1990 No. 2

WEIGHTS AND MEASURES

Capacity Serving Measures (Intoxicating Liquor) Regulations (Northern Ireland) 1990

Made . . . . . 5th January 1990

Coming into operation . . 19th February 1990

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SCHEDULE — Prescribed limits of error.

The Department of Economic Development, in exercise of the powers conferred by Articles 8(1), 9(1) to (3) and 13(1) and (2) of the Weights and Measures (Northern Ireland) Order 1981(**a**) and now vested in it(**b**) and of every other power enabling it in that behalf, hereby makes the following Regulations:—

PART I

GENERAL

Citation, commencement and revocation

1.—(1) These Regulations may be cited as the Capacity Serving Measures (Intoxicating Liquor) Regulations (Northern Ireland) 1990 and shall come into operation on 19th February 1990.

(2) The Capacity Measures (Intoxicating Liquor) Regulations (Northern Ireland) 1984(**c**) are hereby revoked.

Interpretation

2.—(1) In these Regulations—

"analogue" means capable of assigning any value or position within a continuous range;

"capacity serving measure" means a capacity measure made of transparent glass or plastic and intended to determine a specified volume of intoxicating liquor for delivery to the consumer;

(**a**) S.I. 1981/231 (N.I. 10)
(**b**) By S.I. 1982/846 (N.I. 11) Art. 4
(**c**) S.R. 1984 No. 85

"digital" means capable of assigning only certain discrete values or positions within a continuous range by a series of discontinuous steps;

"discrimination threshold" means, in the case of weighing equipment with a digital indicator, the weight which produces a change of reading of one digit, and in the case of weighing equipment with an analogue indicator, the weight which produces a 1 millimetre movement of the pointer;

"the Order" means the Weights and Measures (Northern Ireland) Order 1981;

"prescribed limits of error" has the meaning set out in regulation 20; and

"the stamp" means the stamp prescribed by the Weights and Measures (Prescribed Stamp) Regulations (Northern Ireland) 1969(**a**).

(2) The abbreviations of, and symbols for, units of measurement used in these Regulations refer to the relevant units as follows:—

Imperial System		*Metric System*	
fluid ounce	fl oz	gram	g
pint	pt	millilitre	ml
gallon	gal	millimetre	mm
		litre	l or L

Degree Celsius ..... °C

Application of Regulations and prescription of capacity serving measures

3.—(1) Subject to paragraph (2), these Regulations apply to the following capacity serving measures for use for trade for the purposes of measuring and serving intoxicating liquor for consumption on or off the premises at which it is sold, namely measures of—

Imperial System	*Metric System*
4 fl oz	100 ml
5 fl oz (1 gill)	125 ml
6 fl oz	150 ml
⅓ pt	175 ml
8 fl oz	200 ml
½ pt	250 ml
1 pt	500 ml
2 pt (1 quart)	1 l
4 pt (½ gal)	2 l

(2) These Regulations do not apply to liquid capacity measures specified in paragraph 4 of Schedule 4 to the Weights and Measures (Packaged Goods) Regulations (Northern Ireland) 1979(**b**) for use only for making up or checking packages in accordance with Article 31(9) or (10)(*a*) of the Order.

(3) Capacity serving measures to which these Regulations apply are hereby prescribed for the purposes of Article 9(1) of the Order.

(a) S.R. & O. (N.I.) 1969 No. 11
(b) S.R. 1979 No. 435 as amended by S.R. 1980 No. 403

(4) The Weights and Measures Regulations (Northern Ireland) 1967(**a**) are hereby amended in regulation 3(2) by the substitution of the following sub-paragraph for sub-paragraph (*g*):—

"(*g*) capacity serving measures to which the Capacity Serving Measures (Intoxicating Liquor) Regulations (Northern Ireland) 1990 apply.".

PART II

MATERIALS AND PRINCIPLES OF CONSTRUCTION AND MARKING OF CAPACITY SERVING MEASURES

Strength and durability

4. Every capacity serving measure shall be sufficiently strong, rigid and stable to withstand the wear and tear of ordinary use in trade.

Material characteristics

5. Every capacity serving measure shall—

(*a*) neither affect, nor be affected by, the intoxicating liquor which it is to be used to measure; and

(*b*) if made of plastic, after immersion in water at 95°C for 10 minutes, resist deformation under hand pressure and not shrink, distort, split or show signs of striation.

Manner of construction

6. Every capacity serving measure shall be constructed so that no air is trapped on filling and no liquid retained on emptying when tilted to an angle of 135° from the vertical.

Types of capacity serving measures

7.—(1) Capacity serving measures may be either—

(*a*) brim measures, which shall have a plane rim and be of a nominal capacity in column 1 of Table 1 in the Schedule; or

(*b*) line measures, which shall be of a nominal capacity in column 1 of Table 2 in the Schedule and marked with a line which shall be—

(i) on the inside or outside surface of the measure;

(ii) conspicuous and durable;

(iii) of a thickness of not less than 0.5 mm and not more than 1.5 mm;

(iv) subject to paragraph (2), of a minimum length as set out in column 5 of Table 2 for a measure of the relevant capacity; and

(v) at a minimum vertical distance from the top of the line to the plane of the brim as set out in column 3 of Table 2 for that measure, and at a maximum vertical distance from the top of the line to the plane of the brim of four times the relevant minimum distance.

(a) S.R. & O. (N.I.) 1967 No. 237; the relevant amending Regulations are S.R. 1984 No. 85

(2) Where the minimum length of line referred to in paragraph 1(*b*)(iv) is 25 mm, a line measure may instead be marked with two equal co-linear lines which, together with a separation of 2 mm, total not less than 25 mm.

Capacity serving measures to be stable and their brims and lines horizontal

8. A capacity serving measure shall not rock, and its brim and lines shall be reasonably horizontal, when it is on a flat horizontal surface.

Profile of capacity serving measures

9. The body of every capacity serving measure shall maintain a reasonably uniform profile when rotated about its principal axis and in this regulation "principal axis" means the vertical line which passes through the centre of the base when the measure is standing on a flat horizontal surface.

Marking of nominal capacity and subdivisions

10.—(1) Every capacity serving measure shall have its nominal capacity conspicuously, legibly and durably marked on the outside of the body of the measure (and not on any handle, bottom, rim, edge or stem) in the case of imperial measures in fluid ounces or pints and in the case of metric measures in millilitres or litres, in full or by means of one of the following abbreviations or symbols only—

fl oz, pt, ml, L or l

(2) The nominal capacity shall be marked—

(*a*) in the case of a brim measure, adjacent to the brim, in characters of a minimum height as set out in column 3 of Table 1 in the Schedule;

(*b*) in the case of a line measure, at the line denoting the nominal capacity, in characters of a minimum height as set out in column 4 of Table 2 in the Schedule.

(3) Capacity serving measures—

(*a*) over 10 fl oz in the case of imperial measures may be subdivided into multiples of ½ pt only;

(*b*) over 250 ml in the case of metric measures may be subdivided into multiples of 250 ml only; and

(*c*) of a nominal capacity of 1 litre may be subdivided at 700 ml and at no other point;

and such subdivisions shall be—

(i) lawful for use for trade; and

(ii) marked on the measure in the same field of view as the nominal capacity.

(4) The number of subdivisions shall be marked on the measure and each subdivision shall be—

(*a*) conspicuously, legibly and durably marked with the capacity it defines in characters of a minimum height as set out in column 3 of Table 1 in the case of a brim measure and in column 4 of Table 2 in the case of a line measure: and

(*b*) marked with a line which shall be—