

Price Order No. 792 (Onions)

PURSUANT to the powers conferred on it by the Control of Prices Act, 1947, 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. 792, and shall come into force on the 14th day of December, 1947.

2. (1) Price Order No. 618* is hereby revoked.

(2) The revocation of the said Price Order 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 Act” means the Control of Prices Act, 1947:

“Distributor”, in relation to any lot of onions, means a wholesaler, as defined in the said Act, who sells those onions otherwise than to a retailer for purposes of retail sale:

“Grower”, in relation to onions, means a person engaged in the business of growing onions 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:

“New season onions” means onions which are the produce of seed sown not earlier than the 1st day of February and marketed before the month of February in the following year:

The expression “f.o.r.s.e.” means free on rail, sacks or other containers extra.

(2) References in this Order to grades are references to grades of onions determined in accordance with the Board of Trade (Onion) Regulations 1938†.

(3) In computing for the purposes of this Order the weight of any onions no account shall be taken of the weight of any thick necks or tops that may be attached thereto.

(4) Terms and expressions defined in the said Act when used in this Order have the meanings severally assigned thereto by that Act.

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 wholesaler or retailer in undertaking the transport of any onions 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 any onions sold by him shall be determined accordingly.

5. The provisions of this Order shall apply notwithstanding that any onions to which the Order is applicable are sold otherwise than by weight.

6. The several prices, allowances, and margins of profit fixed by this Order apply with respect to sales by auction as well as to other sales.

APPLICATION OF THIS ORDER

7. (1) This Order applies with respect to all onions grown in New Zealand (except onions of the type known to the trade as “spring onions” and “shallots”) that are sold by any grower, distributor, wholesaler, or retailer for human consumption.

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

FIXING PRICES OF ONIONS TO WHICH THIS ORDER APPLIES

Growers' Prices

8. (1) The maximum price that may be charged or received by any grower for any onions to which this Order applies shall be at the rate of the appropriate price prescribed in the following scale, namely:—

		Per Ton.	
For New Season Onions		£	
For delivery in November ..	..	28	
For delivery in December—			
1st to 15th inclusive ..	..	28	F.o.r.s.e. the grower's station.
16th to 31st inclusive ..	..	25	
For delivery in January ..	..	12	

		Pickler Grade.	F.A.Q.	Ungraded.	F.o.r.s.e. the grower's station.
For other Onions		Per Ton.	Per Ton.	Per Ton.	
		£	£	£	
For delivery in February ..	15	11	9		
For delivery in March or April ..	15	10	8		
For delivery in May ..	15	12	9		
For delivery in June ..	15	14	11		
For delivery in July ..	15	17	13		
For delivery in August ..	15	21	16		
For delivery in September ..	15	25	19		
For delivery in October ..	15	28	21		
For delivery in November ..	15	33	25		
For delivery in December ..	15	34	26		

(2) Where any onions sold by a grower are delivered by him otherwise than f.o.r.s.e. the grower's station, the maximum price that may be charged by the grower shall be the appropriate price fixed in accordance with subclause (1) hereof, 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 onions f.o.r.s.e. the grower's station.

Distributors' Prices

9. The maximum price that may be charged or received by any distributor for any onions to which this Order applies shall be at the rate of a price per ton equal to the sum of the following amounts:—

- The price per ton actually paid or payable to the grower by the same or any other distributor:
- The grading, transport, or other charges (if any) actually paid by the same or any other distributor on each ton of the onions:
- An amount computed at the rate of 25s. per ton.

10. Where any wholesaler who does not normally carry on business as a distributor sells any onions to another wholesaler (thus becoming a distributor in respect of that transaction) the price to be charged by the vendor may exceed the maximum price determined in accordance with the last preceding clause by such amount as may be mutually agreed upon by the parties to the transaction: Provided that in any such case the maximum price that may be charged by the purchasing wholesaler in accordance with the next succeeding clause shall be determined as if he had bought the onions at the price paid by the wholesaler from whom he bought them.

Wholesalers' Prices

11. (1) The maximum price that may be charged or received by any wholesaler for any onions to which this Order applies and which are sold by him to a retailer for purposes of retail sale shall be at the rate of a price per ton equal to the sum of the following amounts:—

- The price per ton actually paid or payable by the wholesaler to the grower or any other person:
- The transport or other charges (if any) payable by the wholesaler on each ton of the onions:
- An amount equal to 2½ per cent. of the sum of the amounts specified in paragraphs (a) and (b) hereof (to cover the estimated loss due to shrinkage or other natural causes):
- An amount computed at the rate of 30s. a ton for lots of ½ ton or more, and computed at the rate of 40s. a ton for lots of less than ½ ton.

(2) For the purposes of this Order, and notwithstanding anything to the contrary in the said Act, any person who sells any onions by retail in quantities of not less than 5 cwt. to any one purchaser for delivery at one time shall in respect of such sale be deemed to be a wholesaler, and the prices fixed by the last preceding subclause shall apply accordingly with respect to every such sale.

Distributors and other Wholesalers to specify Grades of Onions on Relevant Invoices

12. Every distributor or other wholesaler who sells any onions to which this Order applies shall specify in the relevant invoice, with respect to each item, the grade of the onions comprised in the item.

Retailers' Prices

13. (1) Except as provided in subclause (2) of clause 11 hereof and subject to the provisions of subclauses (3), (4), (5), (6), and (7) hereof, the maximum price that may be charged or received by any retailer for any onions to which this Order applies shall be at the rate of a price per pound equal to the sum of the following amounts:—

- The price per pound actually paid or payable by the retailer for the onions:
- The transport or other charges (if any) paid or payable by the retailer on each pound of the onions:
- An amount equal to 33½ per cent. of the sum of the amounts specified in paragraphs (a) and (b) hereof.

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

(3) Notwithstanding anything to the contrary in the foregoing provisions of this clause, but subject to the provisions of subclauses (4) and (5) hereof, the retail price of any onions to which this Order applies shall not in any case exceed a price at the rate of the appropriate price prescribed in the following scale, namely:—

		Per Pound.		
For new season onions sold in the months of—		d.		
November ..	..	5½		
December—				
1st to 15th inclusive ..	..	5½		
16th to 31st inclusive ..	..	4½		
January ..	..	3		

		Pickler Grade.	F.A.Q.	Ungraded.
For other onions sold in the months of—		Per Pound.	Per Pound.	Per Pound.
		d.	d.	d.
February ..	..	3½	2½	2½
March ..	..	3½	2½	2
April ..	..	3½	2½	2
May ..	..	3½	2½	2½
June ..	..	3½	3	2½
July ..	..	3½	3½	3
August ..	..	3½	4	3½
September ..	..	3½	4½	4
October ..	..	3½	5½	4½
November ..	..	3½	6	5
December ..	..	3½	6	5

* Gazette, 17th October, 1946, Vol. III, page 1615.

† Statutory Regulations 1938, Serial number 1938/25, page 121.