

Price Order No. 2138 (Butter)

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. 2138, and shall come into force on the 1st day of August 1970.

2. (1) Price Order No. 2099* 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) Notwithstanding the revocation of Price Order No. 2099, any approvals given under clause 13 of that price order shall continue to have effect as if the said order had not been revoked.

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 Butter and Cheese Marketing Regulations 1948†.

(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. The grades referred to in this order shall, as the case requires, mean:

(a) Grades assigned at a grading store; or

(b) Grades assigned in a manufacturing dairy as prescribed by regulation 26 of the said regulations; or

(c) Grades constructively assigned pursuant to subclause

(4) of regulation 26 of the said regulations.

APPLICATION OF THIS ORDER

5. This order applies with respect to all sales in New Zealand by way of wholesale, or retail, of any butter (within the meaning of the said regulations) manufactured in New Zealand, except butter sold as ships' stores for vessels sailing beyond New Zealand.

MAXIMUM PRICES FOR SALES OF BUTTER BY WAY OF WHOLESALE, OR BY A MANUFACTURER TO A WHOLESALE DISTRIBUTOR, TO WHICH THIS ORDER APPLIES

6. Subject to the provisions of this order, the several maximum prices at which butter prepared in 1 lb pats or smaller portions may be sold by way of sale by wholesale shall be the following:

(a) In the case of salted creamery butter the standard of quality of which is not lower than First Grade, the price of 28.75c per pound:

(b) In the case of salted creamery butter, the standard of quality of which is Second Grade, the price of 28.54c per pound:

(c) In the case of whey butter the standard of quality of which is not lower than Second Grade, the price of 28.75c per pound.

7. The price of butter sold in bulk by way of sale by wholesale, being butter of one of the kinds and standards of quality set out in clause 6 of this order, shall be 0.104 of a cent per pound less than the respective price prescribed for butter of that kind and standard of quality by the said clause 6 hereof.

8. The price of unsalted creamery butter the standard of quality of which is not lower than First Grade, and which is sold, whether in bulk or pats, by way of sale by wholesale as aforesaid shall be 1c per pound more than the respective price prescribed for salted creamery butter by the foregoing provisions of clause 6 of this order.

9. Notwithstanding anything in the foregoing provisions of this order, the price for any parcel of butter sold, whether in bulk or in pats, in a quantity of less than 48 lb, by way of sale by wholesale as aforesaid, being butter of one of the kinds and standards of quality set out in clause 6 of this order, may (at the option of the vendor) be the sum of 5c per parcel more than the appropriate price prescribed for butter of that kind and standard of quality by the foregoing provisions of this order, and the said sum of 5c shall be added to the rate of 0.792 of a cent per pound or portion of a pound referred to in clause 10 of this order for the purpose of that clause.

10. In the case of sales by a manufacturer to a wholesale distributor, the prices at which butter shall be so sold shall be 0.792 of a cent per pound or portion of a pound less than the respective prices hereinbefore specified.

11. Any butter sold in pursuance of the provisions of clauses 6, 7, 8, 9, or 10 of this order shall be delivered freight free into the purchaser's premises.

MAXIMUM RETAIL PRICE OF BUTTER TO WHICH THIS ORDER APPLIES

12. (1) The maximum retail price of butter to which this order applies shall be computed at the rate of:

(i) 30c per pound for salted creamery butter.

(ii) 31c per pound for unsalted creamery butter.

(iii) 30c per pound for whey butter.

(iv) 29c per pound for dairy butter.

(2) If, in respect of any lot of butter sold by a retailer, the maximum price calculated in accordance with the foregoing provisions of this clause is not an exact number of cents, the maximum price of the lot shall be computed to the nearest whole cent.

SPECIAL PRICES WHERE EXTRAORDINARY CHARGES INCURRED

13. 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 trader, may authorise special maximum prices in respect of any butter to which this order applies where special circumstances exist or for any reason extraordinary charges are incurred by the trader. Any authority given by the Tribunal under this clause may apply with respect to a specified lot or consignment of butter or may relate generally to all butter to which this order applies sold by the trader while the approval remains in force.

Dated at Wellington this 30th day of July 1970.

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

[L.S.]

F. F. SIMMONS, Member.
S. T. BARNETT, President.

*Gazette, 27 February 1969, Vol. I, p. 389
†S.R. 1948/16