

**1962/151**

## THE CREAM PRICE ORDER 1962

COBHAM, Governor-General

### ORDER IN COUNCIL

At the Government House at Wellington this 29th day of August 1962

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 18 of the Milk Amendment Act 1951, His Excellency the Governor-General, in accordance with recommendations made by the New Zealand Milk Board to the Minister of Agriculture, and acting by and with the advice and consent of the Executive Council, hereby makes the following order.

### ORDER

1. (1) This order may be cited as the Cream Price Order 1962.
- (2) This order shall come into force on the 1st day of October 1962.
2. In this order, unless the context otherwise requires,—
  - “Board” means the New Zealand Milk Board;
  - “Commercial user” means any person who buys cream for sale for consumption on premises occupied by him (whether in the form in which it is received by him or otherwise and whether separately or in combination with any other substance or substances);
  - “Consumer” means any person who buys cream for any purpose other than resale;
  - “Cream” has the same meaning as in the Food and Drug Regulations 1946\*;
  - “Gallon”, and every other measure of capacity, means the appropriate measure of capacity specified under the Weights and Measures Act 1925;
  - “Shop dairy” means any shop where cream is sold for consumption or use off the premises, and where the cream so sold is sold in the form in which it was received into the shop.

3. This order applies to all cream sold anywhere in New Zealand to shop dairies, commercial users, or consumers.

4. (1) Subject to the provisions of this order, the price to be charged for cream to which this order applies shall be as follows:

- (a) When sold to a shop dairy, the price shall be the appropriate price fixed in the Schedule hereto for cream sold to a shop dairy for resale:
- (b) When sold to a commercial user or consumer by any person other than the occupier of a shop dairy, the price shall be the appropriate price fixed in the Schedule hereto for cream sold to a commercial user or consumer:
- (c) When sold by the occupier of a shop dairy to a commercial user or consumer, the price shall be the appropriate price fixed in the Schedule hereto for cream sold to a commercial user or consumer.

(2) Where cream is sold in circumstances to which paragraph (a) or paragraph (b) of subclause (1) of this clause applies, the price fixed by that subclause shall include the cost of delivery to the premises of the purchaser.

(3) Where cream is sold in circumstances to which paragraph (c) of subclause (1) of this clause applies, the price fixed by that subclause shall apply only in respect of delivery at the premises of the vendor.

(4) The price, fixed in the Schedule hereto for cream sold in cartons, shall include the cost of the carton.

5. (1) If the price computed in accordance with this order for cream sold for cash or on credit is not an exact number of pence or halfpence, the price may be computed to the next upward halfpenny.

(2) Where an account is rendered to any purchaser for cream sold during any period comprising more than one day, the total sum shall be computed with respect to the total quantity of cream purchased for the period at the appropriate price fixed in the Schedule hereto, and where the total sum so computed is not an exact number of pence or halfpence, it may be computed to the next upward halfpenny.

6. (1) Notwithstanding anything to the contrary in this order, the Board may from time to time—

- (a) Authorise the charging of special prices, whether in addition to or in substitution for the prices provided for by this order, where the Board is satisfied that special circumstances justify the charging of such prices, and fix the amounts of such special prices:
- (b) Prescribe terms and conditions upon and subject to which such special prices may be charged.

(2) Any authority given under this clause by the Board may apply with respect to any delivery or deliveries of cream specified in that behalf by the Board or may, where the Board so determines, relate generally to all deliveries of cream effected while the authority remains in force.

(3) Notice of every special price that may be charged, and of the terms and conditions upon and subject to which the price may be so charged, shall be given to every person concerned or shall be published in a newspaper circulating in the area where the special circumstances apply, and, where any such notice has been given, this order shall be read and have effect subject to the provisions of the notice in so far as the order affects any person to whom the notice has been given.

### SCHEDULE

#### PRICE TO BE CHARGED FOR CREAM SOLD TO SHOP DAIRIES, COMMERCIAL USERS, AND CONSUMERS

| Quantity Supplied on Any One Day Irrespective of Number of Deliveries | When Sold to a Shop Dairy for Resale | When Sold to a Commercial User or Consumer |
|---|--------------------------------------|--|
| <i>In any quantity:</i>   | s. d.                                | s. d.                                      |
| $\frac{1}{4}$ pint in bottles .. ..                                   | 0 9 $\frac{1}{2}$ each               | .. ..                                      |
| $\frac{1}{2}$ pint in bottles .. ..                                   | 1 7 each                             | .. ..                                      |
| 1 pint in bottles .. ..   | 3 2 each                             | .. ..                                      |
| 4 fluid ounces in cartons .. ..                                       | 0 9 each                             | .. ..                                      |
| 8 fluid ounces in cartons .. ..                                       | 1 5 each                             | .. ..                                      |
| 16 fluid ounces in cartons .. ..                                      | 2 9 each                             | .. ..                                      |
| Loose cream, at the rate of .. ..                                     | 0 9 per $\frac{1}{4}$ pint           | .. ..                                      |
| <i>In a quantity of less than half a gallon:</i>                      |                                      |  |
| $\frac{1}{4}$ pint in bottles .. ..                                   | .. ..                                | 0 10 $\frac{1}{2}$ each                    |
| $\frac{1}{2}$ pint in bottles .. ..                                   | .. ..                                | 1 9 each                                   |
| 1 pint in bottles .. ..   | .. ..                                | 3 6 each                                   |
| 4 fluid ounces in cartons .. ..                                       | .. ..                                | 0 10 each                                  |
| 8 fluid ounces in cartons .. ..                                       | .. ..                                | 1 7 each                                   |
| 16 fluid ounces in cartons .. ..                                      | .. ..                                | 3 1 each                                   |
| Loose cream, at the rate of .. ..                                     | .. ..                                | 0 10 $\frac{1}{2}$ per $\frac{1}{4}$ pint  |
| <i>In a quantity of half a gallon or more:</i>                        |                                      | At the rate of—                            |
| $\frac{1}{4}$ pint in bottles .. ..                                   | .. ..                                | 26 0 per gallon                            |
| $\frac{1}{2}$ pint in bottles .. ..                                   | .. ..                                | 26 0 per gallon                            |
| 1 pint in bottles .. ..   | .. ..                                | 26 0 per gallon                            |
| 4 fluid ounces in cartons .. ..                                       | .. ..                                | 33 4 per gallon                            |
| 8 fluid ounces in cartons .. ..                                       | .. ..                                | 31 8 per gallon                            |
| 16 fluid ounces in cartons .. ..                                      | .. ..                                | 30 10 per gallon                           |
| Loose cream .. ..   | .. ..                                | 26 0 per gallon                            |

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

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 30 August 1962.

These regulations are administered in the Department of Agriculture.