

Price Order No. 473 (Amending Price Order No. 381) (Barley)

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 amending Price Order:—

1. This Order may be cited as Price Order No. 473, and shall be read together with and deemed part of Price Order No. 381† (hereinafter referred to as the principal Order).
2. This Order shall come into force on the 15th day of January, 1946.

APPLICATION OF THIS ORDER

3. (1) This Order applies with respect to all barley which, being subject to the principal Order, is delivered to a purchaser at any time after the commencement of this Order.

(2) For the purposes of this clause, no barley shall be deemed to be delivered to a purchaser after the commencement of this Order if—

- (a) In the case of barley delivered at the grower's station, the trucks on which the barley is laden leave the grower's station at any time before midnight on the 14th day of January, 1946;
- (b) In the case of barley delivered on board any vessel, if the vessel on which the barley is laden leaves the port of shipment at any time before midnight on the said date.

* Statutory Regulations 1939, Serial number 1939/275, page 1057.
† Gazette, 14th June, 1945, Vol. II, page 770.

(3) Except as provided in the last preceding subclause, barley shall be deemed to have been delivered to a purchaser, after the commencement of this Order, notwithstanding that it may have been actually laden on board any vessel or trucks before the commencement of this Order.

AMENDMENT OF PRICES UNDER PRINCIPAL ORDER

4. The principal Order is hereby amended as follows:—

- (a) By omitting from paragraph (a) of subclause (1) of clause 7 the price figures "6s. 0d." and "5s. 8d.", and substituting the price figures "6s. 4d." and "6s. 0d." respectively;
- (b) By omitting from paragraph (b) of subclause (1) of clause 7 the price figures "5s. 7½d." and "5s. 3½d.", and substituting the price figures "5s. 11½d." and "5s. 7½d." respectively;
- (c) By omitting from paragraph (c) of subclause (1) of clause 7 the price figure "5s. 2d.", and substituting the price figure "5s. 6d."

Dated at Wellington, this 24th day of December, 1945.

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

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

Price Order No. 474 (Carrots, Parsnips, Swedes, Cabbages, Pumpkins, Kumaras, Silver Beet)

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. 474, and shall come into force on the 14th day of January, 1946.
2. (1) Price Orders No. 313†, No. 453‡, and No. 454§ 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.

APPLICATION OF THIS ORDER

3. (1) This Order applies with respect to the sale for human consumption of vegetables of any of the classes specified in the Schedule hereto.

(2) Every sale of any such vegetables shall be deemed to be a sale for human consumption unless at the time of sale there is a *bona fide* agreement or stipulation between the buyer and the seller that the vegetables to which the sale relates are intended for a specific purpose other than human consumption.

4. Except with respect to cases or other containers specified in the Schedule to the Sale of Fruit and Vegetable Containers Emergency Regulations 1945||, the maximum prices fixed in this Order include the price of the case or other container.

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

6. The wholesale prices fixed by this Order apply with respect to sales of the following classes, namely:—

- (a) Sales to retailers (whether made by the grower or any other person); and
- (b) Sales to users in any case where a lot of not less than 5 cwt. of any one class of vegetable to which this Order applies is sold to any one purchaser for delivery at any one time.

7. (1) The provisions of this Order fixing prices by reference to the weight of the vegetables to which any sale relates shall apply notwithstanding that in any such case the seller may sell or purport to sell otherwise than by weight.

(2) In computing for the purposes of this Order the weight of any carrots, parsnips, or swedes no account shall be taken of the weight of any foliage that may be attached thereto: Provided that spring carrots and spring parsnips sold during the months of October to January (inclusive) may be weighed and sold with foliage (not exceeding 5 in. in length) attached thereto.

(3) In computing the weight of any vegetables to which the maximum wholesale prices fixed by this Order apply the weight of the case or other container shall be excluded.

FIXING MAXIMUM WHOLESALE PRICES OF VEGETABLES TO WHICH THIS ORDER APPLIES

8. (1) Subject to the provisions of this clause and of clause 10 hereof, the maximum wholesale prices of vegetables to which this Order applies shall be determined in accordance with the Schedule hereto.

(2) The wholesale prices fixed by this Order are fixed as for delivery at the wholesaler's store or other premises from which delivery to the purchaser is effected.

(3) 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.

FIXING MAXIMUM RETAIL PRICES OF VEGETABLES TO WHICH THIS ORDER APPLIES

9. (1) Subject to the provisions of this clause and of clause 10 hereof, the maximum retail prices of vegetables to which this Order applies shall not exceed the sum of the following amounts:—

- (a) The price actually paid or payable by the retailer for the vegetables and for the case or other container;
- (b) Any transport charges up to and including 2s. 6d. per cwt. actually paid or payable by the retailer;
- (c) With respect to carrots, parsnips, swedes, kumaras, and pumpkins an amount equal to 40 per cent., with respect to silver beet an amount equal to 50 per cent., and with respect to cabbages an amount equal to 66½ per cent. of the sum of the amounts specified in paragraphs (a) and (b) hereof.

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

(3) If in respect of any lot of vegetables sold by a retailer the maximum price calculated in accordance with the provisions of this Order is not an exact number of pence or half-pence, the maximum price of the lot shall be computed to the nearest upward halfpenny.

(4) Notwithstanding anything to the contrary in the foregoing provisions of this clause but subject to the provisions of the next succeeding subclause and to the provisions of clause 10 hereof, the retail price of any vegetables to which this Order applies shall not in any case exceed the price determined in accordance with the Schedule hereto.

(5) Where the transport charges incurred by any retailer in obtaining delivery of any vegetables to which this Order applies from the source of supply that is nearest or most convenient of access to him exceeds 2s. 6d. per hundredweight, the retail price determined in accordance with subclause (1) of this clause, and the maximum retail price specified in the Schedule hereto, may each be increased in accordance with the following scale:—

Where the transport charges are—

- More than 2s. 6d. per hundredweight but not more than 4s. per hundredweight: By ¼d. per pound.
- More than 4s. per hundredweight but not more than 6s. per hundredweight: By ½d. per pound.
- More than 6s. per hundredweight: By ¾d. per pound.

PROVISION FOR SPECIAL PRICES WHERE EXTRAORDINARY CHARGES INCURRED

10. Subject to such conditions, if any, as it thinks fit, the Tribunal, on application by any wholesaler or retailer may authorize special prices or margins of profit in respect of any vegetables to which this Order applies where for any reason extraordinary charges (freight or otherwise) are incurred by any wholesaler or retailer. Any authority given by the Tribunal under this clause may apply with respect to a specified lot or consignment of vegetables or may relate generally to all vegetables of any kind to which this Order applies sold by the wholesaler or retailer while the approval remains in force.

DUTY IMPOSED ON RETAILERS

11. Every retailer who offers or exposes for sale in any shop any vegetables to which this Order applies shall keep in a prominent position in such proximity to the vegetables 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 vegetables.

* Statutory Regulations, 1939, Serial number 1939/275, page 1057. † Gazette, 1st February, 1945, Vol. I, page 107. ‡ Gazette, 25th October 1945, Vol. III, page 1333. § Gazette, 25th October, 1945, Vol. III, page 1333. || Statutory Regulations, 1945, Serial number 1945/5, page 6.