

1975 No. 655

AGRICULTURE

**The Measurements of Cereals for Import and Export Purposes
Regulations 1975**

<i>Made - - - -</i>	<i>17th April 1975</i>
<i>Laid before Parliament</i>	<i>28th April 1975</i>
<i>Coming into Operation</i>	<i>19th May 1975</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated^(a) for the purposes of section 2(2) of the European Communities Act 1972^(b) in relation to measurements of cereals for import and export purposes, acting jointly in exercise of the powers conferred upon them by the said section 2(2) and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation, commencement and interpretation

1. These regulations may be cited as the Measurements of Cereals for Import and Export Purposes Regulations 1975 and shall come into operation on 19th May 1975.

2.—(1) In these regulations,—

“Community” means the European Economic Community;

“the Community provisions” means Council Directive No. 71/347/EEC^(c) on the approximation of the laws of Member States relating to the measuring of the standard mass per storage volume of grain, as amended^(d), and any instrument replacing, supplementing or further amending that directive.

(2) The Interpretation Act 1889^(e) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Unit of measurement of standard mass per storage volume for use in intra-Community trade in cereals

3. It is hereby declared that the unit of measurement of the characteristic of standard mass per storage volume for the purposes of the import and export trades in cereals between the United Kingdom and other Member States of the Community shall be the EEC standard mass per storage volume as defined in the Community provisions, and any expression of that characteristic in other terms shall have no effect.

(a) S.I 1975/427.

(b) 1972 c. 68.

(c) OJ No. L239, 25.10.71, p. 1; OJ/SE 1971 (III), p. 852.

(d) Cmnd. 5179-1, p. 181.

(e) 1889 c. 63.

Prohibition of misuse of the EEC standard mass per storage volume

4.—(1) No person shall, for the purposes of the trades mentioned in regulation 3 above, use the term “EEC standard mass per storage volume” to designate a characteristic of cereals which has been measured or calculated otherwise than in accordance with the requirements of the Community provisions.

(2) Any person who contravenes the provision set out in paragraph (1) of this regulation shall be liable on summary conviction to a fine not exceeding £20.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 17th April 1975.

(L.S.)

Frederick Peart,
Minister of Agriculture, Fisheries
and Food.

William Ross,
One of Her Majesty's Principal
Secretaries of State.

16th April 1975.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide that for the purpose of trade in cereals between the United Kingdom and other Member States of the Community the unit of measurement of standard mass per storage volume shall be the EEC standard mass per storage volume, and any expression of that characteristic in other terms shall have no effect. They also prohibit the use of the term “EEC standard mass per storage volume” to designate a characteristic of cereals unless it has been measured or calculated in accordance with the requirements of the Community provisions.

The term “EEC standard mass per storage volume” is presently defined in Council Directive No. 71/347/EEC (OJ No. L239, 25.10.71, p. 1; OJ/SE 1971 (III), p. 852) as the ratio of the mass expressed in kilograms to the volume expressed in hectolitres, as determined for any kind of grain by measurement with an instrument and according to a method which are in conformity with the provisions of that Directive. During the period in which the unit pound per bushel is lawfully in use in the United Kingdom cereals may be measured in the United Kingdom by the instruments and methods currently in use (Treaty relating to the accession of the United Kingdom to the European Economic Community and to the European Atomic Energy Community (Cmnd. 5179-I) Annex I, Part X, paragraph 14). In this case, the measurements obtained in pounds per bushel must be converted into the EEC unit of standard mass per storage volume by being multiplied by a factor of 1.25.

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