preceding subclause potatoes sold f.o.b.s.i. or f.o.r.s.i. shall be deemed to be delivered to the purchaser after the commencement of this Order if—

(a) In the case of sales f.o.b.s.i., the vessel on which the potatoes are laden leaves the port of shipment at any time before midnight of the 29th day of February, 1944; or

(b) In the case of sales f.o.r.s.i., the trucks on which the potatoes are laden leave the grower's station at any time before midnight of the said date.

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 with respect to potatoes that are the produce of seed potatoes planted on or before 31st March, 1944.

(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) for delivery at any time after the coming into force of this Order.
FIXING PRICES OF POTATOES THAT ARE SUBJECT TO THIS ORDER

10. (1) Subject to the following provisions of this clause the actual price paid or payable by any grower for any potatoes so taken at random from any lot more than 10 per cent. of the lot is affected by dry or wet rots (including late blight or frost damage) or by severe mechanical injury (including severe bruises and cuts) or if more than 1 per cent. by weight of the lot is affected by dry or wet rots (including late blight or frost damage) or by any mechanical injury or by scab, or by 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:

(a) Rule as to Size.—If in any sample of one hundred potatoes taken at random from any lot more than 10 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 2 per cent. by weight of the lot is affected by dry or wet rots (including late blight or frost damage) or by severe mechanical injury (including severe bruises and cuts) or if more than 1 per cent. by weight of the lot is affected by dry or wet rots (including late blight or frost damage) or by any mechanical injury or by scab, or by 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. 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 10 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 2 per cent. by weight of the lot is affected by dry or wet rots (including late blight or frost damage) or by severe mechanical injury (including severe bruises and cuts) or if more than 1 per cent. by weight of the lot is affected by dry or wet rots (including late blight or frost damage) or by any mechanical injury or by scab, or by 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. 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 10 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 2 per cent. by weight of the lot is affected by dry or wet rots (including late blight or frost damage) or by severe mechanical injury (including severe bruises and cuts) or if more than 1 per cent. by weight of the lot is affected by dry or wet rots (including late blight or frost damage) or by any mechanical injury or by scab, or by 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:

11. The maximum price that may be charged or received by any grower for any potatoes grown in New Zealand shall not exceed the following amounts:

(a) The price actually paid or payable by the grower to a retailer for potatoes, whether grown in New Zealand or imported into New Zealand, shall not exceed the sum of the following amounts:

* Note.—It is the present intention of the Price Tribunal, by an amending Price Order, to alter the growers' prices fixed by this Order with respect to potatoes sold for delivery during the months July to November.*
(3) Notwithstanding anything to the contrary in the foregoing provisions of this clause, but subject to the provisions of subclauses (4) and (5) hereof, the retail price of potatoes to which this Order applies shall not in any case exceed—

(c) In the case of potatoes sold at any place within the provincial district of Canterbury and Otago—

(2) Where any potatoes to which this Order applies are sold by a retailer for any lot of potatoes and the grading, 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 lb. of potatoes included in the lot shall be determined accordingly.

(4) For the purposes of paragraph (b) of subclause (3) of this clause the Auckland Metropolitan Area shall be deemed to comprise the City of Auckland, the boroughs of Birkenhead, Devonport, Ellerlie, Mount Albert, Mount Eden, New Lynn, Newton, Northcote, Onehunga, Otahuhu, and Takapuna, and the road districts of Mount Roskill, Mount Wellington, and Panmure Township; and the Wellington Metropolitan Area shall be deemed to comprise the cities of Wellington and Lower Hutt, the boroughs of Eastbourne and Petone, and the Johnsonville Town District.

Dated at Wellington, this 21st day of February, 1944.

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

[Signature]

W. J. HUNTER, (Judge), President.

H. L. WISE, Member.

Price Order No. 195 (Paint)

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:—

1. This Order may be cited as Price Order No. 195, and shall come into force on the 23rd day of February, 1944.

Application of This Order

2. This Order applies only with respect to retail sales of paint manufactured by Lewis Berger and Sons (N.Z.), Ltd., of the several kinds specified in the Schedule hereto.

Fixing Maximum Retail Prices of Paint to Which This Order Applies

3. (1) The maximum price that may be charged or received by any retailer for any paint to which this Order applies that is sold in the City of Auckland or the City of Wellington shall be the appropriate price fixed in the Schedule hereto.

(2) The maximum price that may be charged or received by any retailer for any paint to which this Order applies that is sold elsewhere in the City of Auckland or the City of Wellington shall be the appropriate price fixed in the Schedule hereto, increased by a proportionate part of any transport or other charges actually and reasonably incurred by the retailer in obtaining delivery into his store.

Schedule

Maximum Retail Prices of Paint to Which This Order Applies

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*Statutory Regulations 1939, Ferial number 1939/275, page 1097.

By Authority: E. V. PAUL, Governor.—Printed, Wellington.

Price ed j

Dated at Wellington, this 22nd day of February, 1944.

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

[Signature]

W. J. HUNTER, (Judge), President.

H. L. WISE, Member.

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