

Price Order No. 1004 (Cheese)

PURSUANT to 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. 1004, and shall come into force on the 1st day of June, 1949.

2. (1) Price Order No. 942* is hereby revoked.

(2) The revocation of the said 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:

“Export size”, in relation to any cheese, means a cheese weighing or reputed to weigh approximately 80 lb.:

“Medium size”, in relation to any cheese, means a cheese weighing or reputed to weigh approximately 40 lb.:

“Pancake size”, in relation to any cheese, means a cheese weighing or reputed to weigh approximately 20 lb.:

“Standard crate lot”, in relation to a transaction for the sale of cheeses, means a lot consisting of two cheeses of export size, or three cheeses of medium size, or six cheeses of pancake size.

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

4. For the purposes of this Order, and notwithstanding anything to the contrary in the said Act, any person who sells by retail to any one purchaser, for delivery at any one time, not less than three standard crate lots of export-size, medium-size, or pancake-size cheeses, whether or not all the standard crate lots contain the same size of cheeses, shall in respect of that sale be deemed to be a wholesaler, and the provisions of this Order as to maximum wholesale prices shall apply accordingly with respect to every such sale.

APPLICATION OF THIS ORDER

5. (1) Except as otherwise provided herein, this Order applies only with respect to Cheddar cheese that is sold by a wholesaler or retailer, as the case may be, within four months after the date of its manufacture.

(2) For the purposes of this clause the date of the manufacture of any cheese shall be deemed to be the date indicated on the cheese in accordance with the requirements of the Dairy-produce Regulations 1938†.

(3) Every person who sells any Cheddar cheese by retail (whatever the age of such cheese) shall keep, for a period of not less than four months, a record showing the date of the delivery of the cheese to the retailer, and also—

(a) If the whole cheese was sold, without cutting, the date of its sale; or

(b) In any other case, the date on which the cheese was first cut.

6. (1) In its application to sales by wholesalers, this Order applies only to the sale of export-size, medium-size, and pancake-size cheeses.

(2) In its application to sales by retailers, this Order applies to the sale of all Cheddar cheese referred to in subclause (1) of clause 5 hereof.

FIXING MAXIMUM PRICES FOR CHEESE TO WHICH THIS ORDER APPLIES

Wholesalers' Prices

7. (1) The maximum price that may be charged or received by any wholesaler for any cheese to which this Order applies shall be computed as follows:—

Nature of Sale.	Maximum Price per Pound.		
	Export Size.	Medium Size.	Pancake Size.
(a) Sales in standard crate lots (crated)	s. d. 1 2½	s. d. 1 2½	s. d. 1 3
(b) Sales in standard crate lots (uncrated)	1 2½	1 2½	1 2½
(c) Sales of less than a standard crate lot	1 2½	1 2½	1 2½

(2) For the purposes of this clause the weight of any cheeses sold in crates shall be deemed to be their weight as at the time of crating, and the weight of uncrated cheeses shall be deemed to be their actual weight when delivered to the purchaser.

Retailers' Prices

8. (1) The maximum price that may be charged or received by any retailer for any cheese to which this Order applies shall be determined in accordance with the following provisions, namely:—

(a) In the case of cheese sold by a retailer to whom supplies of Cheddar cheese are available, free of freight charges, for delivery at his store from any source whatever, the maximum retail price shall be 1s. 5½d. a pound:

(b) In cases to which the last preceding paragraph does not apply, the maximum retail price shall be 1s. 5½d. a pound, increased to the next upward halfpenny by the appropriate proportion of the freight charges incurred by the retailer in obtaining delivery at his store:

Provided that where any cheese to which this paragraph applies is obtained by the retailer from a source of supply that is not the most convenient of access to the retailer's store, the increase of the price per pound authorized by this paragraph shall not exceed the appropriate proportion of the freight charges that would have been incurred by the retailer if the cheese had been obtained from the source of supply most convenient of access to his store, and if delivery had been effected by a common carrier at current freight rates.

(2) Where the quantity of cheese sold by a retailer in any one transaction is not an exact number of pounds, the maximum price shall be computed at the rate per pound fixed in accordance with the last preceding subclause.

(3) If in respect of any cheese the retail price charged in accordance with the provisions of this clause is not an exact number of pence or halfpence, the maximum price shall be computed to the next upward halfpenny.

SPECIAL PRICES WHERE EXTRAORDINARY CHARGES INCURRED

9. Subject to such conditions, if any, as it thinks fit, the Tribunal, on application by any wholesaler or retailer, may authorize special prices in respect of any cheese to which this Order applies where for any reason extraordinary charges (freight or otherwise) are incurred 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 cheese or may relate generally to all cheese to which this Order applies sold by the wholesaler or retailer while the approval remains in force.

Dated at Wellington, this 19th day of May, 1949.

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

[L.S.] W. J. HUNTER (Judge), President.
P. N. HOLLOWAY, Member.

Price Order No. 1008 (Woolpacks)

PURSUANT to 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:—

1. This Order may be cited as Price Order No. 1008, and shall come into force on the 1st day of June, 1949.

2. (1) Price Order No. 881* 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.

APPLICATION OF THIS ORDER

3. This Order applies only with respect to sales by way of retail of 42 in. woolpacks.

FIXING MAXIMUM RETAIL PRICE OF WOOLPACKS TO WHICH THIS ORDER APPLIES

4. (1) Subject to the following provisions of this clause, the maximum price that may be charged or received by any retailer for any woolpacks to which this Order applies shall be:—

(a) For woolpacks sold by a retailer carrying on business at one of the ports of Auckland, Wellington, Lyttelton, or Dunedin: 10s. 3½d. each.

(b) For woolpacks sold by a retailer carrying on business elsewhere than at one of the ports mentioned in paragraph (a) hereof: 10s. 3½d. each, increased by the appropriate proportion of the freight charges incurred by the retailer in obtaining delivery from such one of the said ports as is most convenient of access to his store:

Provided that where any woolpacks to which this paragraph applies are obtained by the retailer elsewhere than from such one of the said ports as is most convenient of access to his store, the increase authorized by this paragraph shall not exceed the appropriate proportion of the freight charges that would have been incurred by the retailer if the woolpacks had been obtained from that port and if delivery had been effected at current freight rates.

(2) The maximum prices fixed by the last preceding subclause are fixed as for delivery f.o.r. or f.o.b. as the case may require.

(3) Where any woolpacks are delivered by a retailer otherwise than f.o.r. or f.o.b. the price that may be charged by the retailer shall be the appropriate price in terms of the foregoing provisions of this clause increased by the amount of the freight charges incurred by him in effecting delivery and then reduced by the amount of those charges that would have been incurred by him if he had delivered the woolpacks f.o.r. or f.o.b. as aforesaid.

(4) Any freight charges imposed by a retailer pursuant to the foregoing provisions of this clause shall be shown separately on the appropriate invoice.

Dated at Wellington, this 23rd day of May, 1949.

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

[L.S.] W. J. HUNTER (Judge), President.
P. N. HOLLOWAY, Member.

* Gazette, 30th September, 1948, Vol. III, page 1241.
† Statutory Regulations 1938, Serial number 1938/91, page 396.

* Gazette, 20th May, 1948, Vol. II, page 602.