

Serial Number 27/1936.



**THE DAIRY-PRODUCE EXPORT PRICES ORDER, 1936.**

Enacting authority : His Excellency the Governor-General in Council.  
Act pursuant to which the regulations were made : Section 20 of the  
Primary Products Marketing Act, 1936.

Date on which the regulations were made : 16th day of September,  
1936.

Date of notification in *Gazette* : 24th day of September, 1936.

**ORDER.**

1. (1) This Order may be cited as the Dairy-produce Export Prices Order, 1936.

(2) In this Order, unless the context otherwise requires,—

“ Dairy regulations ” means the Dairy-produce General Regulations, 1933\* :

“ Department ” means the Primary Products Marketing Department established by the said Act and includes every person by whom pursuant to the said Act the functions of the Department may be exercised :

“ The said Act ” means the Primary Products Marketing Act, 1936.

2. This Order shall apply to all butter and cheese which is manufactured from milk or cream delivered to a dairy factory on or at any time after the 1st day of August, 1936, and which is exported from New Zealand with the concurrence of the Department on or before the 31st day of July, 1937.

3. Subject to the provisions hereinafter contained, the several prices at which the Crown shall acquire all butter to which this Order applies and which becomes the property of the Crown pursuant to

\* *Gazette*, 18th May, 1933, Vol. II, page 1341.

the provisions in that behalf of Part II of the said Act are hereby fixed as follows:—

- (a) 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 pursuant to the provisions in that behalf of the dairy regulations,—
- (i) For “Finest” grade, 94 points and over, the price of one shilling and eleven-sixteenths of a penny per pound :
  - (ii) For “Finest” grade, 93 points and under 94 points, the price of one shilling and nine-sixteenths of a penny per pound :
  - (iii) For “First” grade, 92 points and under 93 points, the price of one shilling and one halfpenny per pound :
  - (iv) For “First” grade, 90 points and under 92 points, the price of one shilling and five-sixteenths of a penny per pound :
  - (v) For “Second” grade, the price of elevenpence and thirteen-sixteenths of a penny per pound :
- (b) In the case of whey butter to which is assigned one or other of the following grades pursuant to the provisions in that behalf of the dairy regulations,—
- (i) For “First” grade, the price of elevenpence and nine-sixteenths of a penny per pound :
  - (ii) For “Second” grade, the price of elevenpence and one-sixteenth of a penny per pound.

4. Subject to the provisions hereinafter contained, the several prices at which the Crown shall acquire all cheese being cheese to which this Order applies and which becomes the property of the Crown pursuant to the provisions in that behalf of Part II of the said Act, and being full-cream cheese 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 pursuant to the provisions in that behalf of the dairy regulations, are hereby fixed as follows:—

- (a) For “Finest” grade, 94 points and over, the price of sixpence and thirty-one thirty-seconds of a penny per pound :
- (b) For “Finest” grade, 93 points and under 94 points, the price of sixpence and fifteen-sixteenths of a penny per pound :
- (c) For “First” grade, 92 points and under 93 points, the price of sixpence and thirteen-sixteenths of a penny per pound :
- (d) For “First” grade, 91 points and under 92 points, the price of sixpence three-farthings per pound :
- (e) For “Second” grade, the price of sixpence and nine-sixteenths of a penny per pound.

5. The appropriate price payable by the Crown pursuant to clause 3 hereof in respect of any butter to which that clause applies is hereby varied as follows:—

- (a) By payment for each box of butter packed in the Saranac wire-bound box of the type prescribed by the dairy regulations, the thickness of timber of which is less than  $\frac{3}{8}$  in., at the rate of threepence per box less than the appropriate price payable for butter packed in any other export butter box of the type prescribed by the dairy regulations :

- (b) By payment of the further sum of one farthing per pound in respect of unsalted butter which is manufactured by any manufacturer at the request in writing of the Department, and in such quantity as is from time to time specified in any such request, and which is properly wrapped with vegetable parchment paper of the quality and kind prescribed by the dairy regulations :
- (c) By payment of the further sum of one halfpenny per pound in respect of unsalted butter which is manufactured as aforesaid and which is properly wrapped with two thicknesses of vegetable parchment paper of the quality prescribed by the dairy regulations but weighing not less than seventeen pounds per ream and having between the two sheets of such paper aluminium foil of not less than 0.009 in. gauge, the paper and foil to be closely bonded together with a suitable wax adhesive :

Provided that the price of any butter may be varied both under paragraph (a) and under paragraph (b) or paragraph (c) of this clause, but if varied under paragraph (c) shall not be varied under paragraph (b).

**6.** (1) The appropriate price payable by the Crown pursuant to clause 4 hereof in respect of any cheese to which that clause applies is hereby varied as follows :—

- (a) By payment of the further sum of sixpence for each crate of cheese which is coloured to the standard commercial colour for ordinary coloured cheese :
- (b) By payment of the further sum of one shilling and fivepence for each crate of cheese which is coloured by a manufacturer at the request in writing of the Department to the standard commercial colour for deep-coloured cheese and which is manufactured in such quantity as is from time to time specified in any such request :
- (c) By payment of the further sum of fourpence halfpenny for each crate of cheese of export size each cheese in which is coated with not more than 4 oz. of wax.

(2) For the purpose of determining whether any additional payment should be made in respect of any cheese pursuant to subclause (1) hereof the decision of any Grader under the dairy regulations as to whether or not any cheese has been coloured to the standard commercial colour for ordinary coloured cheese or for deep-coloured cheese, or as to the weight of wax with which any cheese is coated, as the case may be, shall be accepted by all parties as final.

**7.** From the appropriate price payable by the Crown for any butter or cheese pursuant to the foregoing provisions of this Order there shall also be deducted such sum as is fixed by the Department for each box of butter or crate of cheese as being substantially equivalent to 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.

**8.** (a) Butter shall be packed in boxes each containing a net weight of 56 lb. 2 oz. of actual butter excluding wrapping-paper :

(b) Every cheese shall weigh not less than 70 lb. nor more than 90 lb.

9. In computing the weight of butter for which payment is to be made in accordance with the foregoing provisions of this Order, the weight of all butter comprised in any consignment submitted for grading pursuant to the provisions in that behalf of the dairy regulations shall be ascertained as follows :—

- (a) 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 :
- (b) 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 :
- (c) 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 :
- (d) 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.

10. In computing the weight of cheese for which payment is to be made pursuant to the foregoing provisions of this Order, the weight of all cheese comprised in any consignment submitted for grading pursuant to the provisions in that behalf of the dairy regulations shall be ascertained as follows :—

- (a) The weight of all cheese in any such consignment shall be determined on the basis of the weight as ascertained by the Grader of the 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 :
- (b) 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 :
- (c) 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 :

- (d) 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  $2\frac{1}{2}$  per centum thereof or such greater or lesser amount in respect of any particular brand or class of cheese as the Department may from time to time determine.

11. The prices hereby prescribed shall not be paid for any butter or cheese manufactured otherwise than in compliance with the dairy regulations.

12. (1) The price payable by the Crown for any butter or cheese which with the approval or at the request of the Department is manufactured, prepared, or packed for export in special containers or in special quantities or otherwise in any special manner shall be the appropriate price payable as hereinbefore provided increased by the additional cost incurred in such special manufacture, preparation, or packing.

(2) Any such approval or request of the Department may include a stipulation limiting the additional cost to be incurred as aforesaid and may dispense with the requirements of clauses 8, 9, and 10 hereof, and, in that event, payment shall be made for the actual net weight of butter or cheese exported.

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Issued under the authority of the Regulations Act, 1936.

These regulations are administered by the **Primary Products Marketing Department.**