

Price Order No. 596 (New 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. 596, and shall come into force on the 1st day of September, 1946.
2. (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:
 - “New”, in relation to potatoes, means immature to the extent that the skin of the potato is tender and may be broken or lifted by rubbing with the finger:
 - The expression “f.o.r.s.i.” means “free on rail, sacks or other containers included”, and the expression “f.o.b.s.i.” means “free on board, 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.
3. 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 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.
4. The provisions of this Order shall apply notwithstanding that any potatoes to which the Order is applicable are sold otherwise than by weight.
5. The several prices fixed by this Order apply with respect to sales by auction as well as to other sales.
6. For the purposes of this Order potatoes shall be deemed to be first grade or under-grade, as the case may be, in accordance with the following rules:—

(a) Rules as to Size.—

With respect to potatoes sold for delivery in the North Island—

(i) If in any sample of one hundred potatoes taken at random from any lot sold for delivery during any of the months of June, July, August, September, or October in any year 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 $1\frac{1}{4}$ in., all the potatoes in the lot from which the sample is taken shall be deemed to be under-grade:

(ii) If in any sample of one hundred potatoes taken at random from any lot sold for delivery during either of the months of November or December in any year 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 $1\frac{1}{2}$ in., all the potatoes in the lot from which the sample is taken shall be deemed to be under-grade:

(iii) If in any sample of one hundred potatoes taken at random from any lot sold for delivery during either of the months of January or February in any year 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 $1\frac{3}{4}$ in., all the potatoes in the lot from which the sample is taken shall be deemed to be under-grade:

With respect to potatoes sold for delivery anywhere else in New Zealand—

(i) If in any sample of one hundred potatoes taken at random from any lot sold for delivery during any of the months of June, July, August, September, October, November, or December in any year 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 $1\frac{1}{4}$ in., all the potatoes in the lot from which the sample is taken shall be deemed to be under-grade:

(ii) If in any sample of one hundred potatoes taken at random from any lot sold for delivery during the month of January in any year 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 $1\frac{1}{2}$ in., all the potatoes in the lot from which the sample is taken shall be deemed to be under-grade:

(iii) If in any sample of one hundred potatoes taken at random from any lot sold for delivery during the month of February in any year 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 $1\frac{3}{4}$ 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 3 per cent. by weight of the lot is affected by disease, damage, or other defect, or if the lot is not reasonably free from earth, all the potatoes in the lot shall be deemed to be under-grade:

(c) Rule as to Branding of Sacks or other Containers.—Sacks or other containers containing first-grade potatoes shall be legibly branded or tagged with the words “First Grade”, and potatoes in sacks or other containers not so branded or tagged shall be deemed to be under-grade:

(d) Potatoes that are not under-grade in accordance with paragraph (a) or paragraph (b) or paragraph (c) hereof shall be deemed to be first-grade potatoes.

APPLICATION OF THIS ORDER

7. (1) This Order applies with respect to all new potatoes grown in New Zealand that, being the produce of seed potatoes planted after the 31st day of January in any year are sold for delivery after the 31st day of May in that year and on or before the 28th day of February of the following year by any grower, distributor, wholesaler, or retailer.

(2) In any proceedings for a breach of this Order in respect of the sale of any new potatoes, those potatoes shall, unless the defendant proves to the contrary, be deemed to have been within the application of this Order at the time of sale if they were sold as or were represented by the vendor to be new potatoes.

FIXING PRICES OF POTATOES THAT ARE SUBJECT TO THIS ORDER

Growers' Prices

8. (1) Subject to the following provisions of this clause, the maximum price that may be charged or received by any grower for any new potatoes to which this Order applies shall be determined as follows:—

(a) For potatoes wherever grown sold for delivery in the North Island—

Period in any Year (both Dates inclusive) within which Delivery to be made.	Maximum Price per Ton.	
	First Grade.	Under-grade.
	£ s. d.	£ s. d.
1st June to 14th September	42 10 0	38 0 0
15th September to 28th September	38 0 0	34 0 0
29th September to 12th October	34 0 0	30 0 0
13th October to 26th October	30 0 0	26 0 0
27th October to 9th November	26 0 0	23 0 0
10th November to 23rd November	22 0 0	19 0 0
24th November to 7th December	16 0 0	14 0 0
8th December to 31st December	14 0 0	12 0 0
1st January to 31st January	12 0 0	10 10 0
1st February to 28th February	11 0 0	10 0 0

(b) For potatoes grown in the South Island and sold for delivery in the South Island—

Period in any Year (both Dates inclusive) within which Delivery to be made.	Maximum Price per Ton.	
	First Grade.	Under-grade.
	£ s. d.	£ s. d.
1st June to 30th November	42 10 0	38 0 0
1st December to 31st December	35 0 0	31 0 0
1st January to 31st January	25 0 0	22 0 0
1st February to 28th February	15 0 0	13 0 0

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