

*Distributors' Prices*

11. (1) Subject to the provisions of the next succeeding clause, the price (sacks included) that may be charged by any distributor for any seed potatoes to which this Order applies 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, but not exceeding the maximum price fixed by the foregoing provisions of this Order in respect of the sale to the vendor :
- (b) Any grading, transport, or other charges (not including brokerage) actually paid by the same or any other distributor :
- (c) An amount computed at the rate of 5 per cent of the sum of the amounts specified in paragraphs (a) (less the amount paid for the sacks) and (b) hereof, or at the rate of 15s. a ton (whichever is the greater) :
- (d) Any disbursements actually incurred by the same or any other distributor by way of brokerage, not exceeding in the aggregate  $2\frac{1}{2}$  per cent of the sum of the amounts specified in paragraphs (a), (b), and (c) hereof.

(2) Notwithstanding anything to the contrary in this Order, the provisions of this clause as to the computation of distributors' prices shall apply with respect to every sale by a person who is ordinarily engaged in business as a distributor to a person who is ordinarily engaged in business as a wholesaler, notwithstanding that in any such case the purchaser may sell by way of retail any potatoes acquired by him from the distributor.

12. 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 upon by the parties to the transaction : Provided that in any 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' and Retailers' Prices*

13. (1) When any seed potatoes to which this Order applies are sold by any wholesaler or by any retailer in lots exceeding 1 cwt. the price (sacks included) that may be charged or received by the wholesaler or by the retailer shall not exceed the sum of the following amounts :—

- (a) The price actually paid or payable by the wholesaler or the retailer, as the case may be, to the grower or any other person for the potatoes and for the sacks, but not exceeding the maximum price fixed by the foregoing provisions of this Order in respect of the sale to the vendor :
- (b) An amount not exceeding 4s. a ton in respect of any potatoes actually received into the wholesaler's or retailer's store, together with any grading, transport, or other charges actually paid by the wholesaler or retailer :
- (c) An amount equal to  $2\frac{1}{2}$  per cent of the sum of the amounts specified in paragraphs (a) (less the amount paid for the sacks) and (b) hereof (to cover the estimated loss due to shrinkage and other natural causes), and a further amount equal to  $1\frac{1}{2}$  per cent of the said sum in respect of potatoes actually received into store :
- (d) An amount computed at the rate of £2 5s. a ton (in respect of seed potatoes sold in lots exceeding 1 cwt., but less than a ton), and computed at the rate of £1 10s. a ton for lots of 1 ton or more.

Provided, however, except with respect to sales made in the Franklin County of seed potatoes grown in that county, the maximum wholesale price with respect to potatoes grown in the North Island shall not in any case, except where the provisions of clause 14 hereof apply, exceed £28 10s. per ton for uncertified f.a.q. potatoes or £26 10s. per ton for uncertified undergrade potatoes.

(2) Subject to the provisions of clause 14 of this Order where any potatoes to which this Order applies are sold by any wholesaler or retailer in lots of 7 lb., or 14 lb., or 28 lb., or 56 lb., or 112 lb., the price (inclusive of the price of the sack or other container) shall not in any case exceed :—

	When Sold Within a Twenty-mile Radius of the Post-office at Auckland, New Plymouth, Wanganui, Gisborne, Napier, or Wellington.			When Sold Elsewhere in the North Island.			When Sold in the Land District of Canterbury.			When Sold Elsewhere in the South Island.		
	Uncertified Seed Potatoes.		Certified Seed Potatoes.	Uncertified Seed Potatoes.		Certified Seed Potatoes.	Uncertified Seed Potatoes.		Certified Seed Potatoes.	Uncertified Seed Potatoes.		Certified Seed Potatoes.
	F.a.q.	Under-grade.		F.a.q.	Under-grade.		F.a.q.	Under-grade.		F.a.q.	Under-grade.	
For 7 lb. lots ..	s. d. 3 4	s. d. 2 9	s. d. 2 7	s. d. 3 7	s. d. 3 0	s. d. 2 9	s. d. 3 0	s. d. 2 6	s. d. 3 3	s. d. 2 8	s. d. 2 6	s. d. 3 3
For 14 lb. lots ..	6 2	5 2	4 10	6 6	5 6	5 2	5 5	4 7	4 3	5 11	5 0	4 8
For 28 lb. lots ..	11 7	9 9	9 1	12 3	10 5	9 8	10 7	8 9	8 1	11 3	9 5	8 8
For 56 lb. lots ..	22 9	19 1	17 9	23 11	20 3	18 11	20 9	16 7	15 9	21 11	18 10	17 0
For 112 lb. lots ..	43 3	36 2	33 5	45 8	38 6	35 10	39 4	32 1	29 7	41 9	34 6	32 0

(3) Where any such potatoes are sold by any wholesaler or retailer in a lot exceeding 7 lb. but otherwise than in a lot of any of the weights specified in the last preceding subclause, the maximum price per pound of any surplus over 7 lb. or over any multiple of 7 lb. (being less in every case than 7 lb.) shall be such proportion of the price specified for the lot nearest in weight to the total weight of the sale as the surplus bears to that lot.

(4) Where any potatoes are sold in lots of less than 7 lb. the maximum price of the lot shall be computed at the rate per lb. prescribed by subclause (2) hereof for 7 lb. lot sales.

14. Where any seed potatoes to which this Order applies have been specially hand picked and the bag or other container in which they are packed is duly labelled to show (a) that they have been hand picked, and (b) the name or registered trade mark of the distributor or wholesaler in whose store they were hand picked, the maximum prices specified in clauses 11 and 13 hereof may be increased as follows :—

For 7 lb. lots ..	..	..	..	By 8d.
For 14 lb. lots ..	..	..	..	By 1s. 1d.
For 28 lb. lots ..	..	..	..	By 1s. 10d.
For 56 lb. lots ..	..	..	..	By 3s. 4d.
For 112 lb. lots ..	..	..	..	By 6s. 3d.
For lots in excess of 112 lb. ..	..	..	..	By an amount computed at the rate of £6 per ton.

Provided that where with respect to any lot of potatoes the maximum price has been increased by the appropriate charge fixed by this clause for hand picking, no further charge for hand picking shall be made with respect to that lot of potatoes.

15. If in respect of potatoes sold by a wholesaler or a retailer the maximum price calculated in accordance with the foregoing provisions of this Order or in accordance with an authority under clause 17 hereof is not an exact number of pence or half-pence, the maximum price of the lot shall be computed to the next upward halfpenny.

16. Subject to such conditions, if any, as it thinks fit, the Tribunal, on application by any wholesaler or retailer, may authorize special prices or margins of profit 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 wholesaler or retailer. 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 wholesaler or retailer while the approval remains in force.

17. On the recommendation of the Department of Agriculture and subject to such conditions, if any, as it thinks fit, the Tribunal, on application by any grower, may in its discretion authorize special prices or margins for any certified seed potatoes of a recently imported or newly bred variety or exempt them entirely from the operation of this Order.

*DUTIES IMPOSED ON DISTRIBUTORS AND WHOLESALERS*

18. (1) Every distributor and other wholesaler who sells any seed potatoes to which this Order applies shall specify in the relevant invoice with respect to each item the variety and grade of the potatoes comprised in the item.

(2) For the purposes of this clause the term "grade" means, as the case may require, "certified" or "f.a.q." or "under-grade".