



NEW ZEALAND



SUPPLEMENT  
TO THE

NEW ZEALAND GAZETTE

OF

THURSDAY, 28 AUGUST 1952

Published by Authority

WELLINGTON, MONDAY, 1 SEPTEMBER 1952

Notice Under the Regulations Act 1936

NOTICE is hereby given in pursuance of the Regulations Act 1936 of the making of a regulation as under:—

Authority for Enactment.	Short Title or Subject-matter.	Serial Number.	Date of Enactment.	Price (Postage Id. Extra).
Marketing Act-1936 .. .. .	Cheese Wholesale Prices Notice 1952 .. .. .	1952/164	28/8/52	2d.

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R. E. OWEN, Government Printer.

Price Order No. 1406 (Cheese)

PURSUANT to the Control of Prices Act 1947, the Price Tribunal, acting with the authority of the Minister of Industries and Commerce, hereby makes the following Price Order:—

PRELIMINARY

1. This Order may be cited as Price Order No. 1406, and shall come into force on the 1st day of September 1952.

2. (1) Price Order No. 1303\* 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,—

“The said Act” means the Control of Prices Act 1947:

“Export size”, in relation to any cheese, means a cheese weighing or reputed to weigh approximately 80 lb.:

“Medium size”, in relation to any cheese, means a cheese weighing or reputed to weigh approximately 40 lb.:

“Pancake size”, in relation to any cheese, means a cheese weighing or reputed to weigh approximately 20 lb.:

“Standard crate lot”, in relation to a transaction for the sale of cheeses, means a lot consisting of two cheeses of export size, or three cheeses of medium size, or six cheeses of pancake size.

(2) Terms and expressions defined in the said Act and used in this Order have the meanings severally assigned thereto by that Act.

APPLICATION OF THIS ORDER

4. (1) This Order applies only with respect to Cheddar cheese that is sold by a retailer within four months after the date of its manufacture.

(2) For the purposes of this clause the date of the manufacture of any cheese shall be deemed to be the date indicated on the cheese in accordance with the requirements of the Dairy-produce Regulations 1938†.

(3) Every person who sells any Cheddar cheese by retail (whatever the age of such cheese) shall keep, for a period of not less than four months, a record showing the date of the delivery of the cheese to the retailer, and also—

(a) If the whole cheese was sold, without cutting, the date of its sale; or

(b) In any other case, the date on which the cheese was first cut.

FIXING MAXIMUM RETAIL PRICES FOR CHEESE TO WHICH THIS ORDER APPLIES

5. (1) The maximum price that may be charged or received by any retailer for any cheese to which this Order applies shall be determined in accordance with the following provisions, namely:—

(a) In the case of cheese sold by a retailer to whom supplies of Cheddar cheese are available, free of freight charges, for delivery at his store from any source whatever, the maximum retail price shall be 1s. 10d. a pound:

(b) In cases to which the last preceding paragraph does not apply, the maximum retail price shall be 1s. 10d. a pound, increased to the next upward halfpenny by the appropriate proportion of the freight charges incurred by the retailer in obtaining delivery at his store:

Provided that where any cheese to which this paragraph applies is obtained by the retailer from a source of supply that is not the most convenient of access to the retailer's store, the increase of the price per pound authorized by this paragraph shall not exceed the appropriate proportion of the freight charges that would have been incurred by the retailer if the cheese had been obtained from the source of supply most convenient of access to his store, and if delivery had been effected by a common carrier at current freight rates.

(2) Where the quantity of cheese sold by a retailer in any one transaction is not an exact number of pounds, the maximum price shall be computed at the rate per pound fixed in accordance with the last preceding subclause.

\* Gazette, 1 November 1951, Vol. III, page 1655.

† Statutory Regulations 1938, Serial number 1938/91, page 396.

(3) If in respect of any cheese the retail price charged in accordance with the provisions of this clause is not an exact number of pence or halfpence, the maximum price shall be computed to the next upward halfpenny.

6. (1) Where any person sells by retail to any one purchaser, for delivery at any one time, not less than three standard crate lots of export-size, medium-size, or pancake-size cheeses, whether or not all the standard crate lots contain the same size of cheeses, the maximum price that may be charged or received in respect of any such sale shall be computed as follows:—

Nature of Sale.	Maximum Price per Pound.		
	Export Size.	Medium Size.	Pancake Size.
(a) Sales in standard crate lots (crated)	s. d. 1 6½	s. d. 1 7½	s. d. 1 7¾
(b) Sales in standard crate lots (uncrated)	1 6¾	1 6¾	1 6¾

(2) For the purposes of this clause the weight of any cheeses sold in crates shall be deemed to be their weight as at the time of crating, and the weight of uncrated cheeses shall be deemed to be their actual weight when delivered to the purchaser.

#### SPECIAL PRICES WHERE EXTRAORDINARY CHARGES INCURRED

7. Subject to such conditions, if any, as it thinks fit, the Tribunal, on application by any retailer, may authorize special prices in respect of any cheese to which this Order applies where special circumstances exist or for any reason extraordinary charges (freight or otherwise) are incurred by the retailer. Any authority given by the Tribunal under this clause may apply with respect to a specified lot or consignment of cheese or may relate generally to all cheese to which this Order applies sold by the retailer while the approval remains in force.

Dated at Wellington, this 28th day of August 1952.

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

[L.S.] G. LAURENCE, Presiding Member.  
I. D. REID, Member.

#### Prices for Butter and Cheese Intended for Export

NOTICE is hereby given that the New Zealand Dairy Products Marketing Commission, in pursuance and exercise of the powers conferred upon it by the Dairy Products Marketing Commission Act 1947, has fixed the prices to be paid for all butter and cheese manufactured from milk or cream delivered to a dairy factory in the season commencing on the 1st day of August 1952, and acquired by the Commission, pursuant to Part II of the said Act, at the several prices and upon the terms, stipulations, and conditions following, that is to say:—

1. In the case of creamery butter to which is assigned one or other of the following respective grades and which is allotted points in grading within the range of the following respective grade points under the Dairy-produce Regulations 1938—

- For "Finest" grade, 94 points or over, the price of 32-6622d. per pound;
- For "Finest" grade, 93 points or over but under 94 points, the basic price of 32-5372d. per pound;
- For "First" grade, 92 points or over but under 93 points, the price of 32-4747d. per pound;
- For "First" grade, 90 points or over but under 92 points, the price of 32-2872d. per pound;
- For "Second" grade, the price of 31-7872d. per pound.

2. In the case of whey butter to which is assigned one or other of the following grades under the said regulations—

- For "First" grade, the price of 31-6181d. per pound;
- For "Second" grade, the price of 31-0804d. per pound.

3. In the case of full-cream cheese to which is assigned one or other of the following respective grades and to which is allotted points in grading within the range of the following respective grade points under the said regulations—

- For "Finest" grade, 94 points or over, the price of 18-4125d. per pound;
- For "Finest" grade, 93 points or over but under 94 points, the price of 18-3150d. per pound;
- For "First" grade, 92 points or over but under 93 points, the basic price of 18-100d. per pound;
- For "First" grade, 91 points or over but under 92 points, the price of 18-0875d. per pound;
- For "Graded," 88 points or over but under 91 points, the price of 17-8750d. per pound;
- For "Seconds," 87 points and under the price of 16-90d. per pound.

4. From the appropriate price payable by the Commission for any such butter or cheese there shall be deducted for each box of butter or crate of cheese the portion of the insurance premium paid or payable in respect of such box of butter or crate of cheese pursuant to any contract of insurance effected and in force covering such butter or cheese whilst in the process of manufacture or in transit. The portion of insurance premium to be so deducted shall be computed by the Commission, and the computation of the Commission shall be final.

5. Butter shall be packed in boxes each containing a net weight of 56 lb. 2 oz. of actual butter, excluding wrapping-paper. Cheese shall be packed two cheese to each crate. Every cheese shall weigh not less than 70 lb. and not more than 90 lb.

6. In computing the weight of butter for which payment is to be made by the Commission the weight of all butter comprised in any consignment submitted for grading under the said regulations shall be ascertained as follows:—

- Each box of butter containing a net weight of 56 lb. 2 oz. of actual butter, excluding wrapping-paper, shall, subject as hereinafter provided, be computed at 56 lb.:
- The weight of all butter in any such consignment shall be determined on the basis of the weight as ascertained by the grader of the several boxes selected by him for weighing and set out in the Grader's Certificate issued in respect of that consignment, and the boxes of butter so weighed shall be taken as fixing the average weight for the whole quantity of butter comprised in such certificate, overweights being averaged with underweights in each such certificate in relation to the prescribed weight of 56 lb. 2 oz. per box:
- If the average weight ascertained as aforesaid of the butter comprised in any Grader's Certificate be less than 56 lb. 2 oz. per box, such deficiency shall be deducted from a weight of 56 lb. per box for the purpose of computing payment therefor:
- If the average weight ascertained as aforesaid of the butter comprised in any Grader's Certificate exceeds the prescribed weight of 56 lb. 2 oz. per box, then the amount of such excess shall not be taken into account for the purpose of computing payment therefor.

7. In computing the weight of cheese for which payment is to be made by the Commission, the weight of all cheese comprised in any consignment submitted for grading under the said regulations shall be ascertained as follows:—

- The weight of all cheese in any such consignment shall be determined on the basis of the weight as ascertained by the grader of several crates of cheese selected by him for weighing and set out in the Grader's Certificate issued in respect of that consignment, and the crates of cheese so weighed shall be taken as fixing the average weight for the whole quantity of cheese comprised in such certificate, overweights being averaged with underweights in relation to the respective packed weights as set out in such certificate:
- If the average weight ascertained as aforesaid of the crates of cheese comprised in any Grader's Certificate be less than the average of the marked weights thereof as set out in such certificate, then payment shall be made for the cheese comprised in that certificate on the basis of the average weight so ascertained:
- If the average weight ascertained as aforesaid of the crates of cheese comprised in any Grader's Certificate exceeds the average of the marked weights thereof as set out in such certificate, then the amount of such excess shall not be taken into account for the purpose of computing payment therefor:
- From the total weight computed as aforesaid of the cheese comprised in any Grader's Certificate there shall be deducted by way of shrinkage allowance an amount equal to 2½ per centum thereof, or such greater or lesser amount in respect of any particular brand or class of cheese as the Commission may from time to time determine.

8. Ownership of butter and cheese to which Part II of the Dairy Products Marketing Commission Act 1947 applies, shall pass to the Commission on the 20th day of the month next following the month in which the butter or cheese was graded.

9. Payment of the appropriate price of any butter or cheese which has become the property of the Commission will be made on the 20th day of the month next following the month in which that butter or cheese was graded.

10. The prices fixed by the Commission shall not be paid for any butter or cheese manufactured otherwise than in compliance with the said regulations.

11. The price to be paid by the Commission for any butter or cheese which, with the approval or at the request of the Commission, is manufactured, prepared, or packed in special containers, or in special quantities or otherwise in any special manner shall be the appropriate price payable for that butter or cheese as hereinbefore provided increased by the additional cost incurred in such special manufacture, preparation, or packing. Any such approval or request of the Commission may include a stipulation limiting the additional cost to be incurred and may dispense with the requirements of paragraphs 5, 6, and 7 hereof, and, in that event, payment shall be made for the actual net weight of the butter or cheese exported. The additional cost referred to in this paragraph shall be computed by the Commission and the computation of the Commission shall be final.

Dated at Wellington, this 29th day of August 1952.

WM. MARSHALL, Chairman,

New Zealand Dairy Products Marketing Commission.