



SUPPLEMENT  
TO THE  
**NEW ZEALAND GAZETTE**

OF  
THURSDAY, MAY 6, 1943

Published by Authority

WELLINGTON, FRIDAY, MAY 7, 1943

*Price Order No. 136 (Apples and Pears)*

**P**URSUANT to the powers conferred on it by the Control of Prices Emergency Regulations 1939,\* the Price Tribunal, acting with the authority of the Minister of Industries and Commerce, doth hereby make the following Price Order:—

**PRELIMINARY**

1. (1) This Order may be cited as Price Order No. 136.
- (2) This Order shall come into force on the 10th day of May, 1943.
2. (1) Price Order No. 122† 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. (1) In this Order, unless the context otherwise requires,—
  - “ Bushel case ”, in relation to apples, means a package of the kind numbered 1 in the First Schedule to the New-Zealand-grown-fruit Regulations 1940‡, and, in relation to pears, means a package of the kind numbered 2 in the said Schedule ;
  - “ Half-bushel case ”, in relation to apples, means a package of the kind numbered 5 in the First Schedule to the New-Zealand-grown-fruit Regulations 1940‡, and, in relation to pears, means a package of the kind numbered 6 in the said Schedule ;
  - “ Internal Marketing Division ” means the Internal Marketing Division of the Marketing Department ;
  - “ Retailer’s railway-station ”, in relation to sales by a wholesaler to a retailer, means the railway-station that is nearest or most convenient of access to the retailer’s premises.

(2) References in the Schedules to this Order to counts and grades are references to the counts and grades of apples and pears respectively, determined in accordance with the New-Zealand-grown-fruit Regulations 1940‡, as modified in accordance with the Apple and Pear Marketing Regulations 1942§.

(3) Terms and expressions defined in the Control of Prices Emergency Regulations 1939,\* and used in this Order, have the meanings severally assigned thereto by those regulations.

4. The provisions of this Order fixing prices by reference to the weight of the fruit to which any sale relates shall apply notwithstanding that in any case the seller may sell or purport to sell otherwise than by weight.

**APPLICATION OF THIS ORDER**

5. This Order applies with respect to all sales of apples and pears grown in New Zealand.

6. The maximum prices fixed by this Order apply with respect to sales by auction as well as to other sales.

**MAXIMUM WHOLESALE PRICES**

7. (1) The maximum price that may be charged or received by any wholesaler for apples to which this Order applies shall be determined in accordance with the First Schedule hereto.

(2) The maximum price that may be charged or received by any wholesaler for pears to which this Order applies shall be determined in accordance with the Second Schedule hereto.

(3) The several wholesale prices fixed by this clause are fixed as for delivery by the wholesaler to the retailer at the wholesaler’s store. Where, with the concurrence or by direction of the Internal Marketing Division, delivery to the retailer is effected at the retailer’s

railway-station, freight charges to the retailer’s railway-station from the depot from which the fruit is actually supplied will be borne by the Internal Marketing Division.

**MAXIMUM RETAIL PRICES**

8. (1) Except as otherwise provided in this clause the maximum price that may be charged or received by any retailer for apples to which this Order applies, when sold by him in bushel-case or half-bushel-case lots or in 10 lb. lots, shall be determined in accordance with the First Schedule hereto.

(2) Except as otherwise provided in this clause, the maximum price that may be charged or received by any retailer for apples to which this Order applies when sold by him otherwise than in accordance with the last preceding subclause, shall be the appropriate price per pound fixed in the First Schedule hereto.

(3) Except as otherwise provided in this clause, the maximum price that may be charged or received by any retailer for pears to which this Order applies, when sold by him in bushel-case or half-bushel -case lots or in 10 lb. lots, shall be determined in accordance with the Second Schedule hereto.

(4) Except as otherwise provided in this clause, the maximum price that may be charged or received by any retailer for pears to which this Order applies, when sold by him otherwise than in accordance with the last preceding subclause, shall be the appropriate price per pound fixed in the Second Schedule hereto.

(5) Where any apples or pears are sold in any lot exceeding 10 lb., but otherwise than in a half-bushel-case or bushel-case lot, the maximum price per pound of any surplus (being less in every case than 10 lb.) shall be the appropriate maximum price fixed by subclause (2) or subclause (4) hereof, as the case may require.

(6) Where the transport expenses actually and reasonably incurred by a retailer in effecting delivery to his shop or other premises of fruit delivered\* to him either at the wholesaler’s store or at the retailer’s railway-station, as the case may be (not exceeding in any case the charges that would have been incurred if delivery had been effected by a common carrier at current rates), exceeds 9d. per bushel-case or 4½d. per half-bushel case, the maximum retail price that may be charged or received by the retailer shall be the prescribed maximum price fixed as aforesaid, increased as follows:—

- (a) In the case of fruit sold by him in bushel-case of half-bushel-case lots, the prescribed maximum price may be increased by the amount by which the transport charges exceed 9d. per case or 4½d. per case, as the case may be ;
- (b) In the case of fruit sold by him in lots of 10 lb. or more (but otherwise than in bushel-case or half-bushel-case lots), the prescribed maximum price may be increased by a proportionate part of the amount by which the transport charges exceed 9d. per case or 4½d. per case, as the case may be ;
- (c) In the case of fruit sold otherwise than as aforesaid, the prescribed maximum price may be increased by ¼d. per pound.

(7) In respect of any apples or pears sold by a retailer the maximum price calculated in accordance with the foregoing provisions of this clause is not an exact number of half-pence, the maximum price of the lot shall be computed to the nearest upward halfpenny.

(8) The retail prices fixed by this clause are fixed as for delivery at the retailer’s shop or other premises occupied by him.

(9) Where any fruit is delivered by a retailer to a purchaser in a special container procured for the purpose from the Internal Marketing Division, the retailer may make a special charge, not exceeding 3d. (for the 14 in. container) and not exceeding 4d. (for the 16 in. or 17 in. container). Except as aforesaid, the several retail prices fixed by this clause include the price of the cases or other containers in which the fruit is delivered to the purchaser.

\* Statutory Regulations 1939, Serial number 1939/275, page 1057.  
 † Statutory Regulations 1943, Serial number 1943/9, page 12.  
 ‡ Statutory Regulations 1940, Serial number 1940/195, page 621.  
 § Statutory Regulations 1942, Serial number 1942/314, page 767.

SCHEDULES  
FIRST SCHEDULE

Maximum Wholesale and Retail Prices of Apples to which this Order applies

Variety.	Count.	Maximum Wholesale Price.				Maximum Retail Price.							
		Per Bushel Case.		Per Half-bushel Case.		Fancy Grade.				Commercial Grade.			
		Fancy Grade.	Commercial Grade.	Fancy Grade.	Commercial Grade.	Per Bushel Case.	Per Half-bushel Case.	Per 10 lb.	Per 1 lb.	Per Bushel Case.	Per Half-bushel Case.	Per 10 lb.	Per 1 lb.
<i>Dessert.</i>		s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Golden Delicious ..	96/113 ..	8 0	7 0	4 0	3 6	10 0	5 2	2 7	0 4	8 9	4 8	2 4	0 3½
	125/150 ..	8 3	7 3	4 2	3 8	10 0	5 2	2 7	0 4	8 9	4 8	2 4	0 3½
	163/180 ..	6 3	5 3	3 2	2 8	7 9	4 2	2 1	0 3	6 6	3 6	1 9	0 2½
	Outsized ..	5 3	4 9	2 8	2 5	6 6	3 6	1 9	0 2½	6 6	3 6	1 9	0 2½
Delicious and Richared	96/113 ..	7 0	6 0	3 6	3 0	8 9	4 8	2 4	0 3½	7 9	4 2	2 1	0 3
	125/150 ..	7 3	6 3	3 8	3 2	8 9	4 8	2 4	0 3½	7 9	4 2	2 1	0 3
	163/180 ..	6 0	5 0	3 0	2 6	7 9	4 2	2 1	0 3	6 6	3 6	1 9	0 2½
	Outsized ..	5 0	4 0	2 6	2 0	6 6	3 6	1 9	0 2½	5 6	3 0	1 6	0 2½
Granny Smith ..	88/138 ..	7 0	6 3	3 6	3 2	8 9	4 8	2 4	0 3½	7 9	4 2	2 1	0 3
	150/180 ..	6 0	5 0	3 0	2 6	7 9	4 2	2 1	0 3	6 6	3 6	1 9	0 2½
	Outsized ..	5 0	4 0	2 6	2 0	6 6	3 6	1 9	0 2½	5 6	3 0	1 6	0 2½
Jonathan ..	113/180 ..	6 3	5 3	3 2	2 8	7 9	4 2	2 1	0 3	6 6	3 6	1 9	0 2½
	Outsized, except 234 ..	5 3	5 0	2 8	2 6	6 6	3 6	1 9	0 2½	6 6	3 6	1 9	0 2½
	234 ..	4 0	4 0	2 0	2 0	5 6	3 0	1 6	0 2½	5 6	3 0	1 6	0 2½
Sturmers ..	113/180 ..	5 9	5 3	2 11	2 8	7 9	4 2	2 1	0 3	6 6	3 6	1 9	0 2½
	Outsized, except 216/234 and smaller ..	4 9	4 3	2 5	2 2	6 6	3 6	1 9	0 2½	5 6	3 0	1 6	0 2½
	216/234 ..	3 0	3 0	1 6	1 6	4 6	2 6	1 3	0 2	4 6	2 6	1 3	0 2
Other dessert varieties	113/180 ..	5 0	4 0	2 6	2 0	6 6	3 6	1 9	0 2½	5 6	3 0	1 6	0 2½
	Outsized ..	3 0	3 0	1 6	1 6	4 6	2 6	1 3	0 2	4 6	2 6	1 3	0 2
<i>Cookers.</i>													
Washington ..	138 and larger ..	7 3	7 3	3 8	3 8	8 9	4 8	2 4	0 3½	8 9	4 8	2 4	0 3½
	150/163 ..	6 3	6 3	3 2	3 2	7 9	4 2	2 1	0 3	7 9	4 2	2 1	0 3
	175/180 ..	5 9	5 9	2 11	2 11	7 9	4 2	2 1	0 3	7 9	4 2	2 1	0 3
Lord Wolseley ..	138 and larger ..	6 3	6 3	3 2	3 2	7 9	4 2	2 1	0 3	7 9	4 2	2 1	0 3
	150/163 ..	5 0	5 0	2 6	2 6	6 6	3 6	1 9	0 2½	6 6	3 6	1 9	0 2½
	175/180 ..	4 0	4 0	2 0	2 0	5 6	3 0	1 6	0 2½	5 6	3 0	1 6	0 2½
Other cookers ..	138 and larger ..	5 3	5 3	2 8	2 8	6 6	3 6	1 9	0 2½	6 6	3 6	1 9	0 2½
	150/163 ..	4 0	4 0	2 0	2 0	5 6	3 0	1 6	0 2½	5 6	3 0	1 6	0 2½
	175/180 ..	3 0	3 0	1 6	1 6	4 6	2 6	1 3	0 2	4 6	2 6	1 3	0 2

SECOND SCHEDULE

Maximum Wholesale and Retail Prices of Pears to which this Order applies

Variety.	Count.	Maximum Wholesale Price.				Maximum Retail Price.							
		Per Bushel Case.		Per Half-bushel Case.		Fancy Grade.				Commercial Grade.			
		Fancy Grade.	Commercial Grade.	Fancy Grade.	Commercial Grade.	Per Bushel Case.	Per Half-bushel Case.	Per 10 lb.	Per 1 lb.	Per Bushel Case.	Per Half-bushel Case.	Per 10 lb.	Per 1 lb.
Winter Cole	All counts ..	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Winter Nelis		12 3	11 3	6 2	5 8	14 6	7 6	3 9	0 5½	13 6	7 0	3 6	0 5
Josephine													
Other varieties ..	*All counts ..	11 3	10 3	5 8	5 2	13 6	7 0	3 6	0 5	12 0	6 2	3 1	0 4½

Dated at Wellington, this 6th day of May, 1943.

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

[L.S.]

W. J. HUNTER (Judge), President.  
H. L. WISE, Member.

Price Order No. 137 (Vegetables)

PURSUANT to the powers conferred on it by the Control of Prices Emergency Regulations 1939,\* the Price Tribunal, acting with the authority of the Minister of Industries and Commerce, doth hereby make the following Price Order:—

PRELIMINARY

1. This Order may be cited as Price Order No. 137, and shall come into force on the 10th day of May, 1943.

2. (1) Price Orders Nos. 100† and 102‡ are hereby revoked.

(2) The revocation of the said Price 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. (1) Notwithstanding anything in this Order, the Tribunal, on application by any person concerned, may, subject to such conditions, if any, as it thinks fit, authorize special prices or margins of profit in respect of any vegetables used, or intended to be used, in New Zealand or elsewhere, for war purposes or for purposes associated

with or attributable to war conditions. Any authority given by the Tribunal under this subclause may apply with respect to a specified lot or consignment of vegetables, or may relate generally to all vegetables that are sold for any of the purposes aforesaid while the approval remains in force.

(2) Any authority given by the Tribunal under the last preceding subclause may be at any time revoked, but the revocation of the authority shall not affect the validity of any contract theretofore lawfully entered into by any person.

APPLICATION OF THIS ORDER

4. (1) This Order applies with respect to the sale for human consumption of any vegetables of the following kinds, namely:—

Carrots, kumeras, parsnips, pumpkins, swedes, and turnips.

(2) Every sale of any such vegetables shall be deemed to be a sale for human consumption unless at the time of sale there is a bona fide agreement or stipulation between the buyer and the seller that the vegetables to which the sale relates are intended for a specific purpose other than their ultimate human consumption.

5. (1) The maximum prices fixed by this Order apply with respect to sales by auction, as well as to other sales.

\* Statutory Regulations 1939, Serial number 1939/275, page 1057.  
† Gazette, 14th August, 1942, Vol. II, page 2065.  
‡ Gazette, 1st September, 1942, Vol. III, page 2135.

(2) The wholesale prices fixed by this Order apply with respect to sales of the following classes, namely:—

- (a) Sales to retailers (whether made by the grower or any other person); and  
 (b) Sales to users in any case where a lot of not less than 5 cwt. of any one kind of vegetable to which this Order applies is sold to any one purchaser for delivery at one time.

6. (1) The provisions of this Order fixing prices by reference to the weight of the vegetables to which any sale relates shall apply notwithstanding that in any such case the seller may sell or purport to sell otherwise than by weight.

(2) In computing for the purposes of this Order the weight of any vegetables no account shall be taken of the weight of any foliage that may be attached thereto.

**FIXING MAXIMUM PRICES OF VEGETABLES TO WHICH THIS ORDER APPLIES**

7. (1) The maximum wholesale prices and the maximum retail prices of vegetables to which this Order applies shall be determined in accordance with the Schedule hereto.

(2) The wholesale prices fixed by this Order are fixed as for delivery at the wholesaler's store or other premises from which delivery to the purchaser is effected.

(3) The retail prices fixed by this Order are fixed as for delivery at the retailer's shop or other premises occupied by the retailer.

(4) Where delivery is effected by a wholesaler elsewhere than at premises occupied by him, he may add to the appropriate price fixed in accordance with the Schedule hereto the reasonable cost of delivery, not exceeding in any case the cost that would have been incurred by him if delivery had been effected by a common carrier at current freight rates.

(5) If in respect of any lot of vegetables sold by a retailer the maximum price calculated in accordance with the foregoing provisions of this clause is not an exact number of pence or half-pence, the maximum price of the lot shall be computed to the nearest upward halfpenny.

**SCHEDULE**

**MAXIMUM WHOLESALE AND RETAIL PRICES OF VEGETABLES TO WHICH THIS ORDER APPLIES**

Kinds of Vegetables.	Maximum Wholesale Prices.		Maximum Retail Prices.	
	North Island.	Elsewhere.	North Island.	Elsewhere.
	Per Cwt. s. d.	Per Cwt. s. d.	Per lb. s. d.	Per lb. s. d.
Carrots .. ..	15 0	12 0	0 2½	0 2
Kumeras .. ..	27 0	27 0	0 4½	0 4½
Parsnips .. ..	20 0	16 0	0 3¼	0 2¾
Pumpkins .. ..	18 0	18 0	0 3	0 3
Swedes .. ..	12 0	9 0	0 2	0 1½
Turnips .. ..	12 0	9 0	0 2	0 1½

Dated at Wellington, this 6th day of May, 1943.

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

[L.S.] W. J. HUNTER (Judge). President.  
 H. L. WISE, Member.

NOTE.—It is the present intention of the Price Tribunal, by an amending Price Order, or by a series of amending Price Orders, to provide for such alterations to the prices fixed by this Order as may be warranted by conditions relating to production and marketing that may be found to prevail on or after 30th June, 1943.

