

Price Order No. 1943 (Eggs)

PURSUANT to the Control of Prices Act 1947, I, Alan Brown McLauchlan, pursuant to a delegation from the Secretary of Industries and Commerce acting under a delegation from the Price Tribunal, hereby make the following price order:

PRELIMINARY

1. This order may be cited as Price Order No. 1943 and shall come into force on the 3rd day of July 1964.

2. (1) Price Orders No. 1901,^{*} 1902,¹ 1905,² 1912,³ 1918,⁴ 1920,⁵ 1921,⁶ 1922,⁷ 1925,⁸ 1933,⁹ 1939,¹⁰ and 1941,¹¹ are hereby revoked.

(2) 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.

3. In this order unless the context otherwise requires—

“Hamilton Egg Marketing Area” means the area so constituted under the Egg Marketing Authority Regulations 1953†:

“Marlborough District” means the district comprising the counties of Awatere, Marlborough, and Sounds, including all cities, boroughs, and town districts situated within or contiguous to the boundaries of any such county;

“Nelson District” means the district comprising the counties of Collingwood, Takaka, and Waimea, including all cities, boroughs, and town districts situated within or contiguous to the boundaries of any such county;

“Northland District” means the district comprising the counties of Otamatea, Hobson, Bay of Islands, Whangarei, Hokianga, Whangaroa, and Mangonui, including all cities, boroughs, and town districts situated within or contiguous to the boundaries of any such county;

“Taranaki District” means the district comprising the counties of Taranaki, Clifton, Egmont, Inglewood, Stratford, Eltham, Waimate West, and Hawera, including all cities, boroughs, and town districts situated within or contiguous to the boundaries of any such county;

“Wellington Egg Marketing Area” means the area so constituted under the Egg Marketing Authority Regulations 1953†:

“Westland District” means the district comprising the counties of Buller, Murchison, Inangahua, Grey, and Westland, including all cities, boroughs, and town districts situated within or contiguous to the boundaries of any such county;

“Cartoned eggs” means eggs which are packed and supplied by a licensed distributor to a retailer and sold by a retailer to a consumer packed in a divisible “Safety” egg carton or in a “Unibox” carton;

“Licensed distributor” means the holder of a distributor’s licence under the Egg Marketing Authority Regulations 1953†.

APPLICATION OF THIS ORDER

4. This order applies in respect to all sales in New Zealand whether wholesale or retail, of eggs of domestic fowls or ducks, but does not apply to eggs transferred between licensed distributors or used in the manufacture of egg pulp or to the sale of eggs which the vendor proves were sold for the purposes of hatching.

CLASSIFICATION OF EGGS FOR PURPOSES OF THIS ORDER

Hen Eggs

5. (1) For the purposes of this order, every lot of hen eggs sold by a producer, or licensed distributor, or retailer shall be classified in the following sizes as “Large Grade”, “Standard Grade”, “Medium Grade”, “Pullet Grade”, or “Mixed”.

(2) With respect to hen eggs that have been graded in accordance with the Egg Marketing Authority Regulations 1953, the classification of such eggs for the purposes of this order shall correspond to the grading under those regulations.

(3) With respect to hen eggs that have not been graded in accordance with the said regulations, the following special provisions shall apply:

- (a) Any lot of eggs sold or offered for sale may be classified for the purposes of this order as “Large Grade”, “Standard Grade”, “Medium Grade”, or “Pullet Grade”, as the case may be, if all the eggs in the lot would be of the corresponding grade if they had been graded under the said regulations.
- (b) Any lot of eggs sold or offered for sale consisting of eggs which, if graded under the said regulations, would be graded in more than one grade shall be classified for the purposes of this order as “Mixed Eggs”: Provided that if the average weight of the eggs in the lot is less than 2 oz the lot shall be classified as “Pullet Grade” eggs.

Duck Eggs

6. (1) For the purposes of this order, every lot of duck eggs sold by a producer, licensed distributor, or retailer shall be classified as “Large”, “Small”, or “Mixed”.

(2) With respect to the classification of duck eggs—

(a) All eggs of a weight not less than 2 $\frac{1}{8}$ oz shall be classified as “Large”.

(b) All eggs of a weight less than 2 $\frac{1}{8}$ oz shall be classified as “Small”.

(c) If any lot of eggs comprises some eggs classifiable as “Large” and some classifiable as “Small”, all the eggs in the lot shall be classified as “Mixed”.

FIXING MAXIMUM WHOLESALE PRICES OF EGGS TO WHICH THIS ORDER APPLIES

7. (1) The prices that may be charged or received by any licensed distributor for any eggs to which this order applies shall not exceed the appropriate maximum price specified in the First Schedule hereto, except that where a distributor provides a delivery service pursuant to the Egg Marketing Authority Regulations 1953 then the maximum price specified in the First Schedule hereto may be increased by $\frac{1}{2}$ d. per dozen.

(2) The price that may be charged or received by any producer for sales by way of wholesale of any eggs to which this order applies shall not exceed the appropriate maximum price specified in the First Schedule hereto, except that where eggs are sold by a producer outside a marketing area and delivered to the retailer’s premises then the maximum price, specified in the First Schedule hereto, may be increased by $\frac{1}{2}$ d. per dozen.

(3) Every licensed distributor (including a producer selling otherwise than by way of retail) who sells any eggs to which this order applies shall specify in the relevant invoices with respect to each item the classification of the eggs comprised in the item.

FIXING MAXIMUM RETAIL PRICES OF EGGS TO WHICH THIS ORDER APPLIES

8. The maximum retail price that may be charged or received by any retailer (including a producer) for any eggs to which this order applies shall be the appropriate maximum price specified in the Second Schedule hereto.

Retailers to Exhibit Prices

9. Every retailer who offers or exposes any eggs to which this order applies for sale in any shop shall keep in a prominent position in such proximity to the eggs 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 classification of the eggs according to whether they are “Large Grade”, “Standard Grade”, “Medium Grade”, “Pullet Grade”, or “Mixed” (in the case of hen eggs), or “Large”, “Small”, or “Mixed” (in the case of duck eggs), and the retail price per dozen of the eggs.

FIXING MAXIMUM WHOLESALE AND RETAIL PRICES FOR CARTONED AND LOOSE CHILLED HEN EGGS TO WHICH THIS ORDER APPLIES

10. The maximum wholesale or retail price that may be charged or received by any licensed distributor or retailer for cartoned or loose chilled hen eggs to which this order applies shall be the appropriate maximum price specified in the Schedules hereto, reduced by 6d. per dozen, except that where delivery is provided in terms of clause 7 (1) or 7 (2) of this order $\frac{1}{2}$ d. per dozen may be added to the wholesale selling price calculated in accordance with this clause.

PROVISION FOR SPECIAL PRICES

11. (1) Subject to such conditions, if any, as it thinks fit, the Price Tribunal, on application by any licensed distributor or retailer, may authorise an addition to the maximum prices fixed from time to time in respect to any eggs to which this order applies where special circumstances exist or for any reason extraordinary charges (freight or otherwise) are incurred by the licensed distributor or retailer. Any authority given by the Tribunal under this clause may apply with respect to a specified lot or consignment of eggs or may relate generally to all eggs to which this order applies sold by the licensed distributor or retailer while the approval remains in force.

(2) Where, in terms of clause 11 (1) hereof, the Price Tribunal has authorised an addition to the maximum First Schedule prices for eggs a retailer, on being notified in writing to this effect by the licensed distributor, may add the extra amount so authorised to the maximum Second Schedule prices for cartoned eggs only.

†S.R. 1953/156

*Gazette, 21 December 1962, Vol. III, p. 2295

¹Gazette, 1 February 1963, Vol. I, p. 117

²Gazette, 22 March 1963, Vol. I, p. 399

³Gazette, 14 June 1963, Vol. II, p. 823

⁴Gazette, 6 September 1963, Vol. III, p. 1333

⁵Gazette, 20 September 1963, Vol. III, p. 1487

⁶Gazette, 18 October 1963, Vol. III, p. 1633

⁷Gazette, 6 December 1963, Vol. III, p. 1973

⁸Gazette, 19 December 1963, Vol. III, p. 2061

⁹Gazette, 6 March 1964, Vol. I, p. 345

¹⁰Gazette, 1 May 1964, Vol. II, p. 769

¹¹Gazette, 19 June 1964, Vol. II, p. 1031