1976 No. 155

WEIGHTS AND MEASURES

Weights and Measures (Marking and Abbreviations) Regulations (Northern Ireland) 1976

Made . . . . . 3rd *May* 1976

Coming into operation . . . 1st *August* 1976

The Department(a) of Commerce, in exercise of the powers conferred on it by sections 8(1)(*f*) and 15(4)(*a*) and (*d*) of the Weights and Measures Act (Northern Ireland) 1967(b) (hereinafter referred to as "the Act") and of every other power enabling it in that behalf, hereby makes the following regulations:

PART I

Citation, commencement and revocation

1.—(1) These regulations may be cited as the Weights and Measures (Marking and Abbreviations) Regulations (Northern Ireland) 1976 and shall come into operation on 1st August 1976.

(2) Nothing in these regulations shall require compliance therewith before 1st January 1978 in any case in which a container which is required to be marked with information as to the quantity of goods made up therein by virtue of Schedule 2, 4, 5, or 6 to the Act, or by virtue of the Weights and Measures (Dentifrices) Order (Northern Ireland) 1974(c), is marked in a manner which accords with the provisions of the Weights and Measures (Marking and Abbreviations of Units of Measurement) Regulations (Northern Ireland) 1970(d).

(3) In the case of returnable bottles, so marked with embossed or fired-on markings, this regulation shall have effect as if 1st January 1980 were substituted for 1st January 1978.

2. The Weights and Measures (Marking and Abbreviations of Units of Measurement) Regulations (Northern Ireland) 1970 are hereby revoked.

PART II

Use for trade of abbreviations of units of measurement

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

4.—(1) Any symbol or abbreviation set out in Schedule 1 may be used for trade to indicate the relevant unit of measurement so set out; and in the case only of abbreviations so set out the letter "s" may be added thereto when it is thought appropriate to indicate the plural.

(a) Formerly Ministry: *see* 1973 c. 36 s. 40 and Sch. 5 para. 8(1)
(b) 1967 c. 6 (N.I.)
(c) S.R. (N.I.) 1974 No. 282 (II, p. 1342)
(d) S.R. & O. (N.I.) 1970 No. 102 (p. 480)

(2) No symbol or abbreviation other than such a symbol or abbreviation as may be usable by virtue of paragraph (1) shall be used for trade to indicate any unit of measurement set out in the said Schedule.

PART III

Marking of containers

5.—(1) Subject to paragraph (2) this Part shall apply as respects the marking of any container required by the provisions of Schedule 2, 4, 5 or 6 to the Act or by any order under section 15(2) of the Act to be marked with any information as to the quantity of the goods made up therein.

(2) The following provision of this Part shall not apply in relation to any catchweight product, that is to say, regulations 8, 9(5), 9(6), 9(7), 10 and 15. In this paragraph "catchweight product" means any food product which because of its nature is not pre-packed according to a pre-determined fixed weight pattern but is pre-packed in varying quantities.

6. Subject to regulations 7 and 8, any unit of measurement set out in Schedule 2 may be used in marking any container which is so required to be marked with information as to quantity by measurement.

Restriction on imperial units to be employed

7.—(1) No marking indicating any quantity in excess of 1 ounce shall be entirely in terms of imperial units of mass or weight smaller than the ounce.

(2) No marking indicating any quantity—

(*a*) in excess of 48 ounces in the case of any goods to which paragraph 1(*c*)(ii) of Part VI of Schedule 5 to the Act applies (soap not in tablet, cake, bar or liquid form) and any such goods as are mentioned in paragraph 1(*c*) of Part IX of that Schedule (non-liquid detergents), or

(*b*) in excess of 16 ounces in the case of any other goods,

shall be entirely in terms of imperial units of mass or weight smaller than the pound.

(3) No marking indicating any quantity in excess of 40 fluid ounces shall be entirely in terms of imperial units of capacity measurement smaller than the pint.

Restriction on metric units to be employed

8.—(1) Any marking indicating any length—

(*a*) of one metre or more shall be entirely in terms of metres and fractions of a metre; and

(*b*) of less than one metre shall be either entirely in terms of centimetres, and fractions of a centimetre, or entirely in terms of millimetres.

(2) Any marking indicating any area—

(*a*) of 0.1 square metre or more shall be entirely in terms of square metres and fractions of a square metre; and

(*b*) of less than 0.1 square metre shall be either entirely in terms of square decimetres and fractions of a square decimetre or entirely in terms of square centimetres and fractions of a square centimetre.

(3) Any marking indicating any mass or weight—

(*a*) of one kilogramme or more shall be entirely in terms of kilogrammes and fractions of a kilogramme; and

(*b*) of less than one kilogramme shall be entirely in terms of grammes.

(4) Any marking indicating any capacity—

(*a*) of one litre or more shall be entirely in terms of litres and fractions of a litre; and

(*b*) of less than one litre shall be entirely in terms of centilitres and fractions of a centilitre, or entirely in terms of millilitres.

(5) Any marking indicating any volume—

(*a*) of 0.01 cubic metres or more shall be entirely in terms of cubic metres and fractions of a cubic metre; and

(*b*) of less than 0.01 cubic metres shall be entirely in terms of cubic centimetres and fractions of a cubic centimetre.

Marking with quantity by measurement

9.—(1) In the case of a container required by or under the Act to be marked with quantity by measurement, the marking shall comprise the numerical value of the relevant unit of measurement permitted by regulation 6 expressed in words or figures and a reference to that unit either by words or by means of a symbol or abbreviation which may lawfully be used in relation to that unit pursuant to Part II.

(2) Any indication of 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.

(3) No abbreviation of the word "net" or "gross" shall be employed in the marking.

(4) Where the numerical value of the relevant unit of quantity is expressed in words, the unit of measurement shall be expressed in words and not by means of a symbol or abbreviation:

Provided that the words "kilogram" and "gram" may be used for the units of measurement "kilogramme" and "gramme" respectively.

(5) One type space shall be left between the numerical value of the relevant quantity and the name, symbol or abbreviation of the unit of measurement.

(6) Vulgar fractions shall not be expressed in a manner in which the numerator and denominator are likely to be read as referring to whole units.

(7) In the marking of the numerical value in terms of decimal fractions the decimal marker shall be expressed as either a point or a comma on the line.

(8) A metric quantity shall not be expressed as a vulgar fraction, except as, where appropriate, one half or $\frac{1}{2}$, or one quarter or $\frac{1}{4}$, of the unit.

Imperial and metric units

10.—(1) In the case of perfumes and toilet preparations other than soap, the marking shall be by quantity in metric or imperial units or both.

(2) In the case of any goods which are required to be marked with quantity by measurement other than goods to which paragraph (1) applies, the marking shall be by quantity in both imperial and metric units.

11.—(1) Where the marking is by quantity in both imperial and metric units (whether so permitted or so required by Regulation 10) the following provisions 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 a case where the relevant goods are required by or under the Act to be 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":

Provided that sub-paragraph (*b*) shall apply only to goods that were at the date of making of these regulations required to be made up in specified quantities, whether both imperial quantities and metric quantities were specified or only imperial quantities.

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

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

Marking with quantity by number

12. In the case of a container which is required by or under the Act to be marked with quantity by number, the number may be expressed in words or figures.

Position of marking, etc.

13.—(1) A marking—

(*a*) shall be clear, legible and conspicuous;

(*b*) shall be in a prominent position so that it will be readily discernible and easily read by an intending purchaser under normal conditions of purchase;

(*c*) shall not be hidden or obscured in any way whether by a stamp, sticker, outer wrapping, or otherwise;

(*d*) if it is not upon the actual container or on a label securely attached thereto shall be so placed that it cannot be removed without opening the container.

(2) Where pursuant to regulation 11(3), 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.

14.—(1) Except in the case of a marking embossed in high or low relief on any container which bears no other wording in any colour which contrasts with its background or which only bears wording in such a colour upon a stopper, lid or closure whose maximum dimension is not more than 5.0 cm. markings shall be upon a plain or inconspicuously patterned background and in a colour which is in distinct and conspicuous contrast thereto.