

1973 No. 1952

## TRADE DESCRIPTIONS

## Crystal Glass (Descriptions) Regulations 1973

<i>Made - - - -</i>	<i>20th November 1973</i>
<i>Laid before Parliament</i>	<i>28th November 1973</i>
<i>Coming into Operation</i>	<i>19th December 1973</i>

The Secretary of State, in exercise of powers conferred on him by section 2 of the European Communities Act 1972(a) and the European Communities (Designation) Order 1972(b), hereby makes the following Regulations:—

1. These Regulations may be cited as the Crystal Glass (Descriptions) Regulations 1973, and shall come into operation on 19th December 1973.

2.—(1) In these Regulations “the Act of 1968” means the Trade Descriptions Act 1968(c);

“glass” means glassware falling within tariff heading No. 70.13 of the Customs Tariff 1959(d);

“British Standard 3828” means the British Standard of that number published by the British Standards Institution on 28th February 1973 as amended by Amendment Slip No. 1 so published on 29th June 1973.

(2) For the purposes of these Regulations a person exposing glass for supply or having glass in his possession for supply shall be deemed to offer to supply that glass.

(3) The Interpretation Act 1889(e), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

3. Any person who, in the course of a trade or business, supplies or offers to supply in the United Kingdom glass to which there is applied a description, symbol, trade mark, name or other inscription in contravention of any provision of these Regulations shall be guilty of an offence.

4.—(1) A description specified in the Schedule hereto shall not be applied to glass unless the glass is of the chemical composition and has the physical properties mentioned in relation to that description in columns (d) to (g) of Annex I of British Standard 3828 being composition and properties determined in accordance with the appropriate methods set out in Annex II of that Standard.

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(a) 1972 c. 68.  
(c) 1968 c. 29.  
(e) 1889 c. 63.

(b) S.I. 1972/1811 (1972 III, p. 5216).  
(d) See S.I. 1971/1971 (1971 III, p. 5330).

(2) Where a description specified in paragraph 3 or 4 of the Schedule hereto other than "crystal glass" and "crystallin" is applied to glass there shall also be applied thereto the description "crystal glass" or "crystallin":

Provided that this paragraph shall not apply in relation to glass intended for supply in another Member State of the European Economic Community if the description is in the language of that Member State.

5.—(1) A symbol described in columns (h) and (i) of Annex I of the said Standard in relation to descriptions of glass shall not be applied to glass unless any of those descriptions is also lawfully applied thereto.

(2) A single label may bear both the description and the symbol.

6. A trade mark, the name of an undertaking or any other inscription containing as a main part, as an adjective or as a root one of the descriptions specified in the Schedule hereto or a description likely to be confused therewith, shall not be applied to glass unless the trade mark, name or other inscription is, in very prominent lettering, immediately preceded—

(a) if the glass is glass to which a description specified in the Schedule hereto may lawfully be applied, by any such description;

(b) in any other case, by a statement of the exact nature of the glass.

7. Nothing in these Regulations shall apply in relation to glass which is intended for export from the United Kingdom to a country other than a Member State of the European Economic Community.

8.—(1) Sections 4 and 5 of the Act of 1968 shall apply for the purposes of determining whether a description, symbol, trade mark, name or other inscription referred to in these Regulations is applied to glass as those sections apply for the purpose of determining whether a trade description is applied to goods for the purposes of the Act of 1968.

(2) The following provisions of the Act of 1968 shall (with necessary modifications) apply in relation to an offence under these Regulations as they apply in relation to an offence under that Act (modified where appropriate in relation to Northern Ireland by section 40(1) of that Act), that is to say, sections 18, 19, 20, 23, 24 and 25.

(3) The following provisions of the Act of 1968 shall (with necessary modifications) apply in relation to the enforcement of these Regulations as they apply in relation to the enforcement of that Act (modified where appropriate in relation to Northern Ireland as aforesaid), that is to say, sections 26, 27, 28, 29 and 30(1).

(4) Section 33 (modified in relation to Northern Ireland as aforesaid) of the Act of 1968 shall apply in relation to compensation for goods seized and detained under these Regulations as it applies in relation to compensation for goods seized and detained under that Act.

*Anthony Grant,*

Parliamentary Under Secretary of State  
for Industrial Development,  
Department of Trade and Industry.

20th November 1973.

## SCHEDULE

## DESCRIPTIONS OF GLASS

1. Cristal superieur 30%  
Cristallo superiore 30%  
Hochbleikristall 30%  
Volloodkristal 30%  
Full lead crystal 30%  
Krystal 30%
2. Cristal au plomb 24%  
Cristallo al piombo 24%  
Bleikristall 24%  
Loodkristal 24%  
Lead crystal 24%  
Krystal 24%
3. Cristallin  
Vetro sonoro superiore  
Kristallglas  
Kristallynglas  
Sonoorglas  
Crystal glass, crystallin  
Krystallin
4. Verre sonore  
Vetro sonoro  
Kristallglas  
Sonoorglas  
Crystal glass, crystallin  
Krystallin

5. The percentage figures in paragraphs 1 and 2 above refer to the lead oxide content of the glass.

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## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations implement Council Directive No. 69/493/EEC (O.J. No.L.326, 29.12.1969, p.36) (O.J./S.E.1969 (II), p. 599) relating to crystal glass.

They prohibit the supply of certain glassware to which is applied any of the descriptions specified in the Schedule to the Regulations unless the glass is of the chemical composition and has the physical properties mentioned in relation to that description in British Standard 3828 published on 28th February 1973, as amended by Amendment Slip No. 1 published on 29th June 1973. Copies of the British Standard and Amendment referred to may be obtained from British Standards Institution, British Standards House, 2 Park Street, London W1A 2BS.

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