STATUTORY RULES OF NORTHERN IRELAND

1999 No. 84

WEIGHTS AND MEASURES

Weights and Measures (Quantity Marking and Abbreviations of Units) Regulations (Northern Ireland) 1999

Made - - - -	*25th February 1999*
Coming into operation	*31st March 1999*

The Department of Economic Development, in exercise of the powers conferred by Articles 2(2)(**1**), 13(1)(g), 19(6)(a) and (d), 30(1A)(a), 31(5)(a), (5A) and (6) and 38 of the Weights and Measures (Northern Ireland) Order 1981(**2**) and now vested in it(**3**) and of every other power enabling it in that behalf, and after consultation, in accordance with Article 48(4) of that Order, with such organisations as appear to it to be representative of interests substantially affected by the Regulations, hereby makes the following Regulations:—

Part I

General

Citation, commencement, interpretation and revocation

1.—(1) These Regulations may be cited as the Weights and Measures (Quantity Marking and Abbreviations of Units) Regulations (Northern Ireland) 1999 and shall come into operation on 31st March 1999.

(2) In these Regulations "the Order" means the Weights and Measures (Northern Ireland) Order 1981.

(3) The Weights and Measures (Quantity Marking and Abbreviations of Units) Regulations (Northern Ireland) 1991(**4**) are hereby revoked.

(**1**) *See* the definitions of "the Department", "prescribed" and "regulations"
(**2**) S.I. 1981/231 (N.I. 10); Articles 30(1A) and 31(5A) have effect by virtue of the modifications to Part VI of the Order made by paragraphs 2(b) and 5(b) of Part II of Schedule 3 to the Weights and Measures (Packaged Goods) Regulations (Northern Ireland) 1990, S.R. 1990 No. 410
(**3**) By S.I. 1982/846 (N.I. 11)Art. 4
(**4**) S.R. 1991 No. 320

Part II

Quantity Marking of Containers and Units of Measurement to be Used in Marking

Application of Part II

2.—(1) Subject to paragraph (2), this Part shall apply in respect of—

(a) the manner of the marking of any container required by or under Part V of the Order or Article 30(1A) or 31(5) or (5A) 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 V of the Order to be marked with information as to quantity by measurement.

(2) Regulation 5 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), 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.

(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) Abbreviation of the word "net" or "gross" shall not be used in the marking.

(5) A metric quantity used in the marking shall not be expressed as a vulgar fraction.

Legibility and position of marking

4. 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.

Size of marking

5.—(1) Subject to regulation 2(2), 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 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) 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) shall be treated as a single figure.

Metric and imperial units of measurement

6.—(1) Subject to paragraphs (2), (3) and (4), the marking of any container with information as to quantity by measurement shall be in metric units of measurement.

(2) The marking of any returnable container used for milk to which this Part applies with information as to quantity by measurement may, in addition to the marking in metric units, be marked by reference to the pint.

(3) The marking of any returnable container used for beer, cider, water, lemonade and fruit juice with information as to quantity by measurement may, in addition to the marking in metric units, be marked by reference to the pint and the fluid ounce.

(4) Any container marked in metric units of measurement in accordance with these Regulations may be marked with a supplementary indication (Article 6(7A)(**5**) of the Order makes provision for the use for trade of a supplementary indication).

(5) Paragraph (3) shall be omitted with effect from 1st January 2000.

Units of measurement to be used in marking

7. Subject to paragraphs (2), (3) and (4) of regulation 6, the units of measurement to be used in marking any container with information as to quantity by measurement are those set out in Column 2 of Schedule 2 appropriate to the measurement being marked set out in Column 1 of that Schedule.

Amendment of the Weights and Measures (Packaged Goods) Regulations (Northern Ireland) 1990

8.—(1) Regulation 10 of the Weights and Measures (Packaged Goods) Regulations (Northern Ireland) 1990 shall be amended as follows:

(a) subject to paragraph (2), for paragraph (1) thereof there shall be substituted the following paragraph—

"(1) This regulation has effect for the purpose of prescribing—

(a) in relation to a class A package in pursuance of Article 31(5)(*a*) of the Order; and

(b) in relation to a class B package in pursuance of Article 30(1A)(*a*) of the Order (as having effect by virtue of the modifications to Part VI of the Order made by paragraph 5(*b*) of Part II of Schedule 3),

the units of weight or volume in which a statement of quantity is to be marked on the package and, in the case of a class A package, the time before which that statement is to be marked (or a record of a proposed statement is to be kept under Article 31(6) of the Order).";

(b) in paragraph (2) thereof for sub-paragraph (a) there shall be substituted the following sub-paragraph—

(**5**) Article 6(7A) of the Order was inserted by regulation 4(2) of S.R. 1995 No. 226

"(a) "the principal Regulations" means the Weights and Measures (Quantity Marking and Abbreviations of Units) Regulations (Northern Ireland) 1999;";

(c) subject to paragraph (2), paragraph (7) thereof shall be omitted.

(2) Paragraph (1)(c) shall not apply in the case of packages containing poultry, but not including part only of any poultry.

Part III

Use for Trade of Abbreviations of, or Symbols for, Units of Measurement

Application of Part III

9. This Part shall apply as respects the use for trade (other than for the purpose of marking weighing or measuring equipment) of abbreviations of, or symbols for, units of measurement.

Restriction on the use for trade of abbreviations and symbols

10.—(1) Only those symbols set out in Column 2 of Schedule 3 may be used for trade to indicate the relevant unit of measurement set out in Column 1 of that Schedule.

(2) Where the pint is used in connection with returnable containers for milk or the dispense of draught beer or cider, the abbreviation "pt" may be used and the letter "s" may be added, where appropriate, to indicate the plural.

(3) Where the pint or the fluid ounce are used in connection with returnable containers for beer, cider, water, lemonade and fruit juice, the abbreviations "pt" or "fl oz" may be used and the letter "s" may be added, where appropriate, to indicate the plural.

(4) Where the pound or the ounce (avoirdupois) are used in connection with the sale of goods loose from bulk, the abbreviations "lb" or "oz" may be used and the letter "s" may be added, where appropriate, to indicate the plural.

(5) Paragraphs (3) and (4) shall be omitted with effect from 1st January 2000.

Sealed with the Official Seal of the Department of Economic Development on

25th February 1999.

A. L. Brown
Assistant Secretary