(11) CONTAINERS AND PACKAGING

The Control of Containers and Packaging (No. 5) Order, 1949

1949 No. 350

Made - - - -	*4th March*, 1949
Laid before Parliament	*4th March*, 1949
Coming into Operation	*11th March*, 1949

The Board of Trade in pursuance of the powers conferred upon them by Regulation 55 of the Defence (General) Regulations, 1939, as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945(**a**), as extended by the Supplies and Services (Extended Purposes) Act, 1947(**b**), hereby order as follows :—

1. The Control of Containers and Packaging (No. 4) (General) Order, 1945(**c**), shall have effect subject to the following amendments :—

(*a*) in head (ii) of Article 2 the words " is not a crown cork or material therefor, and " shall be omitted ;

(*b*) for head (*a*) of paragraph (1) of Article 3 there shall be substituted the following(**d**)—

" (*a*) in or on any metal container, metal holder (not being a container or holder made wholly of aluminium), glass container or glass holder which is not scheduled for that article or commodity in the B.S. Packaging Index Schedule or, in the case of a metal container or a metal holder, is marked otherwise than in accordance with the provisions of Part A of the First Appendix to this Order ; " ;

(*c*) in head (*d*) and head (*e*) of Article 5, after the words " any container " and " any holder " respectively there shall be inserted the words " having a capacity of less than one Imperial gallon and " ;

(*d*) head (*i*) and head (*j*) of Article 5 shall be omitted ; and

(*e*) in Part A of the First Appendix

(i) for the provisions in relation to Class II there shall be substituted the provisions of the Schedule to this Order ;

(ii) the provisions in relation to Class V shall be omitted.

2. This Order may be cited as the Control of Containers and Packaging (No. 5) Order, 1949, and shall come into operation on the 11th day of March, 1949.

Dated this 4th day of March, 1949.

John Edwards,
Parliamentary Secretary to the Board of Trade.

(**a**) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (No. 1618) II, p. 48.
(**b**) 10 & 11 Geo. 6. c. 55.
(**c**) S.R. & O. 1945 (No. 1509) II, p. 1388.
(**d**) New head (*a*) substituted, *see* p. 230 below.

SCHEDULE

(Class II of Part A of the First Appendix to S.R. & O. 1945 No. 1509)

CLASS II	CLASS II
(*a*) Any metal container and any metal holder (not being a spool) made wholly of controlled material;	(*a*) Such marking as can be made by performing either or both of the following operations—
(*b*) Any controlled material which is to be incorporated in any article included in (*a*) of this class:	(i) coating the external and internal surfaces (or either of them) of a portion or the whole of the container or holder (or alternatively one or both sides of the controlled material for the container or holder) with protective varnish which is colourless or of a uniform colour;
Provided that any metal container or holder shall be deemed to fall into this class if the lid and body contain no metal other than controlled material, notwithstanding that the spout, handle, opener or other similar ancillary part is not made wholly of controlled material.	(ii) affixing a label to the container or holder (or alternatively to the controlled material for the container or holder); and
	(*b*) any other marking:
	Provided, however, (i) that such other marking may be applied to the lid or to the body of the container or holder (or alternatively to the controlled material for that lid or body) but shall not be applied to both; (ii) that in the case of a lid being a crown cork included in Class I, or the controlled material for such a lid, nothing herein shall authorize that lid or material to be marked otherwise than as stated in Class I above.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order amends the Control of Containers and Packaging (No. 4) (General) Order, 1945.

The principal changes are :—

(*a*) the restrictions on manufacture, marking and packaging no longer apply to metal containers and metal holders having a capacity of one Imperial gallon or more;

(*b*) in the case of metal containers and metal holders, the restrictions on marking now apply only to containers and holders made wholly of controlled materials; the marking of crown corks for export is no longer controlled;

(*c*) the restrictions on the packaging of articles and commodities no longer apply to packaging in containers and holders made wholly of aluminium;

(*d*) articles and commodities may not be packaged for distribution in the United Kingdom in metal containers or metal holders which have been marked otherwise than in accordance with the marking provisions of this Order.