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STATUTORY INSTRUMENTS

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**1987 No. 1538**

**The Weights and Measures (Quantity Marking  
and Abbreviations of Units) Regulations 1987**

**PART II**

**QUANTITY MARKING OF CONTAINERS AND UNITS  
OF MEASUREMENT TO BE USED IN MARKING**

**Application**

- 2.—(1) Subject to paragraph (2) below, this Part of these Regulations shall apply in respect of—
- (a) the manner of the marking of any container required by or under Part IV of the Act or section 48(1) or (1A) or 68(1A) to be marked with information as to quantity; and
  - (b) the units of measurement to be used in marking any container required by or under Part IV of the Act to be marked with information as to quantity by measurement.
- (2) Regulations 5 and 6 shall not apply in relation to any catchweight product.
- (3) In this regulation “catchweight product” means any product which is not pre-packed according to a pre-determined fixed weight pattern, but is pre-packed in varying quantities.

**Marking with quantity by measurement**

3.—(1) Subject to paragraph (2) below, the marking of any container with information as to quantity by measurement shall comprise the numerical value of the unit of measurement expressed in words or figures and a reference to that unit expressed either in words or by means of the relevant symbol or abbreviation which may lawfully be used for trade in relation to that unit under Part III of these Regulations.

(2) Where the numerical value of the unit of measurement is expressed in words, the reference to that unit shall be expressed in words and not by means of a symbol or abbreviation.

(3) Any marking with information as to quantity by gross weight shall include the word “gross” or the words “including container” or other words which indicate that the marked weight includes the weight of the container.

(4) No abbreviation of the word “net” or “gross” shall be used in the marking.

(5) Subject to paragraphs (6) and (7) below, a metric quantity used in the marking shall not be expressed as a vulgar fraction.

(6) For a period of 6 months after these Regulations come into force a metric quantity used in the marking may be expressed as one of the following vulgar fractions namely one half or  $\frac{1}{2}$ , or one quarter or  $\frac{1}{4}$ , of the unit of measurement.

(7) For a period of 1 year after these Regulations come into force a person shall not be guilty of an offence under section 25(2) of the Act by reason only of—

- (a) having in his possession for sale, or

- (b) having in his possession for delivery after sale, or
- (c) causing or suffering any other person to have in his possession for sale or for delivery after sale,

any goods pre-packed or otherwise made up in or on a container for sale, or for delivery after sale, where a metric quantity used in the marking is expressed as one of the said vulgar fractions.

### **Legibility and position of marking**

- 4.—(1) Any marking of a container with information as to quantity—
- (a) shall be easy to understand, clearly legible and indelible;
  - (b) shall be easily visible to an intending purchaser under normal conditions of purchase;
  - (c) shall not in any way be hidden, obscured or interrupted by any other written or pictorial matter; and
  - (d) if it is not on the actual container or on a label securely attached to the container, shall be so placed that it cannot be removed without opening the container.

(2) Where, pursuant to regulation 7(3) below, the words “metric pack” are included in any marking, those words shall appear within a surrounding line or on a panel which is clearly distinguished in colour from its surroundings and within which or on which there is no other written and no pictorial matter.

### **Size of marking**

5.—(1) Subject to regulation 2(2) above, where in any marking of any container the quantity by number or the numerical value of a unit of measurement is expressed in figures, all the relevant figures shall be at least the height specified in the second column of the Table set out in Schedule 1 to these Regulations in relation to—

- (a) where the marking is of mass or weight, capacity or volume, the range of quantity specified in the first column of that Table, appropriate to the measurement being marked, within which the quantity of goods made up in or on that container falls, (or where the goods are made up in an imperial quantity, within which the metric equivalent of that quantity falls); or
- (b) where the marking is of area, length or number, the range of size of container so specified within which the size of the container in or on which the goods are made up falls, being a size calculated in accordance with the provisions of that Schedule.

(2) Where, pursuant to regulation 7(3) below, the words “metric pack” are included in any marking, those words shall appear in capital letters of at least the height referred to in paragraph (1) above.

(3) The numerator and denominator together indicating a vulgar fraction of a unit of measurement shall appear one on top of the other and for the purposes of paragraph (1) above shall be treated as a single figure.

### **Imperial and metric units of measurement**

6.—(1) Subject to regulation 2(2) above and paragraph (2) below, the marking of any container with information as to quantity by measurement shall be in metric units of measurement but may, in addition, be in imperial units.

(2) In the case of any goods required by or under Part IV of the Act to be pre-packed or otherwise made up in or on a container for sale, or for delivery after sale, only if made up either in specified

imperial or metric quantities or in specified imperial quantities only, the marking of quantity shall be in both metric and imperial units.

7.—(1) Where the marking of quantity is in both metric and imperial units of measurement, the following provisions of this regulation shall apply.

(2) The marking shall indicate the quantity in terms of the same measurement in the imperial system of units as in the metric system.

(3) In the case of any goods required by or under Part IV of the Act to be pre-packed or otherwise made up in or on a container for sale, or for delivery after sale, only if made up in specified quantities, the marking shall—

- (a) first indicate the quantity in which they are made up; and
- (b) if the quantity in which they are made up is in metric units, include the words “metric pack”.

(4) In any other case the marking may indicate the quantity first in either imperial or metric units.

(5) The indications of quantity in imperial and metric units shall be of equal size and shall be distinct but in close proximity to each other and nothing shall be inserted between them.

(6) Notwithstanding anything in regulation 10 of the Weights and Measures (Packaged Goods) Regulations 1986<sup>(1)</sup>, in the case of cows' milk and goats' milk any marking of any quantity in imperial units shall be entirely in terms of the pint, quart or gallon.

(7) In paragraph (6) above, “cows' milk” means cows' milk in any liquid form other than that of condensed milk within the meaning of the Condensed Milk and Dried Milk Regulations 1977<sup>(2)</sup> (including evaporated milk) or of cream.

#### **Units of measurement to be used in marking**

8. Subject to regulation 7(6) above, the units of measurement to be used in marking any container with information as to quantity by measurement are those set out in Columns 2 and 3 of Schedule 2 to these Regulations, appropriate to the measurement being marked set out in Column 1.

#### **Amendment of the Weights and Measures (Packaged Goods) Regulations 1986**

9.—(1) Regulation 10 of the Weights and Measures (Packaged Goods) Regulations 1986 shall be amended as follows:—

- (a) subject to paragraph (2) below, in paragraph (1)—
  - (i) for “Paragraphs (2) to (7) of this Regulation have” there shall be substituted “This regulation has”; and
  - (ii) the words “and the manner in which the statement is to be marked” shall be deleted;
- (b) in paragraph (2)(a) for “the Weights and Measures (Marking of Goods and Abbreviations of Units) Regulations 1975” there shall be substituted “the Weights and Measures (Quantity Marking and Abbreviations of Units) Regulations 1987”; and
- (c) subject to paragraph (2) below, paragraphs (7) and (8) shall be deleted.

(2) In the case of packages containing poultry, but not including part only of any poultry:

- (a) paragraph (1)(c) above shall not apply; and
- (b) for paragraph 1(B)(c)(ii) of Part I of Schedule 3 to the Weights and Measures (Packaged Goods) Regulations 1986 there shall be substituted “for Regulation 10(7) there were

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(1) S.I.1986/2049.

(2) S.I. 1977/928, to which there are amendments not relevant to these Regulations.

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substituted the words “In the case of packages other than packages marked with the EEC mark the principal Regulations shall apply as if Regulations 3(3) and (4), 5 and 7(3) to (7) and Schedule 1 were omitted and as if in Regulation 6(1) for the words “metric units” onwards there were substituted “imperial or metric units or in both imperial and metric units”.”