

Price Order No. 497 (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. 497, and shall come into force on the 1st day of March, 1946.

2. (1) Price Orders No. 340†, No. 369‡, No. 384§, and No. 448|| are hereby revoked.

(2) The revocation of the said Price Orders 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.a.q.”, in relation to any potatoes, means potatoes of fair average quality, as determined in accordance with the rules laid down in clause 11 (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.

7. The several prices fixed by this Order include the cost of sacks or other containers.

APPLICATION OF THIS ORDER

8. (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.

9. (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, 1946, and that are delivered to the purchaser after the commencement of this Order and on or before the 30th November, 1946.

(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 28th day of February, 1946; 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 notwithstanding that they may have been actually laden on board any vessel or trucks before the commencement of this Order.

10. (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 only with respect to potatoes that are the produce of seed potatoes planted on or before 31st March, 1946.

(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.

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

† Gazette, 26th February, 1945, Vol. I, page 233.

‡ Gazette, 17th May, 1945, Vol. II, page 609.

§ Gazette, 28th June, 1945, Vol. II, page 856.

|| Gazette, 11th October, 1945, Vol. III, page 1273.

FIXING PRICES OF POTATOES THAT ARE SUBJECT TO THIS ORDER

Growers’ Prices

11. (1) Subject to the following provisions of this clause the maximum price that may be charged or received by any grower for any potatoes to which this Order applies shall be determined in accordance with the following scale, namely:—

(a) For Sutton’s Supreme or King Edward potatoes grown in the South Island and sold for delivery in any of the months of—

Maximum Price per Ton f.o.b.s.i. a Port in the South Island.	
f.a.q.	Under-grade.
£ s. d.	£ s. d.
8 5 0	7 5 0

March, 1946, to June, 1946

July, 1946, to November, 1946: Pending the issue of an amending Price Order, and subject to the provisions of any such Order, the prices as for June, 1946, shall also apply with respect to potatoes sold for delivery in the months of July to November.*

(b) For any other variety of potatoes grown in the South Island and sold for delivery in any of the months of—

Maximum Price per Ton f.o.b.s.i. a Port in the South Island.	
f.a.q.	Under-grade.
£ s. d.	£ s. d.
7 15 0	6 15 0

March, 1946, to June, 1946

July, 1946, to November, 1946: Pending the issue of an amending Price Order, and subject to the provisions of any such Order, the prices as for June, 1946, shall also apply with respect to potatoes sold for delivery in the months of July to November.*

(c) For potatoes (other than “tagged” potatoes) grown in the North Island and sold for delivery in any of the months of—

Maximum Price per Ton f.o.r.s.i. the Grower’s Station.	
f.a.q.	Under-grade.
£ s. d.	£ s. d.
10 0 0	9 0 0

March, 1946, to June, 1946

July, 1946, to November, 1946: Pending the issue of an amending Price Order, and subject to the provisions of any such Order, the prices as for June, 1946, shall also apply with respect to potatoes sold for delivery in the months of July to November.*

(2) With respect to “tagged” potatoes the maximum price that may be charged by the grower shall be the price fixed in accordance with paragraph (c) of the last preceding subclause for f.a.q. potatoes, increased by 10s. a ton.

(3) For the purposes of this clause potatoes 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 15 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 6 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. potatoes.

(4) Where any potatoes grown in the South Island are delivered by a grower otherwise than f.o.b.s.i. a port in the South Island 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.b.s.i. a port in the South Island.

(5) Where any potatoes grown in the North Island are delivered by a grower otherwise than f.o.r.s.i. the grower’s station, 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 grower’s station.

(6) Notwithstanding anything in the foregoing provisions of this clause, where any extraordinary charges beyond the control of the grower are reasonably incurred by him in or in the course of delivering any potatoes at the place specified in any contract as the place of delivery, the amount of such charges may, with the approval of the Tribunal, be added to the price to be paid to the grower for those potatoes.

* NOTE.—It is the present intention of the Price Tribunal, by an amending Price Order or by a series of amending Price Orders, to alter the growers’ prices fixed by this Order with respect to potatoes sold for delivery during the months July to November, 1946, so that (in the absence of unforeseen circumstances) the maximum prices for f.a.q. potatoes (to be reached in November, 1946) will be:—

- (a) (i) For Sutton’s Supreme and King Edward varieties grown in the South Island: £11 10s. per ton f.o.b.s.i.:
- (ii) For other varieties grown in the South Island: £11 per ton f.o.b.s.i.
- (b) (i) For potatoes (other than tagged) grown in the North Island: £13 5s. per ton f.o.r.s.i.:
- (ii) For “tagged potatoes”: £13 5s. per ton f.o.r.s.i., plus not more than 10s. per ton.