
STATUTORY INSTRUMENTS

1994 No. 2866

WEIGHTS AND MEASURES

**The Weights and Measures Act 1985
(Metrication)(Amendment) Order 1994**

Made - - - - *6th November
1994* Coming into
force in accordance
with article 1

Whereas the Secretary of State pursuant to section 86(2) of the Weights and Measures Act 1985(1) having had particular regard to the need to consult organisations representative of the interests of consumers, has consulted such organisations as appear to him to be representative of interests substantially affected by this Order and considered the representations made to him by such organisations with respect to the subject matter of this Order:

And whereas a draft of this Order has been laid before, and approved by resolution of, each House of Parliament pursuant to section 86(5) of that Act:

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by sections 8(6), 22(1) and (2) of that Act and of all other powers enabling him in that behalf, hereby makes the following Order:—

Citation and Commencement

1. This Order may be cited as the Weights and Measures Act 1985 (Metrication) (Amendment) Order 1994 and shall come into force on the day after the day on which it is made.

Interpretation

2. In this Order “the Act” means the Weights and Measures Act 1985.

Amendment of the Act in 1995

3.—(1) On 1st October 1995 the Act shall be amended as follows.

(2) In section 8 (units of measurement, weights and measures lawful for use for trade) in subsection (2) there shall be inserted after paragraph (c)

“or

- (d) the pint except for—
 - (i) the purposes of the sale of draught beer or cider, or
 - (ii) the purposes of the sale of milk in returnable containers, or
 - (iii) the purposes of the sale of beer, cider, water, lemonade or fruit juice in returnable containers, or
 - (e) the fluid ounce except for the purposes of the sale of beer, cider, water, lemonade or fruit juice in returnable containers, or
 - (f) the pound or the ounce (avoirdupois) except for the purposes of the sale of goods loose from bulk.”.
- (3) In Schedule 3 (measures and weights lawful for use for trade)—
- (a) in each of Parts I and II paragraph 1 shall be omitted; and
 - (b) in Part IV in paragraph 1 all the entries except “1 pint”, “½ pint” and “⅓ pint” shall be omitted and there shall be inserted before “1 pint”—
 - “16 pints
 - 8 pints
 - 4 pints
 - 2 pints”.
- (4) In Schedule 4 (transactions in sand and other ballast)—
- (a) in paragraph 3(a) for “2,240 pounds” there shall be substituted “1 tonne”; and
 - (b) in paragraph 11(2) for “4,480 pounds” there shall be substituted “2 tonnes”.
- (5) In Schedule 5 (transactions in solid fuel)—
- (a) in paragraph 2(2)(a) for “14 pounds” there shall be substituted “7½ kilograms”;
 - (b) in paragraph 3—
 - (i) for sub-paragraph (1) there shall be substituted—
 - “(1) Solid fuel shall be made up in a container for sale, or for delivery after sale, only if it is made up in one of the following quantities by net weight, namely—
 - (a) 25 kilograms;
 - (b) 50 kilograms;
 - (c) any multiple of 50 kilograms.”; and
 - (ii) sub-paragraph (3) shall be omitted;
 - (c) in paragraph 4(1) “in a metric quantity” shall be omitted;
 - (d) paragraph 5 shall be omitted;
 - (e) in paragraph 6—
 - (i) “made up in metric quantities” in the heading to the paragraph, and
 - (ii) in sub-paragraph (1) “in metric quantities” and “in any metric quantity”, shall be omitted; and
 - (f) in paragraphs 17(1) and 18(2) for “224 pounds” there shall be substituted “110 kilograms”.
- (6) In Schedule 6 (transactions in miscellaneous goods other than foods)—
- (a) in paragraph 2(c) for “one quart” there shall be substituted “one litre”;

- (b) in paragraph 3 for “half a pound” and “half a pint” there shall be substituted “250 grams” and “250 millilitres” respectively;
- (c) in paragraph 9—
 - (i) in sub-paragraphs (1)(b) and (2)(b) for “fifty-six pounds” there shall be substituted “25 kilograms”; and
 - (ii) in sub-paragraph (3) for “twenty-four ounces per 112 pounds” there shall be substituted “650 grams per 50 kilograms”;
- (d) in paragraph 13 for “fourteen pounds” and “1,120 pounds” there shall be substituted “7½ kilograms” and “500 kilograms” respectively;
- (e) in paragraph 18 for “five fluid ounces” and “one ounce” there shall be substituted “125 millilitres” and “25 grams” respectively;
- (f) in paragraph 21 for “one yard” there shall be substituted “one metre”;
- (g) for paragraph 24 there shall be substituted—

“24. The following shall be exempted from the requirements of this Part of this Schedule—

- (a) distemper or paste paint in a quantity of less than 250 grams,
- (b) bird seed in a quantity of less than 125 grams, and
- (c) any other goods in a quantity of less than 25 grams.”;
- (h) in paragraph 28 for “one ounce” there shall be substituted “25 grams”;
- (i) in paragraph 31 for “five fluid ounces” there shall be substituted “150 millilitres”;
- (j) for paragraph 34 there shall be substituted—

“34. The following shall be exempted from the requirements of paragraph 33 above—

- (a) liquid detergents in a quantity of less than 125 millilitres, and
- (b) goods of any other description in a quantity of less than 150 millilitres.”; and
- (k) in paragraph 37 for “half a pound”, “half a pint”, “one ounce” and “one fluid ounce” there shall be substituted “250 grams”, “250 millilitres”, “30 grams” and “30 millilitres” respectively.

(7) In Schedule 7 (transactions in composite goods and collections of articles) in paragraph 5 for “one ounce” and “one fluid ounce” there shall be substituted “25 grams” and “25 millilitres” respectively.

Amendment of the Act in 2000

- 4.—(1) On 1st January 2000 the Act shall be amended as follows.
- (2) In section 8(2) the word “or” at the end of paragraph (d)(ii) and paragraphs (d)(iii), (e) and (f) shall be omitted.
- (3) In Part V of Schedule 3 paragraph 1 shall be omitted.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Department of Trade and Industry
6th November 1994

Ferrers
Minister of State for Consumer Affairs and
Small Firms,

SCHEDULE

Article 4(3)(d)

PART VI OF SCHEDULE 1 TO THE WEIGHTS AND MEASURES ACT, AS AMENDED
DEFINITIONS OF CERTAIN UNITS WHICH MAY NOT BE USED FOR TRADE

Measurement of length

Mile	=	1760 yards.
Furlong	=	220 yards.
Chain	=	22 yards.
YARD	=	0·9144 metre.
Foot	=	1/3 yard.
Inch	=	1/36 yard.

Measurement of area

Square mile	=	640 acres.
Acre	=	4840 square yards.
Rood	=	1210 square yards.
Square yard	=	a superficial area equal to that of a square each side of which measures one yard.
Square foot	=	1/9 square yard.
Square inch	=	1/144 square foot.

Measurement of volume

Cubic yard	=	a volume equal to that of a cube each edge of which measures one yard.
Cubic foot	=	1/27 cubic yard.
Cubic inch	=	1/1728 cubic foot.

Measurement of capacity

Bushel	=	8 gallons.
Peck	=	2 gallons.
GALLON	=	4·546 09 cubic decimetres.
Quart	=	1/4 gallon.
Gill	=	1/4 pint.
Fluid drachm	=	1/8 fluid ounce.
Minim	=	1/60 fluid drachm.

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Measurement of mass or weight

Ton	=	2240 pounds.
Hundredweight	=	112 pounds.
Cental	=	100 pounds.
Quarter	=	28 pounds.
Stone	=	14 pounds.
Dram	=	1/16 ounce.
Grain	=	1/7000 pound.
Pennyweight	=	24 grains.
Ounce apothecaries	=	480 grains.
Drachm	=	1/8 ounce apothecaries.
Scruple	=	1/3 drachm.
Metric ton	=	1000 kilograms.
Quintal	=	100 kilograms.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order implements the amendments made by Council Directive [89/617/EEC](#) (OJNo. L 357, 7.12.89, p. 28) to Council Directive [80/181/EEC](#) (OJ No. L39, 15.2.80, p. 40) (“the Directive”) which relates to the use of units of measurement for economic, public health, public safety or administrative purposes (“the specified circumstances”).

It amends the Weights and Measures Act 1985 (“the Act”). The Act is also amended to reflect the requirements of the Directive by the Units of Measurement Regulations 1994 (S.I. [1994/2867](#)) which should be read in conjunction with this Order to see how the Act’s provisions as a whole are amended in implementation of the Directive.

Section 8 of the Act is amended so as to make unlawful the use for trade of the pint, fluid ounce, pound or ounce except as supplementary indications of quantity or where a derogation which is reflected in section 8(2) permits their use as primary units. The pound (lb), for example, may be used either as a supplementary indication or, until 1st January 2000 (see article 3(2) of this Order), as a primary indication for the sale of goods loose from bulk.

One of the most significant of the amendments made by this Order to the Act is made by article 4(2), the effect of which will be to prohibit, on and after 1st January 2000, the sale of fruit and vegetables loose from bulk by the pound. Another important amendment, made by article 3(2), preserves the use of the pint for the sale of draught beer and cider and for milk in a returnable bottle beyond that date.

COMPLIANCE COST ASSESSMENT

(This assessment is not part of the Order)

This Assessment applies to the costs arising out of making the instruments required to implement the Units of Measurement Directive [89/617/EEC](#) in relation to the authorisation of units of measurement, weights and measures and price marking legislation.

Purpose and expected benefits

2. The purpose of the measures is to implement amendments made to the Units of Measurement Directive [80/181/EEC](#) by Directive [89/617/EEC](#). The 1980 Directive lays down the legal units of measurement to be used for expressing quantities for economic, public health, public safety or administrative purposes. The principal changes made by the implementing Regulations and Orders are to end the use of the pound and ounce for the sale of goods loose from bulk from 1st January 2000 and for pre-packed goods made up in varying quantities, such as cheese and meat, from 1st October 1995. The effect of the implementing legislation is to provide that from 1st January 2000, only one system of measurement, the metric system, is generally to be used for retail sales.

Business sectors affected

3. The main sectors affected are grocers, greengrocers, fruiterers, dairymen, butchers, fishmongers and poulterers (62,200 legal business units) and manufacturers of scales and weighing machines (106 legal business units). (Source: Business Monitor. Total for manufacturers of scales and weighing machines includes portable power tools manufacturers.)

Compliance costs for a typical business

4. The main cost is likely to be the modification or replacement of weighing machines. There are likely also to be smaller costs for new counter ticketing, for modifying computer systems, for staff training and for customer information.

5. Industry and trade sources have estimated that the cost of modifying weighing machines is likely to be between £40 and £180 per machine. The British Retail Consortium estimate that around 15 per cent of machines will need to be replaced as it will be uneconomic to convert them and a new retail machine could, on average, cost around £400. It is understood from LACOTS that the charge for testing and stamping machines might be, on average, around £15 per machine.

6. For a retailer with total sales of around £8 billion, the cost of modifying and replacing machines could be around £2 million, representing 0.03 per cent of sales. For a small store with annual sales of around £250,000 and with one weighing machine, a cost of £125 to modify, test and stamp or £415 to purchase, test and stamp a new machine would amount to 0.05 per cent or 0.17 per cent respectively of sales. Reliable estimates for individual firms are not available for other costs except the British Retail Consortium estimate that new counter ticketing could cost around £110,000 for a large retailer. All costs are non recurring.

Total compliance cost

7. The weighing machine industry estimate that there are some 200,000 retail and industrial scales not yet metricated. If 15 per cent of machines are replaced at an average cost of £400 and the remaining machines were converted at an average cost of £110 the total conversion cost would be around £30 million. If the average cost of testing and stamping were £15 and if this were required on 30 per cent of converted machines then such costs would add around a further £1 million.

8. The British Retail Consortium estimate the total cost of new counter tickets at over £1 million and changing computer systems at between £50,000 and £100,000. Reliable estimates for staff

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training and publicity are not available but the British Retail Consortium expect the costs of the former to be substantial.

9. There will also be costs in changing the designs of labels of pre-packed goods which bear both imperial and metric quantity marking so as to show the metric quantity first. The trade estimate that this could cost around £2 million.

10. These costs are likely to be incurred between 1993 and 1999.

Effect on international competitiveness

11. It is considered that in general the measures are unlikely to affect the international competitive position of the UK. However, to the extent that the Directive provides for weighing machines to be calibrated in the same unit of measurement in the UK as in other EC Member States and in most other countries this will reduce barriers to exports from, and imports into, the UK.

Extent of consultation

12. Over 700 bodies were consulted and over three months were allowed for comments on the detailed provisions. Information is generally based on trade estimates.

Arrangements for monitoring and review

13. No arrangements have been made to monitor compliance costs. The proposals implement an EC Directive and implementation has generally gone no further than the Directive's requirements.