

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 for the potatoes and for the sacks:
- (b) Any disbursements actually incurred and paid by the same or any other distributor by way of brokerage (not exceeding in the aggregate 2s. 6d. a ton) together with any grading, transport, or other charges actually paid by the same or any other distributor:
- (c) An amount computed at the rate of 15s. a ton.

(2) Subject to the provisions of the next succeeding clause, the maximum price that may be charged or received by any distributor for any potatoes imported into New Zealand by the distributor or any other person shall not exceed the sum of the following amounts:—

- (a) The landed cost of the potatoes to the importer at the port of discharge:
- (b) Any disbursements actually incurred and paid by the same or any other distributor by way of brokerage in New Zealand (not exceeding in the aggregate 2s. 6d. a ton) together with any grading, transport, or other charges incurred in New Zealand and actually paid by the same or any other distributor:
- (c) An amount computed at the rate of 15s. a ton.

13. Where any wholesaler who does not normally carry on business as a distributor sells any potatoes 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 to 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 those potatoes at the price paid by the wholesaler from whom he bought them.

#### Wholesalers' Prices

14. (1) Subject to the provisions of clause 13 hereof, the maximum price that may be charged or received by any wholesaler for any potatoes grown in New Zealand and sold by him to a retailer for purposes of retail sale shall not exceed the sum of the following amounts:—

- (a) The price actually paid or payable by the wholesaler to the grower or any other person for the potatoes and for the sacks:
- (b) An amount (not exceeding 4s. a ton) in respect of any potatoes actually received into and delivered from the wholesaler's store, together with any grading, transport, or other charges actually paid by the wholesaler:
- (c) 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 and other natural causes), and, in the case of potatoes that have been actually received into the wholesaler's store, a further amount equal to 1½ per cent of the aforesaid sum:
- (d) An amount computed at the rate of £1 5s. a ton for lots of less than a half-ton, and at the rate of £1 a ton in all other cases.

(2) Subject to the provisions of clause 13 hereof, the maximum price that may be charged or received by any wholesaler for any potatoes imported into New Zealand by the wholesaler or any other person and sold by the wholesaler to a retailer for purposes of retail sale shall not exceed the sum of the following amounts:—

- (a) The price actually paid or payable by the wholesaler:
- (b) An amount (not exceeding 4s. a ton) in respect of any potatoes actually received into and delivered from the wholesaler's store, together with any grading, transport, or other charges incurred in New Zealand and actually paid by the wholesaler:
- (c) In respect of potatoes that have been actually received into the wholesaler's store, an amount equal to 1½ per cent of the sum of the amounts specified in paragraphs (a) and (b) hereof:
- (d) An amount computed at the rate of £1 5s. a ton for lots of less than a half-ton, and at the rate of £1 a ton in all other cases.

#### Computation of Distributors' and Wholesalers' Prices by Reference to Average Prices

15. In computing the maximum price that may be charged by any distributor or by any wholesaler for potatoes that have been acquired by him in different lots at different prices, the appropriate maximum price may, with the general or special approval of the Tribunal, and subject to any conditions that may be imposed by the Tribunal, be computed by reference to the average of the several prices paid for such potatoes.

#### Distributors and Other Wholesalers to Specify Grades of Potatoes on Relevant Invoices

16. (1) Every distributor or other wholesaler who sells any potatoes to which this Order applies shall specify in the relevant invoices, with respect to each item, the grade of the potatoes comprised in the item.

(2) For the purposes of this clause the term "grade" with respect to any lot of potatoes means, as the case may require, "good table" or "f.a.q." or "under-grade."

#### Retailers' Prices

17. (1) Subject to the following provisions of this clause, the maximum price that may be charged or received by any retailer for potatoes, whether grown in New Zealand or imported into New Zealand, shall not exceed the sum of the following amounts:—

- (a) The price actually paid or payable by the retailer for the potatoes:
- (b) Any grading, transport, or other charges actually paid or payable by the retailer:
- (c) 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 potatoes, 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 potatoes to which this Order applies shall not in any case exceed the appropriate price set out in the Schedule hereto.

(4) Where any potatoes to which this Order applies are sold by retail in lots of 14 lb. or 28 lb. or 56 lb. or 112 lb., the maximum retail price shall not in any case exceed:—

Where the Maximum Retail Price (as Fixed by the Last Preceding Subclause) is—	Maximum Retail Price per Lot of—			
	14 lb.	28 lb.	56 lb.	112 lb.
	s. d.	s. d.	s. d.	s. d.
3d. per lb. . . . .	3 4	6 6	13 0	25 9
3½d. per lb. . . . .	3 8	7 1	14 2	28 0
3¾d. per lb. . . . .	4 0	7 7	15 2	30 0
3d. per lb. . . . .	4 3	8 2	16 4	32 3
4d. per lb. . . . .	4 6	8 8	17 4	34 3
4½d. per lb. . . . .	4 10	9 3	18 6	36 6

(5) Where any potatoes to which this Order applies are sold by retail in any lot exceeding 14 lb., but otherwise than in a lot of the actual weight specified in the last preceding subclause, the maximum price per pound of any surplus over 14 lb. or over any multiple of 14 lb. (being less in every case than 14 lb.) shall be the appropriate maximum price set out in the Schedule hereto.

(6) If in respect of any lot of potatoes sold by a retailer the maximum price, calculated in accordance with the foregoing provisions of this clause, is not an exact number of pence or half-pence (in the case of a lot less than 5 lb.) or is not an exact number of pence (in the case of a lot of 5 lb. or more), the maximum price of the lot shall be the next highest halfpenny or the next highest penny, as the case may be. The provisions of this subclause shall apply notwithstanding that in any case the retailer purports to sell any potatoes otherwise than by weight.

(7) For the purposes of this clause the price paid or payable by a retailer for any lot of potatoes and the grading, transport, and other charges paid or payable by him in respect of the same lot, shall be apportioned evenly over the whole lot, and the price and charges paid or payable by the retailer for each 1 lb. of potatoes included in the lot shall be determined accordingly.

18. Notwithstanding anything in the foregoing provisions of this Order and subject to such conditions, if any, as it thinks fit, the Tribunal, on application by any retailer, may authorize special maximum retail prices in respect of any potatoes to which this Order applies where special circumstances exist or, for any reason extraordinary charges (freight or otherwise) are incurred by the retailer in obtaining delivery from the source of supply that is nearest or most convenient of access to him. Any authority given by the Tribunal under this clause may apply with respect to a specified lot or consignment of potatoes or may relate generally to all potatoes to which this Order applies sold by the retailer while the approval remains in force.

#### Retailers to Exhibit Prices

19. Every retailer who offers or exposes any potatoes to which this Order applies for sale in any shop shall keep in a prominent position in such proximity to the potatoes to which it relates as to be obviously descriptive thereof a ticket, placard, or label on which shall be stated in legible and prominent characters the retail price per pound of the potatoes.

#### BRANDING OF GOOD TABLE POTATOES

20. Every grower, distributor, or wholesaler who grades any potatoes as "good table" shall affix to every sack so graded a tag on which shall be written the words "Good Table Grade" and the name and address of the person so grading the potatoes: Provided, however, that where a grower so grading potatoes is a member of a growers' association approved by the Minister of Agriculture his registered number may be given in place of his name and address.