

Price Order No. 1265 (Seed Potatoes)

PURSUANT to the Control of Prices Act, 1947, the Price Tribunal, acting with the authority of the Minister of Industries and Commerce, hereby makes the following Price Order:—

PRELIMINARY

1. (1) This Order may be cited as Price Order No. 1265, and shall come into force on the 5th day of July, 1951.
- (2) Price Orders No. 872*, 1029†, and 1249‡ are hereby revoked.
- (3) 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.
2. (1) In this Order, unless the context otherwise requires,—
 - “The said Act” means the Control of Prices Act, 1947:
 - “Certified seed potatoes” means seed potatoes that have been certified as “mother seed” or as “commercial seed”, in accordance with the scheme for the certification of seed potatoes that is in operation under the control of the Department of Agriculture, and that are packed in containers labelled with the official certification tag of that Department; and “uncertified seed potatoes” means all seed potatoes that have not been so certified and packed:
 - “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:
 - “Group”, in relation to certified seed potatoes, means the group into which any potatoes have been classified by the Department of Agriculture in accordance with its scheme for the certification of seed potatoes:
 - “Grower”, in relation to potatoes, means a person engaged in the business of growing potatoes for sale:
 - “Seed potatoes” includes all potatoes that are sold, offered, or exposed for sale as seed potatoes:
 - “Standard-sized”, in relation to certified seed potatoes, refers to potatoes that comply with the standard prescribed by clause 6 hereof:
- The expression “f.a.q.,” in relation to uncertified seed potatoes, means potatoes of fair average quality, as determined in accordance with the rules laid down in clause 9 hereof.
- 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.
- (3) The several prices, allowances, and margins of profit fixed by this Order shall apply with respect to sales by auction as well as to other sales.
3. 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, not exceeding in any case the cost that would have been incurred by him if delivery had been effected by a common carrier at current freight rates, 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.
4. (1) The maximum price that may be charged or received for the sacks in which any lot of potatoes to which this Order applies are packed shall be computed as follows:—
 - For cornsacks of a size 48 in. by 26½ in., 46 in. by 26½ in., 44 in. by 26½ in., 46 in. by 23 in., or 41 in. by 23 in.: At the rate of 42s. 6d. per ton of potatoes:
 - For fertilizer sacks of a size 40 in. by 24 in.: At the rate of 14s. per ton of potatoes.
- (2) Where any potatoes to which this Order applies are packed in sacks the maximum price that may be charged or received for the potatoes shall be computed on the gross weight of the potatoes and the sacks.

APPLICATION OF THIS ORDER

5. (1) In its application to growers' prices, this Order applies only to seed potatoes that are grown in the South Island, and in its application to other prices, this Order applies to all seed potatoes sold in New Zealand.
- (2) Except as otherwise provided herein, this Order applies to all such potatoes (whether sold before or after the date of the coming into force of this Order) that are delivered to the purchaser on or after that date.
- (3) Nothing in this Order shall apply with respect to specially hand picked potatoes if such potatoes are sold in lots exceeding 1 cwt. and if such potatoes are packed in sacks duly labelled to show (a) that they have been hand picked and (b) the name or registered trademark of the distributor or wholesaler in whose store they were hand picked.

CLASSES OF SEED POTATOES TO WHICH THIS ORDER APPLIES

- (4) Seed potatoes to which this Order applies shall be classified A, B, or C as follows:—
 - Class A shall comprise Cliffs Kidney, Doon Early, Epicure, Jersey Bennes, Catriona, and Robin Adair.
 - Class B shall comprise Arran Consul, Arran Banner, Arran Pilot, Aucklander Short Top, Aucklander Tall Top, Chippewa, Iron Duke, Katahdin, King Edward, Majestic, Up-to-date, Dunbar Standard, and other varieties not specified elsewhere.
 - Class C shall comprise Arran Chief, Dakota, Inverness Favourite, Northern Star (Gamekeeper).

FIXING PRICES OF SEED POTATOES

Specifications of “Standard-sized” Certified Seed Potatoes

6. (1) For the purposes of this Order the standard for certified seed potatoes shall be deemed to be a potato that weighs not less than 2 oz. and not more than 4½ oz.
- (2) If in any sample of one hundred potatoes taken at random from any lot of certified seed potatoes more than eight of those potatoes fail to comply with the standard prescribed by the last preceding subclause, none of the potatoes comprised in the lot shall be deemed to be “standard-sized”.
- (3) Except as provided in the last preceding subclause all certified seed potatoes shall for the purposes of this Order be deemed to be “standard-sized”.

Growers' Actual Prices for “Standard-sized” Certified Seed Potatoes

7. (1) The actual price (f.o.r.s.e. a railway-station in the South Island), to be charged by any grower for any “standard-sized” certified seed potatoes to which this Order applies shall be determined in accordance with the scale set forth in the Schedule hereto.
- (2) Where any such potatoes are delivered by the grower otherwise than f.o.r.s.e. a railway-station in the South Island, the actual price to be charged by the grower may be increased by the charges (if any) incurred by the grower in effecting delivery, and then reduced by the charges that would have been incurred by the grower if delivery had been effected by a common carrier at current freight rates to the railway-station that is nearest or most convenient of access to the grower's premises.

Growers' Maximum Prices for Certified Seed Potatoes that are Not “Standard-sized”

8. The maximum price that may be charged by any grower for any certified seed potatoes to which this Order applies that are not “standard-sized” shall be the price that would have been the actual price of those potatoes if they had in fact been “standard-sized.”

Specifications of f.a.q. Uncertified Seed Potatoes

9. For the purposes of this Order uncertified seed potatoes shall be deemed to be f.a.q. or under-grade, as the case may be, in accordance with the following rules:—
 - (a) *Rule as to Size.*—Uncertified seed potatoes that are less than 2 oz. or more than 4½ oz. in weight shall be deemed to be under-grade.
 - (b) *Rule as to Quality.*—If in any lot of uncertified seed potatoes more than 6 per cent. by weight of the lot is affected by dry or wet rots (including late blight or frost damage), or by scab, or by second growth or other defects, or if the lot is not reasonably free from earth or from sprouts, all the potatoes in the lot shall be deemed to be under-grade.
 - (c) Uncertified seed potatoes that are not under-grade in accordance with paragraph (a) or paragraph (b) hereof shall be deemed to be f.a.q.

Growers' Maximum Prices for Uncertified Seed Potatoes

10. (1) The maximum price (f.o.r.s.e. a railway-station in the South Island) that may be charged by any grower for any f.a.q. uncertified seed potatoes to which this Order applies shall be determined in accordance with the scale set forth in the Schedule hereto.
- (2) Where any potatoes to which this clause applies are delivered by the grower otherwise than f.o.r.s.e. a railway-station in the South Island, the maximum price that may be charged by the grower may be increased by the charges (if any) incurred by the grower in effecting delivery, and then reduced by the charges that would have been incurred by the grower if delivery had been effected by a common carrier at current freight rates to the railway-station that is nearest or most convenient of access to the grower's premises.

* Gazette, 15th April, 1948, Vol. I, page 404.
 † Gazette, 30th June, 1949, Vol. II, page 1436.
 ‡ Gazette, 31st May, 1951, Vol. II, page 792.