

STATUTORY INSTRUMENTS

1995 No. 735

The Measuring Equipment (Capacity Measures and Testing Equipment) Regulations 1995

PART II

MATERIALS, PRINCIPLES OF CONSTRUCTION AND USE

Categories of capacity measures

4. For the purposes of these Regulations, a capacity measure is either—
 - (a) a line measure marked with lines which—
 - (i) are conspicuous and durable, and
 - (ii) are marked on the outside surface of a measure which is made of transparent or translucent material and on the inside surface of a measure which is made of opaque material; or
 - (b) a brim measure having a brim in a horizontal plane when the measure is on a flat, horizontal surface.

Commencement Information

I1 Reg. 4 in force at 10.4.1995, see [reg. 1\(1\)](#)

Materials and principles of construction of capacity measures

5. Capacity measures shall be made of any of the following materials—
 - (a) aluminium alloy;
 - (b) enamelled metal;
 - (c) glass;
 - (d) plated, tinned, galvanized or stainless steel;
 - (e) plastic material which resists deformation under hand pressure and does not split or show signs of striation after immersion in water at 95 °C for 10 minutes;
 - (f) silver or silver alloy; or
 - (g) any other material which is rigid, stable and sufficiently durable for normal use for trade.

Commencement Information

I2 Reg. 5 in force at 10.4.1995, see [reg. 1\(1\)](#)

Construction of capacity measures

- 6.—(1) Every capacity measure shall be so constructed that—
- (a) it does not rock when its base is on a flat, horizontal surface;
 - (b) its brim and lines are horizontal when its base is on a flat, horizontal surface;
 - (c) it remains reasonably perpendicular when rotated about its vertical axis;
 - (d) no air is trapped on filling; and
 - (e) no liquid or solid is trapped on emptying when tilted so that its vertical axis is at an angle of 135 degrees from the vertical for any rotational orientation about that axis.
- (2) Save where paragraph (4) has effect, dispensing measures for pharmaceutical purposes shall comply with the requirements of BS 604: 1982 or BS 1922: 1987.
- (3) In the case of a double measure—
- (a) the measure shall be so constructed that it is readily identifiable as a double measure;
 - (b) the part of the measure having the greater capacity shall have a purported value which is twice that of the part having the lesser capacity; and
 - (c) neither part of the measure shall be a graduated measure or a sub-divided measure.
- (4) Any capacity measure, instead of complying with the requirements of paragraph (1) or (2) above, as the case may be, may comply with—
- (a) a relevant national standard or code of practice issued by a national standards body or similar body in a member State or an EEA State;
 - (b) a relevant international standard officially recognised for use in a member State or an EEA State;
 - (c) a relevant technical provision of mandatory application in relation to marketing or use in a member State or an EEA State; or
 - (d) descriptive technical documents relating to manufacturing processes lawfully carried out in a member State or an EEA State, being documents which are sufficiently detailed to enable the measures to be evaluated (if necessary by the carrying out of tests) as capacity measures for use otherwise than as dispensing measures for pharmaceutical purposes or as such dispensing measures, as may be appropriate,
- being requirements which, in any case, afford in use at least equivalent standards of safety, suitability and fitness for purpose of such measures as does paragraph (1) above and, in the case of dispensing measures for pharmaceutical purposes, BS 604: 1982 or BS 1922: 1987.
- (5) In paragraph (4)(d) above references to descriptive technical documents are references to such documents which are either published and available to members of the public or are made available by the manufacturer on request—
- (a) to any person who is a user or potential user of the capacity measures in question; and
 - (b) to an inspector for the purposes of the performance by him of his functions under the Act or these Regulations relating to inspection, testing, passing as fit for use for trade and stamping of a capacity measure.

Commencement Information

I3 Reg. 6 in force at 10.4.1995, see [reg. 1\(1\)](#)

Purpose and manner of use of capacity measures

7. No person shall use a capacity measure—
- (a) for the measurement of goods which might affect, or be affected by, the material from which the measure is made,
 - (b) in such a manner that it is exposed to conditions which adversely affects its accuracy or function, or
 - (c) for the measurement of intoxicating liquor before its transfer to a container in which the buyer is to receive it, unless the buyer has a clear and unobstructed view of the measurement and transfer.

Commencement Information

I4 [Reg. 7](#) in force at 10.4.1995, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Measuring Equipment (Capacity Measures and Testing Equipment) Regulations 1995, PART II.