

Price Order No. 1752 (Cheese)

PURSUANT to the Control of Prices Act 1947, the Price Tribunal hereby makes the following price order:

PRELIMINARY

1. This order may be cited as Price Order No. 1752, and shall come into force on the 1st day of October 1958.

2. (1) Price Order No. 1719\* 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.

3. (1) In this order, unless the context otherwise requires,—

“The said Act” means the Control of Prices Act 1947:

“The said regulations” mean the Dairy Produce Regulations 1938†:

“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.:

“Daisy size”, in relation to any cheese, means a cheese weighing or reputed to weigh approximately 25 lb.:

“Loaf size”, in relation to any cheese, means a cheese weighing or reputed to weigh approximately 10 lb.:

“Standard 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, or five cheeses of daisy size, or nine cheeses of loaf size (rinded), or eight cheeses of loaf size (rindless):

“Manufacturing dairy” means a dairy registered as a cheese factory, pursuant to the said regulations.

(2) Terms and expressions defined in the said Act, or in the said regulations, when used in this order, have the meanings severally assigned thereto by the said Act or by the said regulations as the case may be.

4. For the purposes of this order, any person who sells by retail to any one purchaser, for delivery at any one time, not less than three standard lots of export size, medium size, pancake size, daisy size, or loaf size cheeses, whether or not all the standard 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 with respect to all sales in New Zealand by way of wholesale, or retail, of 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.

(4) In its application to sales by wholesalers, this order applies only to the sale of export size, medium size, pancake size, daisy size, and loaf size cheeses.

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

MAXIMUM PRICES FOR SALES OF CHEESE BY WAY OF WHOLESALE OR BY A MANUFACTURING DAIRY TO A WHOLESALER TO WHICH THIS ORDER APPLIES

6. (1) Subject to the provisions of this order, 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 or Daisy Size	Loaf Size
<i>Rinded Cheese</i>	s. d.	s. d.	s. d.	s. d.
Sales in standard lots (crated)	1 6½	1 7½	1 7¾	1 9¾
Sales in standard lots (uncrated)	1 5¾	1 6½	1 7¾	1 9
Sales of less than a standard lot	1 5¾	1 6¾	1 7¼	1 9¼
<i>Rindless Cheese</i>				
Sales in standard lots	1 6½	1 7	1 7¾	1 9
Sales in less than standard lots	1 6¼	1 7½	1 7¾	1 9¼

Provided that if a wholesaler cuts portions from a whole export or a whole medium cheese for sale by way of whole-sale he may add to the appropriate maximum price (computed in accordance with the foregoing table) that may be charged or received for such whole cheese the sum of ¼d. per pound.

Provided further that for the purposes of this order the cutting of a cheese does not alter the classification of such cheese as set out in clause 3 (1) of this order.

(2) Where cartons are charged extra, such charge shall be refunded in full on return of the carton in good order and condition.

(3) For the purposes of this clause the weight of any cheeses, other than those sold in crates and cartons, shall be deemed to be their actual weight when delivered to the purchaser, and the weight of cheeses sold in crates or cartons shall be deemed to be their weight as at the time of placing in crates or cartons.

7. Notwithstanding anything in clause 6 of this order, the maximum prices that may be charged or received for any cheese to which this order applies by any manufacturing dairy upon any sale to a wholesaler shall be ¾d. per pound less than the prices computed in accordance with the said clause, and for rindless cheese such prices shall be further decreased by ¼d. per pound carton allowance.

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 prices shall be: (i) Loaf size 2s. per pound, and (ii) All other sizes 1s. 10d. per pound.

(b) In cases to which the last preceding paragraph does not apply, the maximum retail prices shall be:

(i) Loaf size 2s. per pound, and

(ii) All other sizes 1s. 10d. per 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 authorised 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.

FREIGHT CHARGES

9. Any cheese, sold in pursuance of clause 6 of this order by a manufacturing dairy to a wholesaler, shall be delivered freight free to the nearest railway station to the purchaser's premises, or to the point of delivery to which it is customarily given.

SPECIAL PRICES WHERE EXTRAORDINARY CHARGES INCURRED

10. Subject to such conditions, if any, as it thinks fit, the Tribunal, on application by any retailer, may authorise special prices in respect of any cheese to which this order applies where special circumstances exist or for any reason\* extraordinary charges (freight or otherwise) are incurred by the 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 retailer while the approval remains in force.

Dated at Wellington this 24th day of September 1958.

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

[L.S.]

H. PEARCE, Presiding Member.  
F. F. SIMMONS, Member.

\*Gazette, 20 August 1957, Vol. II, p. 1592.

†S.R. 1938/91, reprinted with amendments Nos. 1 to 8, S.R. 1954/33