

Price Order No. 887 (New 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. 887, and shall come into force on the 3rd day of June, 1948.
2. (1) Price Orders No. 596* and No. 726† 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. (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;
 - “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.e.” means “free on rail, sacks or other containers extra”, and the expression “f.o.b.s.e.” means “free on board, 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 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 the Order is applicable are sold otherwise than by weight.
6. The several prices fixed by this Order apply with respect to sales by auction as well as to other sales.
7. 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 1½ 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 1½ 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 1½ 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 1½ 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 1½ 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 1½ 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

8. (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 last 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

9. (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 is made.	Maximum Price per Ton.	
	First Grade.	Under-grade.
	£ s. d.	£ s. d.
1st June to 18th September	45 0 0	41 0 0
19th September to 25th September	42 10 0	38 0 0
26th September to 2nd October	40 0 0	36 0 0
3rd October to 9th October	38 0 0	34 0 0
10th October to 16th October	36 0 0	32 0 0
17th October to 23rd October	34 0 0	30 0 0
24th October to 30th October	32 0 0	28 0 0
31st October to 6th November	30 0 0	26 0 0
7th November to 13th November	28 0 0	25 0 0
14th November to 20th November	26 10 0	23 0 0
21st November to 27th November	25 0 0	22 0 0
28th November to 4th December	23 15 0	21 15 0
5th December to 11th December	22 10 0	20 10 0
12th December to 18th December	21 5 0	19 5 0
19th December to 25th December	20 0 0	18 0 0
26th December to 1st January	18 0 0	16 0 0
2nd January to 15th January	16 0 0	14 0 0
16th January to 29th January	15 0 0	13 0 0
30th January to 12th February	14 0 0	12 0 0
13th February to last day of February	13 0 0	11 0 0

* Gazette, 22nd August, 1946, Vol. II, page 1173.

† Gazette, 26th June, 1947, Vol. II, page 799.