

Price Order No. 1838 (*Laying Mash and Chick Mash*)

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. 1838, and shall come into force on the 10th day of February 1961.
2. (1) Price Order No. 1788* 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. In this order:
 - "Auckland Metropolitan Area" means the City of Auckland, the Boroughs of Birkenhead, Devonport, Ellerslie, Mount Albert, Mount Eden, Mount Roskill, Mount Wellington, New Lynn, Newmarket, Northcote, Onehunga, One Tree Hill, Otahuhu, and Takapuna.
 - "Wellington Metropolitan Area" means the Cities of Wellington and Lower Hutt, the Boroughs of Eastbourne and Petone.
 - "Christchurch Metropolitan Area" means the City of Christchurch and the Boroughs of Riccarton and Lyttelton.
 - "Dunedin Metropolitan Area" means the City of Dunedin and the Boroughs of Green Island, Port Chalmers, St. Kilda, and West Harbour.
 - "Standard mash" means laying mash or chick mash that has been manufactured to conform to the formula set out in the First Schedule to this order.
 - "Merchant" means a person who in the customary course of his business sells mash both to retailers and to consumers, and with respect to sales made by a manufacturer to a retailer or to a consumer, includes a manufacturer.
 - "Retailer" means a person who sells mash only to consumers.
 - "Ton" means 2,000 lb.
 - "Bushel" means 20 lb.
 - The expression "f.o.r." means "free on rail", and the expression "f.o.b." means "free on board".
 - "Delivered" means delivered to the premises of the purchaser.

APPLICATION OF THIS ORDER

4. This order applies with respect to any poultry food sold as mash in New Zealand except Basic Poultry Ration or other poultry foods to which Price Order No. 1837 (or any amendment thereof or new price order in substitution therefor) applies.

FIXING MAXIMUM PRICES OF MASH TO WHICH THIS ORDER APPLIES

Manufacturers' Prices

5. (1) Subject to the following provisions of this order, the maximum price that may be charged or received by any manufacturer carrying on business at one of the places specified in the Second Schedule hereto for any standard mash to which this order applies shall be the appropriate price specified in the said Schedule, and with respect to any other mash shall be the appropriate price fixed for No. 1 laying mash or No. 1 chick mash (as the case may be) reduced at the rate of £7 per ton, unless a price order or a special approved price is in force with respect to such mash.
- (2) Subject to the following provisions of this order, the maximum price that may be charged or received by any manufacturer carrying on business elsewhere than at one of the places specified in the Second Schedule hereto for any mash to which this order applies shall be the price that may be charged by the manufacturer carrying on business at the nearest specified place increased by the amount of the freight charges that would have been incurred had the mash been conveyed at current rates from such nearest place to the premises of the manufacturer.
- (3) The prices fixed by the foregoing provisions of this clause are fixed as for delivery at the premises of the manufacturer.

Merchants' Prices

6. (1) Subject to the following provisions of this order, the maximum price that may be charged or received by any merchant carrying on business at one of the places specified in the Second Schedule hereto for any standard mash to which this order applies shall be the appropriate price specified in the said Schedule, and with respect to any other mash shall be the appropriate price fixed for No. 1 laying mash or No. 1 chick mash (as the case may be) reduced at the rate of £7 per ton, unless a price order or a special approved price is in force with respect to such mash.
- (2) Subject to the following provisions of this order, the maximum price that may be charged or received by any merchant carrying on business elsewhere than at one of the places specified in the Second Schedule hereto for any mash to which this order applies shall be the price that may be charged by the merchant carrying on business at the nearest specified place increased by the amount of any freight charges actually incurred between the place of purchase and the merchant's store.

Retailers' Prices

7. (1) Subject to the following provisions of this order, the maximum price that may be charged or received by any retailer carrying on business at one of the places specified in the Second Schedule hereto for any standard mash to which this order applies shall be the appropriate price specified in the said Schedule, and with respect to any other mash shall be the appropriate price fixed for No. 1 laying mash or No. 1 chick mash (as the case may be) reduced at the rate of £7 per ton, unless a price order or a special approved price is in force with respect to such mash.
- (2) Subject to the following provisions of this order, the maximum price that may be charged or received by any retailer carrying on business elsewhere than at one of the places specified in the Second Schedule hereto for any mash to which this order applies shall be the lesser of (a) the price that may be charged by a retailer carrying on business at the nearest specified place increased by the appropriate proportion of any freight charges actually incurred between that place and the retailer's store, or (b) the price that may be charged by a retailer carrying on business in the specified place from which the mash was purchased, increased by the appropriate proportion of any freight charges actually incurred between that place and the retailer's store.

GENERAL

8. (1) The prices fixed by the foregoing provisions of this order are fixed with respect to mash packed in sacks of the following sizes: 48 in. by 23 in., 46 in. by 23 in., and 41 in. by 23 in.
- (2) Where any mash is packed in sacks or bags of any other size the said prices shall be reduced by 12s. 6d. per ton unless a different price is specially authorised under the provisions of clause 9 of this order.
- (3) The prices fixed by this order are net and include the cost of the sacks or bags.

PROVISION FOR SPECIAL PRICES

9. Notwithstanding anything to the contrary in the foregoing provisions of this order, and subject to such conditions, if any, as it thinks fit, the Tribunal, on application by any manufacturer, merchant, or retailer, may authorise special maximum prices in respect of any mash to which this order applies where special circumstances exist or for any reason extraordinary charges (freight or otherwise) are incurred by the manufacturer, merchant, or retailer. Any authority given by the Tribunal under this clause may apply with respect to a specified lot or consignment of mash, or may relate generally to all mash to which this order applies sold by the manufacturer, merchant, or retailer while the approval remains in force.

10. Where the price computed in accordance with the provisions of this order is, in the case of a manufacturer or merchant, not an exact number of pence, it may be computed to the next upward penny, and where, in the case of a retailer, it is not an exact number of pence or halfpence, it may be computed to the next upward halfpenny.

DUTY IMPOSED ON VENDORS OF MASH

11. Every vendor of mash to which this order applies shall state, in the appropriate invoice relating to the sale, the kind of mash to which the sale relates, that is to say, whether it is No. 1 or No. 2 laying mash, No. 1 or No. 2 chick mash, or mash that is other than standard mash.