

## Price Order No. 747 (Condensed Milk)

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. 747, and shall come into force on the 1st day of August, 1947.

2. (1) Price Orders No. 254†, No. 274‡, and No. 451§ 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.

3. In this Order the expression "case" or "case-lot" means a lot consisting of four dozen tins of any one kind of condensed milk to which this Order applies, as packed by the manufacturer in a case or other container.

## APPLICATION OF THIS ORDER

4. This Order applies only with respect to condensed milk manufactured by New Zealand Products, Ltd., and marketed under the brands of "Highlander," "Nestles," and "Ideal."

## FIXING MAXIMUM PRICES OF CONDENSED MILK TO WHICH THIS ORDER APPLIES

## Manufacturer's Prices

5. (1) Subject to the following provisions of this clause, the maximum prices that may be charged or received by the manufacturer for any condensed milk to which this Order applies that is sold by the manufacturer to a wholesaler shall be—

	Per Case.
	£ s. d.
<i>Sweetened Condensed Milk—</i>	
(a) For "Highlander" brand (14 oz. tins) ..	1 18 8
(b) For "Nestles" brand (14 oz. tins) ..	1 18 8
<i>Unsweetened Condensed Milk—</i>	
(a) For "Highlander" brand (11 oz. tins) ..	1 6 0
(b) For "Ideal" brand (11 oz. tins) ..	1 7 4

(2) The maximum prices fixed by the last preceding subclause shall be reduced by a trade discount of 10 per cent. thereof, and the prices so calculated shall be further reduced as follows:—

- (a) By a discount of 3 per cent. thereof where payment is made within seven days from the date of invoice:
- (b) By a discount of 2½ per cent. thereof where payment is made after seven days from the date of invoice but on or before the 20th day of the month following the month in which delivery is made to the wholesaler.

(3) In respect of deliveries in quantities of not less than six cases to wholesalers carrying on business at Auckland, Gisborne, Napier, Hastings, New Plymouth, Hawera, Wanganui, Palmerston North, Wellington, Blenheim, Nelson, Westport, Greymouth, Hokitika, Christchurch, Timaru, Oamaru, Dunedin, or Invercargill, the maximum prices fixed by the foregoing provisions of this clause are fixed as for delivery (in accordance with the provisions of subclause (5) hereof) to the wholesaler's store at his place of business, or, at the option of the wholesaler, at the local depot of a common carrier nominated in that behalf by the wholesaler.

(4) In respect of deliveries in quantities of not less than six cases to a wholesaler carrying on business elsewhere than at one of the cities or boroughs specified in the last preceding subclause, the maximum prices fixed by subclauses (1) and (2) hereof are fixed as for delivery (in accordance with the provisions of subclause (5) hereof) to the wholesaler's store or the depot of a common carrier in such one of the places specified in subclause (3) hereof as is nearest or most convenient of access to the wholesaler's place of business.

(5) The references in subclauses (3) and (4) hereof to the delivery of any goods to which this Order applies shall be deemed to be references to delivery by sea (where the place of delivery is at a port) and, in any other case, shall be deemed to be references to delivery by sea at the port nearest or most convenient of access to the place of delivery, and thence by rail to the place of delivery.

(6) Where any goods to which this Order applies are, by arrangement between the manufacturer and the wholesaler, delivered otherwise than in accordance with the last preceding subclause, the wholesaler shall be liable for the payment of any transport charges incurred in excess of the charges that would have been incurred if delivery had been affected in accordance with that subclause.

(7) In respect of deliveries in quantities of less than six cases, the maximum prices fixed by subclauses (1) and (2) hereof are fixed as for delivery free on board or free on rail at Auckland, Wellington, Lyttelton, or Dunedin; or free on rail at Christchurch or Invercargill (whichever of the said places is nearest or most convenient of access to the wholesaler's store or other place to which the goods are to be delivered).

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

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

† Gazette, 6th July, 1944, Vol. II, page 866.

‡ Gazette, 14th September, 1944, Vol. III, page 1124.

§ Gazette, 18th October, 1945, Vol. III, page 1305.

## Wholesalers' Prices

6. (1) Subject to the following provisions of this clause, the maximum price (exclusive of sales tax) that may be charged or received by any wholesaler (including the manufacturer in respect of any sales made by the manufacturer direct to a retailer) for any condensed milk to which this Order applies shall be at the rate of:—

For condensed milk sold by a wholesaler carrying on business in any of the cities or boroughs of Auckland, Gisborne, Napier, Hastings, New Plymouth, Hawera, Wanganui, Palmerston North, Wellington, Blenheim, Nelson, Westport, Greymouth, Hokitika, Christchurch, Timaru, Oamaru, Dunedin, or Invercargill—

	Per Dozen.
	s. d.
<i>Sweetened Condensed Milk—</i>	
(a) For "Highlander" brand (14 oz. tins) ..	9 8
(b) For "Nestles" brand (14 oz. tins) ..	9 8
<i>Unsweetened Condensed Milk—</i>	
(a) For "Highlander" brand (11 oz. tins) ..	6 6
(b) For "Ideal" brand (11 oz. tins) ..	6 10

For condensed milk sold by any other wholesaler—

<i>Sweetened Condensed Milk—</i>	
(a) For "Highlander" brand (14 oz. tins) ..	9 11
(b) For "Nestles" brand (14 oz. tins) ..	9 11
<i>Unsweetened Condensed Milk—</i>	
(a) For "Highlander" brand (11 oz. tins) ..	6 9
(b) For "Ideal" brand (11 oz. tins) ..	7 1

(2) Where any one delivery by a wholesaler to a retailer of any condensed milk to which this Order applies—

- (a) Comprises one or more but less than three case-lots, the maximum prices fixed by subclause (1) hereof shall be reduced by an amount equal to 2½ per cent. thereof:
- (b) Comprises three or more but less than ten case-lots, the maximum prices fixed by subclause (1) hereof shall be reduced by an amount equal to 5 per cent. thereof:
- (c) Comprises ten or more but less than twenty case-lots, the maximum prices fixed by subclause (1) hereof shall be reduced by an amount equal to 6½ per cent. thereof:
- (d) Comprises twenty or more case-lots, the maximum prices fixed by subclause (1) hereof shall be reduced by an amount equal to 7½ per cent. thereof.

(3) The maximum prices calculated in accordance with the foregoing provisions of this clause shall be reduced as follows:—

- (a) By a discount of 3 per cent. thereof where payment is made within seven days from the date of invoice:
- (b) By a discount of 2½ per cent. thereof where payment is made after seven days from the date of invoice but on or before the 20th day of the month following the month in which delivery is made to the retailer.

## Retailers' Prices

7. The maximum price that may be charged or received by any retailer for any condensed milk to which this Order applies shall be:—

For condensed milk sold in any area within which the manufacturer or any wholesaler carrying on business in any of the cities or boroughs of Auckland, Gisborne, Napier, Hastings, New Plymouth, Hawera, Wanganui, Palmerston North, Wellington, Blenheim, Nelson, Westport, Greymouth, Hokitika, Christchurch, Timaru, Oamaru, Dunedin, or Invercargill normally undertakes the free delivery of goods to retailers—

	Per Tin.
	s. d.
<i>Sweetened Condensed Milk—</i>	
(a) For "Highlander" brand (14 oz. tins) ..	0 11
(b) For "Nestles" brand (14 oz. tins) ..	0 11
<i>Unsweetened Condensed Milk—</i>	
(a) For "Highlander" brand (11 oz. tins) ..	0 7½
(b) For "Ideal" brand (11 oz. tins) ..	0 8

For condensed milk sold elsewhere—

<i>Sweetened Condensed Milk—</i>	
(a) For "Highlander" brand (14 oz. tins) ..	0 11½
(b) For "Nestles" brand (14 oz. tins) ..	0 11½
<i>Unsweetened Condensed Milk—</i>	
(a) For "Highlander" brand (11 oz. tins) ..	0 8
(b) For "Ideal" brand (11 oz. tins) ..	0 8½

## PROVISION FOR SPECIAL PRICES WHERE EXTRAORDINARY CHARGES INCURRED

8. Notwithstanding anything in the foregoing provisions of this Order and subject to such conditions, if any, as it thinks fit, the Tribunal, on application by the manufacturer or by any wholesaler or retailer, may authorize special maximum prices in respect of any condensed milk to which this Order applies where for any reason extraordinary charges (freight or otherwise) are incurred by the manufacturer or by the wholesaler or retailer. Any authority given by the Tribunal under this clause may apply with respect to a specified lot or consignment of condensed milk or may relate generally to all condensed milk to which this Order applies sold by the manufacturer or by the wholesaler or retailer while the approval remains in force.

Dated at Wellington, this 22nd day of July, 1947.

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

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