

Serial Number 1942/165



THE MEAT MARKETING ORDER 1942

C. L. N. NEWALL, Governor-General.

By his Deputy,
MICHAEL MYERS.

ORDER IN COUNCIL.

At the Government House at Wellington, this 3rd day of
June, 1942.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the Marketing Act, 1936, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following Order.

PRELIMINARY.

1. This Order may be cited as the Meat Marketing Order 1942.

2. In this Order,—

“ Approved works ” means any freezing-works that are approved by the Minister for the purposes of this Order :

“ Department ” means the Marketing Department established under the Marketing Act, 1936 :

“ Freezing company ” includes any company or person being the holder for the time being of a meat-export slaughter-house license issued under the Meat Act, 1939 :

“ Meat ” has the same meaning as in the Meat Act, 1939 :

“ Minister ” means the Minister of Marketing :

“ Owner ”, in relation to any meat, includes every person who, whether with or without the concurrence of any other person, is for the time being entitled to sell or to procure the sale of any meat :

“ Primary Industries Controller ” means the Controller appointed under the Primary Industries Emergency Regulations 1939.*

APPLICATION OF THIS ORDER.

3. (1) The following provisions of this Order shall apply with respect to meat of a description referred to in the Schedule hereto that has been derived from stock killed at approved works on or after the 1st day of October, 1941, and before the 1st day of October, 1942.

(2) If any dispute arises as to the appropriate class or grade of any meat to which this Order applies, it shall be determined by the Minister in such manner as appears to him to be just.

* Statutory Regulations 1939, Serial number 1939/164, page 728.

APPROVAL OF FREEZING-WORKS.

4. (1) On application by any freezing company, the Minister may approve the freezing-works or any specified freezing-works of that company for the purposes of this Order.

(2) Where any freezing company has freezing-works in more than one locality, a separate approval under this clause shall be required in respect of each of such works.

(3) All freezing-works that have been approved or that are deemed to have been approved under and for the purposes of the Meat Marketing Order 1941* shall be deemed to be approved works for the purposes of this Order.

FREEZING COMPANIES DEEMED TO BE AUTHORIZED AGENTS OF OWNERS OF MEAT SUBJECT TO THIS ORDER.

5. (1) For all the purposes of this Order, every freezing company, if it is not itself the owner of any meat delivered by it to the Department or stored by it in its approved works, shall be deemed to be the authorized agent of the owner.

(2) Except so far as may be inconsistent with the provisions of this Order, the rights and liabilities, as between themselves, of any freezing company and the owner or owners of any meat shall not be affected by this Order.

(3) In any transactions for the purposes of this Order the extent to which the Department shall deal directly with the owners of any meat or, in the alternative, shall deal with freezing companies as the agents of those owners shall be in the discretion of the Minister.

SUBMISSION OF MEAT TO PROVISIONS OF THIS ORDER.

6. Whenever any meat to which this Order applies has been accepted for storage in any approved works, the owner of the meat shall be deemed to have agreed with the Department that the meat shall be subject in all respects to the provisions of this Order.

VALUATION OF MEAT UNDER THIS ORDER.

7. (1) Where in respect of any meat to which this Order applies all the conditions specified in subclause (3) hereof have been complied with, the basic value of the meat (as distinguished from its purchase-price) shall be determined in accordance with the scale of basic values set out in the Schedule hereto.

(2) Where in respect of any meat to which this Order applies the conditions referred to in the next succeeding subclause have not been fully complied with, the value of the meat shall be the basic value determined in accordance with the Schedule hereto, reduced by an amount to be mutually agreed upon by the Department and the owner or, as the case may be, by the Department and the freezing company in its capacity as the agent of the owner. In default of agreement as aforesaid, the amount to be deducted pursuant to this subclause from the basic value of any meat, as computed in accordance with the Schedule hereto, shall be determined by the Minister.

* Statutory Regulations 1941, Serial number 1941/104, page 344.

(3) The conditions referred to in subclause (1) and in subclause (2) hereof, in their application to any meat, are the following :—

- (a) That the meat has been graded in accordance with the requirements of the Primary Industries Controller and of the New Zealand Meat-producers' Board :
- (b) That the meat is in good condition :
- (c) That all the requirements of the Meat Act, 1939, in respect of the meat have been complied with :
- (d) That all the requirements of the Department in respect of meat that is or that is intended to become subject to this Order, as notified from time to time by the Department to the owners or to freezing companies, have been complied with.

PURCHASE OF MEAT BY DEPARTMENT.

8. (1) Subject to the provisions of subclause (5) of this clause, all meat to which this Order applies which is stored in any approved works on the expiration of a period of seventeen weeks from the date of the killing of the stock from which the meat was derived shall thereupon be deemed to have been purchased by and to have become the property of the Department.

(2) Any other meat to which this Order applies which, with the concurrence or by direction of the Department, has been delivered—

- (a) On board an exporting ship ; or
- (b) On board any other ship, under a through bill of lading, for transfer to an exporting ship ; or
- (c) At any other place,—

shall be deemed to have been purchased by and to have become the property of the Department on delivery, unless it is rejected by the Department on the ground that the conditions or any of the conditions specified in subclause (3) of the last preceding clause have not been complied with.

(3) Where the Department rejects any meat in accordance with the last preceding subclause, it shall, as soon as practicable, inform the owner or the freezing company concerned of its decision.

(4) Where the Department rejects any meat that has been laden on board any ship for export, it shall be deemed to be the agent of the owner for the sale of the meat in such manner and on such terms as it thinks fit.

(5) For the purposes of this clause the Department, taking into account the quantity of meat in store on account of any owner at the end of any period and the quantity of meat intended for disposal in accordance with this Order that is derived from stock killed at the approved works on account of that owner during the same period, may determine the length of time for which any such meat has been stored in any approved works, and the identity of any such meat that has been in store for any particular time. In particular, if the quantity of meat derived from stock killed on account of any owner during any period is in excess of the quantity of meat in store at the end of that period on account of the same owner, no meat belonging to that owner shall be deemed for the purposes of this Order to have been in store during the whole of that period, notwithstanding that in fact some of his meat may have been in store for the whole period or longer.

9. (1) The amount of the purchase-price of any meat purchased or deemed to have been purchased by the Department pursuant to this Order shall be determined in accordance with the following provisions of this clause.

(2) In the case of meat deemed to have been purchased by the Department in accordance with subclause (1) of clause 8 hereof, the price shall be the value of the meat determined in accordance with clause 7 hereof, reduced by the amount of the transport costs and other charges that, in the opinion of the Department, would have been incurred by or on account of the owner if the meat had been delivered by him free on board an exporting ship.

(3) In the case of meat purchased by the Department on delivery on board an exporting ship or on delivery on board any other ship under a through bill of lading, the price shall be the value of the meat determined in accordance with clause 7 hereof.

(4) In the case of meat purchased by the Department on delivery elsewhere than on board ship, the price shall be determined by the Department as follows :—

(a) If the meat is of a kind or class that His Majesty's Government in the United Kingdom is for the time being prepared to purchase from the Department, the purchase-price shall be so fixed that the net return to the owner will as nearly as possible be the same as he would have received if the meat had been delivered by him free on board an exporting ship :

(b) In any other case to which this subclause applies, the purchase-price shall be a price to be mutually agreed upon or, in default of agreement, shall be such reasonable price as the Department may fix.

(5) In addition to the price of any meat computed in accordance with the foregoing provisions of this clause, the Department may pay such sum as the Minister may in his discretion determine by way of an allowance to defray the cost, in whole or in part, of telescoping carcasses of mutton or lamb or of undertaking the preparation or packing of meat in any other special manner that the Department may require.

PAYMENTS BY DEPARTMENT IN RESPECT OF PURCHASE-MONEY.

10. Subject to the provisions of this clause, payments in respect of meat that is subject to this Order shall be made by the Department as follows :—

(a) On the expiration of thirteen weeks after the date of the killing of the stock from which any such meat has been derived (whether or not the meat has then been delivered to the Department) there shall be payable by the Department in respect of such meat an amount equal to the value thereof, computed in accordance with clause 7 hereof, reduced by the amount of the transport costs and other charges that have been, or, as the case may be, would in the opinion of the Department have been, incurred by or on account of the owner in respect of the delivery of the meat free on board a ship for export :

- (b) On delivery of the meat with the concurrence or by the direction of the Department (whether on board an exporting ship or otherwise, and whether such delivery is made before or after the expiration of the aforesaid period of thirteen weeks) there shall be payable by the Department in respect of such meat the amount of the transport costs and other charges that have been incurred by or on behalf of the owner in respect of the delivery of the meat.

11. (1) Payment of the value of any meat in accordance with the last preceding clause shall not operate to transfer to the Department the ownership of that meat. If any meat for which payment is made as aforesaid has not been in fact delivered to the Department or is not in due course purchased or deemed to have been purchased by the Department in accordance with clause 8 hereof, all payments made in respect thereof under the last preceding clause shall be deemed to be a loan repayable by the owner on demand.

(2) Where payment is made under clause 10 hereof in respect of any meat that has not in fact been delivered to the Department, the owner shall not by reason of such payment be relieved from his responsibility for the payment of any storage charges, insurance premiums, or incidental expenses in respect of the meat for the period elapsing after the date of payment and before the time when, in accordance with the determination of the Department made pursuant to subclause (5) of clause 8 hereof, the meat has been in store for a period of seventeen weeks from the date of the killing of the stock from which the meat was derived.

12. (1) Payments made by the Department pursuant to this Order in respect of any meat may, at the discretion of the Department, be made to or to the order of the owner, or to or to the order of the freezing company by which the meat was delivered to the Department or in whose approved works the meat is stored.

(2) Payments in respect of any meat made in accordance with the last preceding subclause to any person other than the owner shall, to the extent thereof, be a good discharge to the Department of its liabilities to the owner in respect of that meat.

13. (1) Notwithstanding anything in the foregoing provisions of this Order, the Department (whether before or after the making of any payments under this Order), may require the production at any time, in a form to be approved by it, of all such returns, certificates, or other documents as may be necessary in the administration of this Order.

(2) Notwithstanding anything in the foregoing provisions of this Order, the Department may withhold payment of part of the purchase-money of any meat for such period as it thinks fit, and in the event of any claims arising in respect of the meat may apply any moneys held by it under this subclause towards the settlement of such claims.

RECOVERY OF CLAIMS SUSTAINED AGAINST DEPARTMENT IN RESPECT OF MEAT SOLD BY IT.

14. (1) Where on the appraisalment of any meat in accordance with any arrangement or agreement for the time being in force between His Majesty's Government in the United Kingdom and His Majesty's Government of New Zealand, or on the sale of the meat by the

Department to any other purchaser, the price paid or payable to the Department is less, by reason of any mistake or error in the classification or grading of the meat or by reason of the fact that any of the requirements of subclause (3) of clause 7 hereof have not been complied with, than the price that the Department would otherwise have received, the amount of the loss so suffered by the Department shall be recoverable by it from the owner or from the freezing company concerned, as the agent of the owner.

(2) Any moneys recoverable under this clause may be retained by the Department out of any moneys held by it on account of the owner or the freezing company or may be deducted from moneys that may at any time thereafter become payable by the Department to the owner or the freezing company pursuant to this Order.

SCHEDULE.

CLASSES, GRADES, AND BASIC VALUES OF MEAT THAT IS SUBJECT TO THIS ORDER.

Classes and Grades.	Basic Values (New Zealand Currency).	Classes and Grades.	Basic Values (New Zealand Currency).
Lamb (range 23/56 lb.)—		Boned quarter beef—	
Prime Down Cross—	d.	Ox and heifer G.A.Q.—	d.
2's	7 $\frac{1}{2}$	210 and under—	
8's	7 $\frac{1}{4}$	Hinds	6 $\frac{3}{8}$
4's	6 $\frac{1}{2}$	Fores	4 $\frac{3}{8}$
Tegs	4 $\frac{7}{8}$	Over 210—	
Prime Canterbury—		Hinds	6 $\frac{3}{8}$
2's	7 $\frac{11}{16}$	Fores	4 $\frac{1}{8}$
8's	7 $\frac{1}{8}$	Ox and heifer F.A.Q., all	
4's	6	weights—	
Tegs	4 $\frac{1}{2}$	Hinds	5 $\frac{1}{2}$
Prime Crossbred—		Fores	4 $\frac{1}{8}$
2's	7 $\frac{1}{2}$	Cow G.A.Q., all weights—	
8's	7	Hinds	5 $\frac{1}{2}$
4's	5 $\frac{7}{8}$	Fores	4 $\frac{1}{2}$
Tegs	4 $\frac{3}{8}$	Rib and ponies (bone	
Second quality—		in)—	
36 and under	7	Ox G.A.Q.	3 $\frac{1}{8}$
37/42	6 $\frac{1}{2}$	Ox F.A.Q.	3 $\frac{7}{8}$
43/50	5 $\frac{1}{2}$	Cow G.A.Q.	3 $\frac{1}{8}$
51/56	4 $\frac{3}{8}$	Baconers (121/180 lb.)—	
Mutton—		Wiltshire sides—	
Prime wether and maiden		First quality, singed ..	8 $\frac{1}{2}$
ewe—		Second quality, singed	8 $\frac{3}{8}$
1's	5 $\frac{1}{8}$	Porkers (60/110 lb.)—	
7's	4 $\frac{3}{8}$	Headless sides—	
3's	4 $\frac{3}{8}$	First quality, unsinged	7 $\frac{1}{8}$
9's	4 $\frac{1}{2}$	Second quality, un-	7 $\frac{1}{2}$
5's and over	2 $\frac{3}{8}$	singed	
Second wether—		Frozen edible offals—	
56 and under	4 $\frac{3}{8}$	Ox and beef—	
57/72	4	Kidneys	9 $\frac{7}{8}$
Ewe—		Livers	6 $\frac{1}{8}$
64 and under	2 $\frac{13}{16}$	Tails	5 $\frac{1}{8}$
65/72	2 $\frac{1}{16}$	Hearts (sound)	4
73/80	1 $\frac{3}{16}$		

CLASSES, GRADES, AND BASIC VALUES OF MEAT THAT IS SUBJECT TO THIS ORDER—*continued.*

Classes and Grades.	Basic Values (New Zealand Currency).	Classes and Grades.	Basic Values (New Zealand Currency).
Frozen edible offals—<i>ctd.</i>		Frozen edible offals—<i>ctd.</i>	
Ox and Beef—<i>continued.</i>	d.	Lamb—<i>continued.</i>	d.
Cut hearts	3½	Hearts (sound) ..	4½ ⁵ / ₁₆
Cheeks	3½ ¹ / ₈	Cut hearts	3½ ¹³ / ₁₆
Throat breads ..	5 ⁹ / ₁₆	Pork—	
Thick skirts ..	5¼	Hearts (sound) ..	4½
Thin skirts ..	3½ ³ / ₈	Cut hearts	4
Sheep—		Kidneys	7 ⁷ / ₁₆
Hearts (sound) ..	5¼	Livers (in pails or rubber bags)	7 ¹¹ / ₁₆
Cut hearts	4½ ³ / ₈	Livers (bags or boxes)	6½
Kidneys (special) ..	13 ⁵ / ₈	Calf—	
Kidneys (small) ..	13	Hearts (sound) ..	3 ¹¹ / ₁₆
Livers (in pails or rubber bags)	8½ ³ / ₈	Cut hearts	3 ³ / ₁₆
Livers (bags or boxes)	7 ⁷ / ₁₆	Kidneys	8 ¹ / ₁₆
Lamb—		Throat breads ..	6 ³ / ₁₆
Breads	9 ⁵ / ₁₆	Livers (in pails or rubber bags)	11 ¹ / ₈
Livers (in pails or rubber bags)	9 ⁹ / ₁₆	Livers (bags or boxes)	7 ³ / ₈
Livers (bags or boxes)	8½ ³ / ₈	Bobby hearts (sound)	4 ⁵ / ₁₆
		Cut bobby hearts ..	3 ¹³ / ₁₆

C. A. JEFFERY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 4th day of June, 1942.

These regulations are administered in the Export Division of the Marketing Department.