

Serial Number 1948/215



THE APPLE AND PEAR MARKETING REGULATIONS 1948

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 22nd day of
December, 1948

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Apple and Pear Marketing Act, 1948, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the Apple and Pear Marketing Regulations 1948.

2. These regulations shall come into force on the day following the notification in the *Gazette* of the making thereof.

3. In these regulations, unless the context otherwise requires,—

“Grower” means a person carrying on business as a producer of apples or pears for sale, and includes any agent or other person acting on his behalf.

“Sale” includes inviting to purchase, offering to sell, attempting to sell, receiving for sale, having in possession for sale, exposing to be sold, offered, advertised, or exposed for sale, and includes barter and exchange; and “to sell” has a corresponding meaning:

“Purchase” includes barter and exchange, and includes an offer to purchase; and “to purchase” has a corresponding meaning.

“Graded” means graded in accordance with the provisions of the Orchard and Garden Diseases Act, 1928, and any regulations made thereunder:

“Fruit” means apples and pears.

4. It shall be lawful for a grower to sell any graded fruit to any person purchasing for his own use and not for resale, and any person may purchase any graded fruit from a grower for his own use and not for resale, so long as—

- (a) No sale to any person at any one time is of a greater quantity than two cases, each containing not more than one bushel of fruit ;
- (b) Actual delivery is made directly to the purchaser at the registered orchard of the grower or in the immediate vicinity thereof ;
or
- (c) Delivery is effected by the Railways Department or other common carrier.

5. No person having purchased fruit under the authority of the preceding regulations shall sell any fruit so purchased.

T. J. SHERRARD,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 23rd day of December, 1948.

These regulations are administered in the Marketing Department.