

Serial Number 171/1937.



**THE DAIRY-PRODUCE (SPECIAL MILK PRODUCTS)
REGULATIONS, 1937.**

Enacting authority. His Excellency the Governor-General in Council.
Acts pursuant to which the regulations were made: The Primary Products Marketing Act, 1936, and the Agriculture (Emergency Powers) Act, 1934.

Date on which the regulations were made: 23rd day of April, 1937.

Date of notification in *Gazette*: 29th day of April, 1937.

REGULATIONS.

1. (1) These regulations may be cited as the Dairy-produce (Special Milk Products) Regulations, 1937.

(2) In these regulations, unless inconsistent with the context,—

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

“ Minister ” means the Minister of ~~Marketing~~,

“ Prescribed period ” means the period of twelve months commencing on the 1st day of August, 1936 :

“ Registered ” means registered under the Dairy Regulations :

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

(3) Terms defined by the Dairy Regulations shall have the respective meanings assigned to them by those regulations.

2. These regulations shall apply to the milk products specified in the Schedule hereto when manufactured by the persons, firms, and companies respectively set out in the said Schedule from milk delivered during the prescribed period to the persons, firms, and companies hereinbefore referred to.

3. The Minister shall as soon as possible after the 31st day of July, 1937, ascertain—

(a) On the basis of the price at which creamery butter manufactured from milk or cream delivered to a manufacturing dairy registered as a creamery during the prescribed period and intended for export from New Zealand is acquired by the Crown pursuant to Part II of the said Act, the average rate at which the owner or occupier of a reasonably efficient manufacturing dairy registered as a creamery could have paid for the butterfat in the milk or cream delivered to such owner or occupier during the prescribed period for the purpose of being manufactured into creamery butter; and

(b) On the basis of the prices actually received for such creamery butter sold in the United Kingdom, the average rate at which such owner or occupier could have paid for the

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

butterfat in the milk or cream delivered to such owner or occupier during the prescribed period if such milk or cream had been manufactured into creamery butter which had been sold by such owner or occupier in the United Kingdom at those prices.

4. The respective average rates at which the owner or occupier of a reasonably efficient manufacturing dairy registered as a creamery could have paid for the butterfat in the milk or cream delivered to such owner or occupier during the prescribed period as ascertained by the Minister pursuant to clause 3 hereof shall be accepted by all parties as final and conclusive.

5. If it appears that as a result of the acquisition by the Crown of creamery butter pursuant to Part II of the said Act the average rate ascertained by the Minister pursuant to paragraph (a) of clause 3 hereof is greater than the average rate ascertained as aforesaid pursuant to paragraph (b) of the said clause 3, the Minister shall cause to be paid out of the Dairy Industry Account to the respective persons, firms, and companies named in the Schedule hereto the difference between such rates calculated in respect of the total quantity of butterfat contained in the whole milk respectively purchased by them for the manufacture of the milk products to which these regulations apply and which are exported from New Zealand.

6. If it appears that the average rate ascertained by the Minister pursuant to paragraph (a) of clause 3 hereof is less than the average rate ascertained as aforesaid pursuant to paragraph (b) of the said clause 3, each of the respective persons, firms, and companies named in the Schedule hereto shall, on being required by the Minister so to do, pay to the Crown for the credit of the Dairy Industry Account the difference between such rates calculated as set out in the last preceding clause hereof, and the amount of such difference shall until so paid be deemed to be debt due to the Crown.

7. Each of the respective persons, firms, and companies named in the Schedule hereto shall on request by the Minister or any person authorized by him in that behalf furnish to the Minister or other duly authorized person all such statements and other information, and produce for his inspection all such books, records, and documents, as may be deemed necessary to enable the amount payable to or by each of the said persons, firms, and companies to be correctly computed.

SCHEDULE.

Kind of Special Milk Product.	Name of Firm or Company.
Condensed milk	The New Zealand Co-operative Dairy Company, Limited.
Evaporated milk	
“ Glaxo ”	New Zealand Milk Products, Limited.
“ Ankorina ” baby food ..	Joseph Nathan and Company, Limited.
Whole milk powder ..	The New Zealand Co-operative Dairy Company, Limited.
Export stilton cheese not exceeding 20 tons	Ditto.
	The persons carrying on business as Saxelby's Stilton Cheese Proprietary.

Issued under the authority of the Regulations Act, 1936.

These regulations are administered by the Primary Products Marketing Department.