

1955/19



**THE FOOD AND DRUG REGULATIONS 1946,  
AMENDMENT NO. 10**

C. W. M. NORRIE, Governor-General

**ORDER IN COUNCIL**

At the Government Buildings at Wellington this 1st day of March 1955

Present:

THE RIGHT HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

PURSUANT to the Food and Drugs Act 1947, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

**REGULATIONS**

1. (1) These regulations may be cited as the Food and Drug Regulations 1946, Amendment No. 10, and shall be read together with and deemed part of the Food and Drug Regulations 1946\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. The principal regulations are hereby amended by revoking regulation 52A, as inserted by regulation 2 of the Food and Drug Regulations 1946, Amendment No. 8, and substituting the following regulation:

“52A. (1) Subject to the provisions of subclause (4) of this regulation, no person shall sell any milk, pasteurized milk, cream, or pasteurized cream in any bottle having a capacity of less than 1 pint if the bottle bears on its surface any written, descriptive, or advertising matter.

\* S.R. 1946/136.

Amendment No. 1: S.R. 1947/152.

Amendment No. 2: (*Revoked*).

Amendment No. 3: S.R. 1949/158.

Amendment No. 4: S.R. 1950/102.

Amendment No. 5: S.R. 1950/138.

Amendment No. 6: S.R. 1951/68.

Amendment No. 7: (*Revoked*).

Amendment No. 8: S.R. 1951/240.

Amendment No. 9: S.R. 1954/2.

See also Food and Drug Temporary Regulations 1946 (S.R. 1946/162), (*regulations 7, 8, 9, and 11 of which were revoked by S.R. 1947/152, 1949/158, and 1950/138*).

“(2) Subject to the provisions of subclause (4) of this regulation, no person shall sell any milk, pasteurized milk, cream, or pasteurized cream in any bottle having a capacity of 1 pint or more if the bottle bears on its surface any written, descriptive, or advertising matter that does not conform to the limitations specified in subclause (3) of this regulation.

“(3) The following are the limitations referred to in subclause (2) of this regulation:

“(a) No pictorial or decorative matter shall appear on the bottle except a drawing that is an intrinsic part of an advertisement:

“(b) The overall breadth of the advertisement shall not exceed 4 in. in the case of a quart bottle, and shall not exceed 3 in. in the case of a pint bottle:

“(c) The overall height of the advertisement shall not exceed 3 in. in the case of a quart bottle, and shall not exceed  $2\frac{1}{3}$  in. in the case of a pint bottle:

“(d) The advertisement shall be placed on the cylindrical portion of the bottle.

“(4) This regulation shall not apply to any writing, not being pictorial or decorative matter, in raised or embossed characters in the wall of any bottle which is descriptive of the contents or capacity of the bottle or of the name and address of the vendor, and which does not hinder an inspection of the interior of the bottle.”

3. Regulation 2 of the Food and Drug Regulations 1946, Amendment No. 8, is hereby consequentially revoked.

T. J. SHERRARD,  
Clerk of the Executive Council.

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#### EXPLANATORY NOTE

[*This note is not part of the regulations, but is intended to indicate their general effect.*]

These regulations relax the present restrictions on the content and size of advertising matter on milk bottles. In future the drawing in an advertisement may be more than an outline drawing and there may be a background to the writing. The overall breadth and height permitted for the advertisement are increased. A new provision is made that no advertising matter is to appear on any bottle having a capacity of less than 1 pint.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 3 March 1955.

These regulations are administered in the Department of Health.