

Price Order No. 328 (Hen Eggs)

PURSUANT to the Commerce Act 1975, I, David Leicester Shroff, pursuant to a delegation from the Secretary of Trade and Industry, hereby make the following price order:

1. This order may be cited as Price Order No. 328 and shall come into force on the 13th day of January 1986.

2. (1) Price Order No. 315 is 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,—

“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:

“Wellington Egg Marketing Area” means the area so constituted under the Poultry Board Regulations 1980:

“Westland District” means the district comprising the counties of Buller, 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 in a divisible “Safety”, “Hi Vee”, or any other egg carton approved by the Poultry Board, and supplied by the licensed egg marketing agent, or a producer authorised by the Poultry Board, to a retailer and sold by a retailer to a consumer:

“Licensed egg marketing agent” means the holder of a wholesale egg marketing agent’s licence under the Poultry Board Regulations 1980.

APPLICATION OF THIS ORDER

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

CLASSIFICATION OF EGGS FOR PURPOSES OF THIS ORDER

5. (1) For the purposes of this order, every lot of eggs sold by a producer or licensed egg marketing agent, or retailer shall be classified in the following sizes: 7’s, 6’s, 5’s, 4’s, or “Mixed”.

(2) With respect to eggs that have been graded in accordance with the Poultry Board Regulations 1980, the classification of such eggs for the purposes of this order shall correspond to the grading under those regulations.

(3) With respect to 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 7’s, 6’s, 5’s, or 4’s 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 56 grams the lot shall be classified as 4’s.

FIXING MAXIMUM RETAIL PRICE OF EGGS TO WHICH THIS ORDER APPLIES

6. 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 Schedule hereto.

RETAILERS TO EXHIBIT PRICES

7. 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 7’s, 6’s, 5’s, 4’s, or “Mixed” and the retail price per dozen of the eggs.

FIXING MAXIMUM PRICES FOR EGGS SOLD TO LICENSED EGG MARKETING AGENTS

8. The maximum prices that may be charged or received by any producer in respect of sales to licensed egg marketing agents for any eggs to which this order applies shall not exceed the appropriate maximum price specified in the Schedule hereto reduced by:

(a) An amount of 23c; and

(b) Commission at the rate of 10 percent calculated on the retail price reduced by 23c.

FIXING MAXIMUM WHOLESALE PRICES FOR EGGS SOLD TO RETAILERS

9. The maximum prices that may be charged or received by licensed egg marketing agents or producers selling to retailers for any eggs to which this order applies shall be the appropriate maximum price specified in the Schedule hereto reduced by 17c per dozen.

PROVISION FOR CLASSIFICATION OF EGGS INVOICED

10. Every producer selling otherwise than by way of retail and every licensed egg marketing agent 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 PRICES FOR CARTONED AND LOOSE CHILLED EGGS TO WHICH THIS ORDER APPLIES

11. (1) The maximum price that may be charged or received by any retailer for cartoned or loose chilled eggs to which this order applies shall be the appropriate maximum price specified in the Schedule hereto reduced by 5c per dozen.

(2) The maximum price that may be charged or received by any licensed egg marketing agent for cartoned or loose chilled eggs to which this order applies shall be the appropriate maximum price specified in the Schedule hereto reduced by 20c per dozen.

PROVISION FOR SPECIAL PRICES

12. (1) Subject to such conditions, if any, as he thinks fit, the Secretary, on application by any licensed egg marketing agent 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 egg marketing agent or retailer. Any authority given by the Secretary 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 egg marketing agent or retailer while the approval remains in force.

(2) Where in terms of clause 12 (1) hereof the Secretary has on application by a licensed egg marketing agent authorised an addition to the maximum scheduled prices for eggs, the licensed egg marketing agent shall forthwith notify retailers in writing to this effect.

SCHEDULE

MAXIMUM RETAIL PRICES (PER DOZEN) FOR EGGS TO WHICH THIS ORDER APPLIES

	Hen Eggs (Fresh)								
	(7's)		(6's)		(5's)		(4's)		Mixed Grade
	Loose	Cartoned	Loose	Cartoned	Loose	Cartoned	Loose	Cartoned	Loose
	c	c	c	c	c	c	c	c	c
Northland District	196	205	189	198	168	177	163	172	182
Wellington Egg Marketing Area	196	205	189	198	168	177	163	172	182
Westland District	197	206	190	199	169	178	164	173	182
Elsewhere in New Zealand	194	203	187	196	166	175	161	170	182

Dated at Wellington this 7th day of January 1986.

D. L. SHROFF, Director, Commerce Division.

*New Zealand Gazette, No. 138, 25 July 1985, page 3190

(T. and I.)