

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.

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 increased by the cost of the 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 appropriate maximum wholesale price per bushel case increased by the cost of the case and further increased by a proportionate part of the transport expenses incurred by him as aforesaid (not exceeding in respect of transport expenses sixpence per bushel case or threepence per half-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.

(2) 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 otherwise than in accordance with the last preceding subclause, shall be the appropriate price per pound fixed in the Third Schedule hereto.

(3) Except as otherwise provided in this clause, the maximum price that may be charged or received by any retailer for pears 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 Fourth Schedule hereto.

(4) Except as otherwise provided in this clause, the maximum price that may be charged or received by any retailer for pears to which this Order applies, when sold by him otherwise than in accordance with the last preceding subclause, shall be the appropriate price per pound fixed in the Fourth Schedule hereto.

(5) Where any apples or pears are sold in any lot exceeding 10 lb., but otherwise than in half-bushel-case or bushel-case lots, the maximum price per pound of any surplus (being less in every case than 10 lb.) shall be the appropriate maximum price fixed by subclause (2) or subclause (4) hereof, as the case may require.

(6) Where the transport expenses actually and reasonably incurred by a retailer in effecting delivery of any fruit into his shop or other premises (not exceeding in any case the charges that would have been incurred if delivery had been effected by a common carrier at current rates) exceeds 9d. per bushel case or 4½d. per half-bushel case, the maximum retail price that may be charged or received by the retailer shall be the prescribed maximum price as aforesaid, increased as follows:—

(a) In the case of fruit sold by him in bushel-case lots, the prescribed maximum price may be increased by the amount by which the transport charges exceed 9d. per case;

(b) In the case of fruit sold by him in half-bushel-case lots or in lots of 10 lb. or more (but otherwise than in bushel-case lots), the prescribed maximum price may be increased by a proportionate part of the amount by which the transport charges exceed 9d. per bushel case or 4½d. per half-bushel case;

(c) In the case of fruit sold otherwise than as aforesaid, the prescribed maximum price may be increased by ¼d. per pound.

(7) If in respect of any apples or pears 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.

(8) Where any fruit is delivered by a retailer to a purchaser in a special container procured for the purpose from the Internal Marketing Division, the retailer may make a special charge, not exceeding 3d. (for the 14 in. container) and not exceeding 4d. (for the 16 in. or 17 in. container). Except as aforesaid, the several retail prices fixed by this clause include the price of the cases or other containers in which the fruit is delivered to the purchaser.

RETAILERS TO EXHIBIT RETAIL PRICES

10. Every retailer who offers or exposes any apples or pears to which this Order applies for sale in any shop 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 per pound of the fruit.

FIRST SCHEDULE

MAXIMUM WHOLESALE PRICES OF APPLES TO WHICH THIS ORDER APPLIES

Variety.	Count.	Maximum Wholesale Prices (exclusive of Cost of Case).		
		Fancy Grade.	Commercial Grade.	Minimum Grade.
		Per Bushel Case.	Per Bushel Case.	Per Bushel Case.
<i>Dessert</i>				
Beauty of Bath and Irish Peach .. ..	125 and larger .. ..	s. d.	s. d.	s. d.
	138/150 .. ..	11 9	11 9	9 6
	163/198 .. ..			
	216 and smaller .. ..	9 6	8 6	7 6
Cox Orange .. .. .	100 and larger .. ..	9 9	8 9	7 0
	113/125 .. ..	10 9	9 9	7 6
	138/150 .. ..	10 9	9 9	7 6
	163/198 .. ..	10 9	9 9	7 6
	216 and smaller .. ..	8 9	8 9	7 0
Other dessert .. .. .	100 and larger .. ..	8 9	8 3	6 6
	113/125 .. ..	9 9	8 9	6 6
	138/150 .. ..	9 9	8 9	6 6
	163/198 .. ..	8 9	8 3	6 0
	216 and smaller .. ..	7 9	7 3	5 6
<i>Cookers</i>				
Dunns .. .. .	100 and larger .. ..	7 6	7 6	6 6
	113/125 .. ..	6 9	6 9	6 6
	138/150 .. ..	7 6	7 6	5 6
	163/198 .. ..	6 9	6 9	5 6
	216 and smaller .. ..	5 9	5 9	4 6
Ballarat and other cookers .. .. .	100 and larger .. ..	8 9	8 9	6 6
	113/125 .. ..	8 9	8 9	6 6
	138/150 .. ..	8 9	8 9	5 6
	163/198 .. ..	7 9	7 9	5 6
	216 and smaller .. ..	6 9	6 9	4 6