

Price Order No. 849 (Main Crop Potatoes)

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. 849, and shall come into force on the 1st day of March, 1948.

2. (1) Price Orders No. 658* and No. 778† 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 Act means the Control of Prices Act, 1947:

“Distributor”, in relation to any lot of potatoes, means a wholesaler, as defined in the said Act, 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:

The expression “Good table” in reference to any lot of potatoes means potatoes of good shape according to variety, not more than 15 per cent. of which can be passed through a square the sides of which have an inside measurement of 2 in.; the lot shall be free from green potatoes, from second growth, from dry or wet rots (including late blight or frost damage); the lot shall be practically free from earth, which shall not in any case exceed 3 per cent. by weight of the lot; the weight of the lot affected by mechanical injury (including bruises and cuts) shall not exceed 2 per cent.; and the lot shall be practically free from scab or other defects not herein mentioned:

The expression “f.a.q.” in reference to any lot of potatoes means potatoes of fair average quality, being potatoes not more than 15 per cent. of which can be passed through a square the sides of which have an inside measurement of 2 in.; not more than 2 per cent. by weight of the lot shall be affected by dry or wet rots (including late blight or frost damage) or by severe mechanical injury (including severe bruises and cuts); and not more than 6 per cent. by weight of the lot shall be affected as aforesaid or by scale or by second growth or by other defect; and the lot shall be reasonably free from earth or from rough or unshapely tubers:

The expression “Under-grade” in reference to any potatoes means potatoes that are not “good table” or “f.a.q.” potatoes:

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

(2) 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 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, allowances, and margins of profit 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 do not 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 (a) that are the produce of seed potatoes planted on or before the 31st January, 1948, and that are delivered to the purchaser after the commencement of this Order and on or before the 30th November, 1948; or (b) that are the produce of seed potatoes planted after the 31st January, 1948, and that are delivered to the purchaser after the commencement of this Order and on or before the 31st May, 1948.

(2) For the purposes of the last preceding subclause no potatoes sold on the basis of f.o.b.s.e. or f.o.r.s.e. 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.e., the vessel on which the potatoes are laden leaves the port of shipment at any time before midnight of the 29th day of February, 1948; or

(b) In the case of sales f.o.r.s.e., 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.e. or f.o.r.s.e. 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 (a) that are the produce of seed potatoes planted on or before 31st January, 1948; or (b) that are the produce of seed potatoes planted after the 31st January, 1948, and that are sold on or before the 31st May, 1948.

(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.

FIXING PRICES OF POTATOES THAT ARE SUBJECT TO THIS ORDER
Growers' Prices

11. (1) Subject to the foregoing provisions of this Order and 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, Red Dakota, 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.e. a Port in the South Island.		
	Good Table.	f.a.q.	Under-grade.
	£ s. d.	£ s. d.	£ s. d.
March, 1948, to June, 1948..	10 10 0	10 0 0	9 0 0

July, 1948, to November, 1948: Pending the issue of an amending Price Order, and subject to the provisions of any such Order, the prices as for June, 1948, 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.e. a Port in the South Island.		
	Good Table.	f.a.q.	Under-grade.
	£ s. d.	£ s. d.	£ s. d.
March, 1948, to June, 1948..	10 0 0	9 10 0	8 10 0

July, 1948, to November, 1948: Pending the issue of an amending Price Order, and subject to the provisions of any such Order, the prices as for June, 1948, shall also apply with respect to potatoes sold for delivery in the months of July to November†.

(c) For potatoes grown in the North Island and sold for delivery in any of the months of—

	Maximum Price per Ton f.o.r.s.e. the Grower's Station.		
	Good Table.	f.a.q.	Under-grade.
	£ s. d.	£ s. d.	£ s. d.
March, 1948, to June, 1948..	12 5 0	11 15 0	10 15 0

July, 1948, to November, 1948: Pending the issue of an amending Price Order, and subject to the provisions of any such Order, the prices as for June, 1947, shall also apply with respect to potatoes sold for delivery in the months of July to November†.

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

(3) Where any potatoes grown in the North Island are delivered by a grower otherwise than f.o.r.s.e. 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.e. the grower's station.

(4) 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.

Distributors' Prices

12. (1) Subject to the provisions of the next succeeding clause, the maximum price that may be charged or received by any distributor for any potatoes grown in New Zealand shall not exceed the sum of the following amounts:—

(a) The price actually paid or payable to the grower by the same or any other distributor:

† 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, 1948, so that (in the absence of unforeseen circumstances) the maximum prices for good table potatoes (to be reached in November, 1948) will be:—

- (a) (i) For Sutton's Supreme, Red Dakota, and King Edward varieties grown in the South Island: £13 15s. per ton f.o.b.s.e.;
- (ii) For other varieties grown in the South Island: £13 6s. per ton f.o.b.s.e.
- (b) (i) For potatoes grown in the North Island: £15 per ton f.o.r.s.e.;

* Gazette, 27th February, 1947, Vol. I, page 272.

† Gazette, 30th October, 1947, Vol. III, page 1732.