

Price Order No. 296 (Raspberries)

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. 296, and shall come into force on the 1st day of January, 1945.
2. (1) Price Order No. 190† is hereby revoked in its application to raspberries.  
(2) The partial 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\* :  
“Grower”, in relation to raspberries, means a person engaged in the business of growing raspberries for sale :  
“Commercial user” means a person engaged in the business of canning or of otherwise processing or compounding raspberries that are not intended for immediate consumption.  
(2) Terms and expressions defined in the said regulations have, when used in this Order, the meanings severally assigned thereto by those regulations.

APPLICATION OF THIS ORDER

4. (1) This Order applies with respect to all raspberries grown in New Zealand and sold within the period 1st January to the last day of February (both days inclusive) in any year.  
(2) The maximum prices fixed by this Order apply with respect to sales by auction, as well as to other sales.  
(3) Notwithstanding anything to the contrary in this Order, any customary trade practice with respect to charges for cases or other containers, and with respect to allowances for the return thereof, shall continue to be observed by growers, wholesalers, and retailers.
5. The provisions of this Order shall apply notwithstanding that any fruit to which the Order is applicable is sold otherwise than by weight or is sold otherwise than in a container of a kind specified in the Schedule hereto.

MAXIMUM WHOLESALE PRICES

6. (1) All approvals heretofore given by the Tribunal with respect to raspberries sold by a wholesaler to a commercial user for the purposes of his business (including any terms and conditions subject to which any such approval was given) are hereby extended to apply to sales during the corresponding periods of the current season or of any subsequent season, and the maximum price that may be charged or received by any wholesaler for raspberries sold to a commercial user as aforesaid shall be determined in accordance with the particular approval that is appropriate thereto.  
(2) Except as provided in the last preceding subclause, and subject to the following provisions of this clause, the maximum wholesale price of any fruit to which this Order applies shall be determined in accordance with the Schedule hereto.  
(3) The wholesale prices prescribed in the Schedule hereto are fixed as for delivery at the wholesaler's store or other premises from which delivery to the purchaser is effected.  
(4) Where delivery is effected by a wholesaler elsewhere than at premises occupied by him he may add to the appropriate price fixed in accordance with the Schedule hereto the reasonable cost of delivery, not exceeding in any case the cost that would have been incurred by him if delivery had been effected by a common carrier at current freight rates.

MAXIMUM RETAIL PRICES

7. (1) Subject to the following provisions of this clause, the maximum retail price per pound of any fruit to which this Order applies shall not exceed the sum of the following amounts:—  
(a) The price per pound actually paid or payable by the retailer for the fruit :  
(b) The transport charges (if any) actually paid or payable by the retailer in respect of each pound of the fruit :  
(c) An amount equal to 33½ per cent. (in the case of raspberries sold in punnets or in lots under 2 lb.) or 25 per cent. (in the case of raspberries sold in lots of 2 lb. or more) of the sum of the amounts specified in paragraphs (a) and (b) hereof.  
(2) The retail price of any fruit computed in accordance with the last preceding subclause shall be calculated by reference to the prices and weights disclosed in the appropriate invoices.  
(3) In computing the price per pound or the transport charges per pound paid or payable by a retailer for or in respect of any fruit, the total price or transport charges paid or payable by him for any lot of fruit shall be divided by the reputed number of pounds of fruit comprised in the lot, and the result shall be deemed to be the price per pound or the transport charges per pound paid or payable by the retailer as aforesaid.  
(4) Notwithstanding anything to the contrary in the foregoing provisions of this clause, the maximum retail price of any fruit to which this Order applies shall not in any case exceed a price computed at the appropriate rate or rates prescribed in the Schedule hereto.  
(5) If in respect of any lot of fruit sold by a retailer the maximum price calculated in accordance with the foregoing provisions of this clause is not an exact number of pence or half-pence, the maximum price of the lot shall be computed to the nearest upward halfpenny.  
(6) Notwithstanding anything in the foregoing provisions of this clause and subject to such conditions, if any, as it thinks fit, the Tribunal, on application by any retailer, may authorize special maximum retail prices in respect of any fruit to which this Order applies where for any reason extraordinary freight charges are incurred by the retailer in obtaining delivery from the source of supply that is nearest or most convenient of access to him. Any authority given by the Tribunal under this subclause may apply with respect to a specified lot or consignment of fruit or may relate generally to all fruit to which this Order applies sold by the retailer while the approval remains in force.  
8. Every retailer who offers or exposes for sale in any shop any fruit to which this Order applies shall keep in a prominent position in such proximity to the fruit to which it relates as to be obviously descriptive thereof a ticket, placard, or label on which shall be stated in legible and prominent characters the retail price.

SCHEDULE

MAXIMUM WHOLESALE AND RETAIL PRICES OF RASPBERRIES

	When sold within the Provincial Districts of Auckland and Taranaki.		When sold elsewhere in the North Island.		When sold in the South Island.	
	Wholesale.	Retail.	Wholesale.	Retail.	Wholesale.	Retail.
In punnets or other containers containing less than 2 lb. (including the price of the punnet or other container)—						
½ lb. . . . .	s. d. 1 0½ each	s. d. 1 5 each	s. d. 0 11 each	s. d. 1 3 each	s. d. 0 11 each	s. d. 1 3 each.
¾ lb. . . . .	1 6 each	2 1 each	1 4 each	1 10 each	1 3½ each	1 9 each.
1 lb. . . . .	2 0 each	2 9 each	1 9 each	2 5 each	1 8 each	2 3 each.
For quantities not specified above	2 0 per pound	2 9 per pound	1 9 per pound	2 5 per pound	1 8 per pound	2 3 per pound.
In containers containing 2 lb. or more (subject to customary charges and refunds for containers in accordance with clause 4 (3))	1 5 per pound	1 10 per pound	1 3 per pound	1 7½ per pound	1 1½ per pound	1 5 per pound.

Dated at Wellington, this 19th day of December, 1944.

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

[L.S.]

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

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

† Gazette, 10th February, 1944, Vol. I, page 117.