

Serial Number 1951/240

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**THE FOOD AND DRUG REGULATIONS 1946,  
AMENDMENT NO. 8**

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B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 24th day of  
October 1951

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL 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.

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REGULATIONS

1. (1) These regulations may be cited as the Food and Drug Regulations 1946, Amendment No. 8, 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 inserting, after regulation 52, the following regulation :—

“ 52A. (1) No person shall sell any milk, pasteurized milk, cream, or pasteurized cream in any bottle which bears on its surface any written, descriptive, or advertising matter that does not conform to the limitations specified in subclause (2) of this regulation :

“ Provided that 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.

“ (2) The following are the limitations referred to in subclause (1) of this regulation :—

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

“ (b) The writing shall be in plain letters without any added background :

\* Statutory Regulations 1946, Serial number 1946/136, page 327.

Amendment No. 1 : Statutory Regulations 1947, Serial number 1947/152, page 526.

Amendment No. 2 : (*Revoked by Serial number 1951/63.*)

Amendment No. 3 : Statutory Regulations 1949, Serial number 1949/158, page 625.

Amendment No. 4 : Statutory Regulations 1950, Serial number 1950/102, page 305.

Amendment No. 5 : Statutory Regulations 1950, Serial number 1950/138, page 462.

Amendment No. 6 : Statutory Regulations 1951, Serial number 1951/68, page 255.

Amendment No. 7 : Statutory Regulations 1951, Serial number 1951/107, page 352.

See also the Food and Drug Temporary Regulations 1946, Serial number 1946/162, page 441 (*regulations 7, 8, 9, and 11 of which were revoked by Serial numbers 1947/152, 1949/158, and 1950/138.*)

“(c) The overall breadth of the writing shall not exceed one-fourth of the circumference of the bottle :

“(d) The overall height of the writing shall not exceed  $1\frac{1}{2}$  in. in the case of a bottle having a capacity of a quart or more, or  $1\frac{1}{4}$  in. in the case of a bottle having a capacity of less than a quart and not less than half a pint, or 1 in. in the case of a bottle having a capacity of less than half a pint :

“Provided that if any written, descriptive, or advertising matter is not placed horizontally on the bottle, the measurements specified in this paragraph shall apply as if it were placed horizontally :

“(e) The writing shall be placed on the cylindrical portion of the bottle.”

3. Regulation 67 of the principal regulations is hereby amended by inserting, after subclause (5), as added by regulation 15 of the Food and Drug Regulations 1946, Amendment No. 1, the following subclause :—

“(5A) For the purposes of these regulations, methyl-ethyl-cellulose shall be deemed to be a wholesome foodstuff.”

4. Regulation 78 of the principal regulations is hereby amended by adding the following subclause :—

“(7) The preservative substance boric acid may be added to bacon, until the 31st day of May 1953, in a proportion not exceeding 8 grains to the pound :

“Provided that it shall not be lawful, except as provided in section 29 (4) of the Act, to sell, after the 31st day of May 1953, any bacon which contains boric acid.”

5. (1) Regulation 179 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclause :—

“(1) For the purposes of this regulation and of regulation 180 hereof,—

“ ‘ The British Pharmacopœia ’ means the edition of the British Pharmacopœia published in the United Kingdom in September 1948, together with the Addendum thereto so published in September 1951 :

“ ‘ The British Pharmaceutical Codex ’ means the 1949 edition of the British Pharmaceutical Codex :

“ ‘ The New Zealand Formulary ’ means the publication known as the New Zealand Formulary, published in 1944 by direction of the Minister of Health.”

(2) Regulation 20 of the Food and Drug Regulations 1946, Amendment No. 3\*, and regulation 13 of the Food and Drug Regulations 1946, Amendment No. 5,† are hereby consequentially revoked.

6. The Food and Drug Regulations 1946, Amendment No. 7,‡ are hereby revoked.

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

\* Statutory Regulations 1949, Serial number 1949/158, page 620.

† Statutory Regulations 1950, Serial number 1950/138, page 464.

‡ Statutory Regulations 1951, Serial number 1951/107, page 352.

## EXPLANATORY NOTE

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

The effect of the amendments made by these regulations is as follows:—

- (1) No advertising or other written or pictorial matter may appear on the surface of any bottle of milk or cream for sale unless it conforms to the requirements of *regulation 2 (2)*. This does not prevent the use of raised or embossed lettering in the wall of the bottle if it merely sets out the contents or capacity of the bottle or the name and address of the vendor and does not hinder inspection of the interior.
- (2) Methyl-ethyl-cellulose (a thickening substance) becomes a permitted ingredient of certain foods.
- (3) Until 31 May 1953 boric acid may be added to bacon (as a preservative) in a proportion not exceeding 8 grains to the pound.
- (4) Recognition is given to the 1951 Addendum to the British Pharmacopœia for the purposes of standards for drugs.
- (5) The existing temporary permission for the use of saccharin in cordials and non-fermented beverages is revoked.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 25th day of October 1951.

These regulations are administered in the Department of Health.

(H.—F. & D. 51/4.)