

Price Order No. 678 (Carrots, Parsnips, Swedes, Cabbages, Pumpkins, Kumaras, Silver Beet)

**P**URSUANT 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. 678, and shall come into force on the 1st day of May, 1947.
2. (1) Price Orders No. 474† and 655‡ 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,—

“Spring carrots” means those grown from seed sown after the 20th day of February in any year and, in respect of seed sown in the Land Districts of Southland, Otago, or Canterbury harvested during any of the months of November, December, January, or February next following the date of such sowing and, in respect of seed sown elsewhere in New Zealand, harvested during any of the months of October, November, December, or January next following the date of such sowing:

“Spring parsnips”, in respect of parsnips grown in the Land Districts of Southland, Otago, or Canterbury means those harvested during any of the months of November, December, January, or February next following the date of sowing and, in respect of parsnips grown elsewhere in New Zealand, means those harvested during any of the months of October, November, December, or January next following the date of sowing:

“Spring swedes”, in respect of swedes grown in the Land Districts of Southland, Otago, or Canterbury means those harvested between the 1st day of December and the 15th day of March next following the date of sowing and, in respect of swedes grown elsewhere in New Zealand, means those harvested during any of the months of October, November, December, or January next following the date of sowing:

“Main crop”, in relation to carrots, parsnips, and swedes, means all such vegetables other than those hereinbefore referred to as spring carrots, spring parsnips, or spring swedes respectively.

- (2) Spring carrots, spring parsnips, and spring swedes may be sold as such in the localities specified in the Schedule hereto only during the months specified in such Schedule in relation to the sale of such vegetables in those localities. Any spring carrots, spring parsnips, or spring swedes not sold during such months shall, for the purposes of this Order, be deemed to be main crop vegetables, and the provisions of this Order relating to spring carrots, spring parsnips, and spring swedes shall not apply to those vegetables not sold as aforesaid.

#### APPLICATION OF THIS ORDER

4. (1) This Order applies with respect to the sale for human consumption of any 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.

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 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.

8. (1) All spring carrots, spring parsnips, and spring swedes shall have attached thereto foliage not exceeding 5 in. in length, and in computing for the purposes of this Order the weight of those vegetables the weight of such attached foliage may be taken into account.

(2) All main crop carrots, parsnips, and swedes shall have foliage trimmed to within half an inch of the crowns thereof.

(3) No vegetables to which this clause relates shall be exposed or offered for sale unless the provisions of this clause relating to foliage have been complied with.

#### FIXING MAXIMUM WHOLESALE PRICES OF VEGETABLES TO WHICH THIS ORDER APPLIES

9. (1) Subject to the provisions of this clause and of clause 11 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.

(4) The maximum wholesale prices fixed by this Order are exclusive of the cost of the case or other container.

#### FIXING MAXIMUM RETAIL PRICES OF VEGETABLES TO WHICH THIS ORDER APPLIES

10. (1) Subject to the provisions of this clause and of clause 11 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 cost of 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., and with respect to cabbage and silver beet an amount equal to 50 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 11 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  $\frac{1}{4}$ d. per pound.

More than 4s. per hundredweight but not more than 6s. per hundredweight: By  $\frac{1}{2}$ d. per pound.

More than 6s. per hundredweight: By  $\frac{3}{4}$ d. per pound.

#### PROVISION FOR SPECIAL PRICES WHERE EXTRAORDINARY CHARGES INCURRED

11. Subject to such conditions, if any, as it thinks fit, the Tribunal, on application by the grower or 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 the grower or 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 grower or wholesaler or retailer while the approval remains in force.

#### DUTY IMPOSED ON RETAILERS

12. 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.

† Reprinted with amendments: Statutory Regulations 1946, Serial number 1946/169, page 468.

‡ *Gazette*, 10th January, 1946, Vol. 1, page 33.

§ *Gazette*, 18th February, 1947, Vol. 1, page 205.