STATUTORY INSTRUMENTS

1964 No. 1140

WEIGHTS AND MEASURES

The Weights and Measures (Marking) Regulations 1964

Made - - - -	21*st July* 1964
Laid before Parliament	28*th July* 1964
Coming into Operation	31*st July* 1965

The Board of Trade, in pursuance of the powers conferred upon them by section 21(4) of the Weights and Measures Act 1963(a) and all other powers enabling them in that behalf, hereby make the following Regulations:—

1.—(1) Subject to paragraphs (2) and (3) of this regulation, any container required by any of the provisions of Schedules 4, 6, 7 or 8 of the Weights and Measures Act 1963 to be marked with an indication of quantity, shall be so marked in the manner prescribed in these Regulations.

(2) Before 31st July 1966, nothing in these Regulations shall apply to the manner of marking any container which left the premises at which it was filled or otherwise made up for sale before 31st July 1965.

(3) Nothing in regulations 2(2), 3(2) or 3(3) of these Regulations shall apply to the manner of marking any container of food.

2.—(1) The indication of quantity shall be marked in a prominent position on the container where it can be easily read and it shall not be obscured by any stamp, sticker, outer wrapper or in any other way.

(2) The indication of quantity may be marked on the base of the container only if there is no wording visible elsewhere on or through the outside of the container.

(3) Where the indication of quantity is not written on the container or on a label securely attached to the container, it must be so placed that it cannot be removed without opening some part of the container.

3.—(1) The indication of quantity shall be clear, legible and conspicuous.

(2) The indication of quantity shall be marked in characters which are not less than the size specified in the Schedule to these Regulations, being the size appropriate to the size of the container:

Provided that, in the case of a fraction expressed in figures, the whole fraction, and not the individual figures comprising it, shall be deemed to be a character for the purposes of this provision.

(3) Fractions shall be distinct from any whole number with which they are associated and, if expressed in figures, shall not be written thus: 1–2.

4.—(1) Subject to paragraphs (2) and (3) of this regulation, the indication of quantity shall be marked upon a plain background and in a colour which is in distinct and conspicuous contrast thereto:

Provided that, where by reason of the transparency of the container, the contents thereof are visible, the said contents shall be deemed to be the background for the purposes of this provision.

(a) 1963 c. 31.

(2) Nothing in paragraph (1) of this regulation shall apply to the manner of marking the indication of quantity on an open-topped container of solid fuel on which the indication of quantity is marked on a tablet of metal or other durable material which is securely attached to the container.

(3) Nothing in paragraph (1) of this regulation shall prevent the indication of quantity from being marked in characters embossed in high or low relief, whether or not such characters are in contrast to the background, where the container bears no wording in a colour which contrasts with the background on which it is written:

Provided that:—

(i) any wording on a stopper, lid or other closure which does not exceed two inches in length, breadth or diameter, as the case may be, shall not be taken into account for the purposes of this provision;

(ii) before 31st July 1967, the indication of quantity may be marked in characters embossed in high or low relief, whether or not the container bears wording in colour which contrasts with the background on which it is written.

5.—(1) An indication of quantity by gross weight shall include the words "gross", "gross weight", "including container" or some other expression having the same effect.

(2) Where the words "net" or "gross" are incorporated in the indication of quantity, they shall not be written in an abbreviated form.

6.—(1) Subject to paragraph (2) of this regulation, the indication of quantity shall be marked in terms of imperial units or of imperial and metric units.

(2) Nothing in paragraph (1) of this regulation shall prevent the marking in metric units only of any container of perfumery or toilet preparations, other than soap.

(3) Where the indication of quantity is marked in terms of imperial and metric units, the indication in terms of metric units shall be placed in close proximity to, but shall be distinct from, the indication in terms of imperial units.

7. No quantity in excess of:—

(*a*) 1 pound shall be expressed wholly in terms of ounces;

(*b*) 1 ounce shall be expressed wholly in terms of drams;

(*c*) 1 quart shall be expressed wholly in terms of fluid ounces.

8. The Interpretation Act 1889(a) shall apply to the interpretation of these Regulations in like manner as it applies to the interpretation of an Act of Parliament.

9. These Regulations may be cited as the Weights and Measures (Marking) Regulations 1964, and shall come into operation on 31st July 1965.

21st July 1964.

David Price,
Parliamentary Secretary to
the Board of Trade.

(a) 52 & 53 Vict. c. 63.

SCHEDULE

MINIMUM SIZE OF CHARACTERS CONSTITUTING THE INDICATION OF QUANTITY

1. In cases other than those covered by paragraph 2 of this Schedule :—

Greatest dimension of container	Minimum height of characters
Not exceeding 2 inches	$\frac{1}{16}$ inch
Exceeding 2 inches but not exceeding 12 inches.	$\frac{3}{32}$ inch
Exceeding 12 inches but not exceeding 18 inches.	$\frac{5}{32}$ inch
Exceeding 18 inches but not exceeding 24 inches.	$\frac{5}{16}$ inch
Exceeding 24 inches	$\frac{1}{2}$ inch

2. Where the indication of quantity on an open-topped container of solid fuel is marked on a tablet of metal or other durable material which is securely attached to the container, the characters used to denote the number of the units shall be not less than $\frac{1}{2}$ inch in height, and any other characters shall be not less than $\frac{5}{32}$ inch in height, irrespective of the size of the container.

3. In this Schedule, the expression "greatest dimension of container" shall mean the height, length or breadth, whichever is the greatest, of a rectilinear or approximately rectilinear container, or the height or maximum diameter, whichever is the greater, of a container with a curvilinear or approximately curvilinear cross-section.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations prescribe the manner in which indications of quantity are to be marked on containers which are required to be so marked by the Weights and Measures Act 1963. Insofar as they relate to food, they will replace the corresponding provisions of the Pre-Packed Food (Weights and Measures: Marking) Regulations 1957 (S.I. 1957/1880), which lapse on 31st July 1965.