

1975 No. 313

CONSUMER PROTECTION

Glazed Ceramic Ware (Safety) Regulations (Northern Ireland) 1975

Made 10th November 1975

Coming into operation—

*in relation to the sale or possession for
the purpose of sale of goods and
component parts by the manu-
facturer or importer into Northern
Ireland* 1st January 1976

in any other case 1st April 1976

To be laid before Parliament under paragraph 3(3) of
Schedule 1 to the Northern Ireland Act 1974

The Department(a) of Commerce, after consultation with such persons and bodies of persons as appear to it to be requisite, in exercise of the powers conferred by section 1 and section 2(4) and (5) of, and paragraph 3 of the Schedule to, the Consumer Protection Act (Northern Ireland) 1965(b) and now vested in it(c) and of every other power enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1.—(1) These regulations may be cited as the Glazed Ceramic Ware (Safety) Regulations (Northern Ireland) 1975.

(2) These regulations shall come into operation—

- (a) in relation to the sale or possession for the purpose of sale of goods and component parts by the manufacturer or importer thereof into Northern Ireland on 1st January 1976, and
- (b) in any other case, on 1st April 1976.

Interpretation

2.—(1) In these regulations—

“the Act” means the Consumer Protection Act (Northern Ireland) 1965;

“article of ceramic ware” means an article of ceramic ware which is designed for use in the storage, preparation, serving or consumption of any food or drink for human consumption but does not include any article of which the greatest internal height does not exceed 20mm. and of which the greatest horizontal internal measurement does not exceed 25mm.;

“ceramic ware” means glazed pottery of any description;

“pottery” includes china, bone china, whiteware, faience, porcelain, earthenware and stoneware.

(a) Formerly Ministry: see 1973 c. 36 s. 40 and Sch. 5 para. 8(1)

(b) 1965 c. 14 (N.I.)

(c) Formerly vested in the Ministry of Home Affairs: S.R. & O. (N.I.) 1973 No. 504 Art. 5(c) (II, p. 2992)

(2) Nothing in these regulations shall apply to any article which is a collector's piece of artistic, archaeological or ethnographic interest or to any other article of an age exceeding 100 years at any time when the obligations imposed by section 2 of the Act apply to that article.

Requirements limiting metal release

3. An article of ceramic ware shall comply with the requirement of Part 1 or of Part 2, as the case may require, of the British Standard Specification for Permissible Limits of Metal Release from Glazed Ceramic Ware BS 4860: 1972 published on 31st October 1972 including any requirement incorporated in that Specification by reference to one or more other British Standard Specifications as amended before that date:

Provided that throughout the period of any test for cadmium under that Specification light shall be completely excluded from the surface being tested.

Goods already manufactured

4. As respects the requirements of these regulations, subsections (1) and (2) of section 2 of the Act (which prohibits sales and possession for sale of goods and component parts not complying with regulations) shall apply in relation to goods and component parts manufactured before the imposition of these requirements notwithstanding anything in subsection (4) of that section (which exempts such goods and parts unless regulations otherwise provide).

Letting under hire-purchase agreement or on hire

5. Section 2(1), (2) and (3) (other than paragraphs (d) and (e) of subsection (3)) of the Act (which relate to sale and possession for sale of goods and component parts not complying with regulations) shall, except as provided by section 2(6), apply in relation to goods to which these regulations apply as if references to selling or to a sale included references to letting under a hire-purchase agreement or on hire, and the reference to a sale under a credit-sale agreement were a reference to letting under a hire-purchase agreement.

Inspection, testing and enforcement

6.—(1) The Schedule to the Act (which relates to inspection, testing and enforcement by district councils) shall have effect in relation to goods to which these regulations apply.

(2) Any test of goods to which these regulations apply being a test such as is referred to in paragraph 2 of the Schedule to the Act (which empowers a district council to purchase goods for the purpose of a test) shall be carried out at the expense of the district council by such person or body as may be authorised by the Department of Commerce to carry out such tests.

Sealed with the Official Seal of the Department of Commerce for Northern Ireland on 10th November 1975.

(L.S.)

Ernest Simpson
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the regulations but is intended to indicate their general purport.)

These regulations impose requirements relating to the permissible limits of release of lead and of cadmium from glazed ceramic articles for use with food.