

1975 No. 1241

CONSUMER PROTECTION

The Glazed Ceramic Ware (Safety) Regulations 1975

<i>Made - - - -</i>	25th July 1975
<i>Laid before Parliament</i>	5th August 1975
<i>Coming into operation— in relation to the sale or possession for the purpose of sale of goods and component parts by the manufac- turer or importer into Great Britain - -</i>	1st October 1975
<i>in any other case -</i>	1st February 1976

The Secretary of State, after consulting in accordance with subsection (5) of section 1 of the Consumer Protection Act 1961(a) with such persons and bodies of persons as appear to her requisite, in exercise of her powers under that section and section 2(4) and (6) of that Act, and of all other powers enabling her in that behalf, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Glazed Ceramic Ware (Safety) Regulations 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 Great Britain, on 1st October 1975; and

(b) in any other case, on 1st February 1976.

(3) In these Regulations—

“the Act” means the Consumer Protection Act 1961;

“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 20 mm and of which the greatest horizontal internal measurement does not exceed 25 mm; and

“ceramic ware” means glazed pottery of any description; and “pottery” includes china, bone china, whiteware, faience, porcelain, earthenware and stoneware.

(4) 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.

(5) The Interpretation Act 1889(a) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

Requirements

2. 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 B.S. 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.

Prohibition of sales etc.

3. 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).

4. 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 the proviso to 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.

Enforcement by local authorities

5. The Schedule to the Act (which relates to enforcement by local authorities) shall have effect in relation to goods to which these Regulations apply.

Alan Williams,

Minister of State,

Department of Prices and Consumer Protection.

25th July 1975.

EXPLANATORY NOTE

(This Note is not part of the Order.)

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

The British Standard Specifications referred to in the Order may be obtained from the British Standards Institution, 101 Pentonville Road, London N1 9ND.

SI 1975/1241
ISBN 0-11-051241-3



780110 512419