STATUTORY INSTRUMENTS

1980 No. 246

WEIGHTS AND MEASURES

The Weights and Measures (Milk and Solid Fuel Vending Machines) Regulations 1980

Made - - - -	*25th February* 1980
Laid before Parliament	*5th March* 1980
Coming into Operation	*1st April* 1980

The Secretary of State, in exercise of the powers conferred by section 21(4)(*b*) and (*d*) of the Weights and Measures Act 1963**(a)** (hereinafter called "the Act") and now vested in him**(b)** and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Weights and Measures (Milk and Solid Fuel Vending Machines) Regulations 1980 and shall come into operation on 1st April 1980.

(2) The Weights and Measures (Milk and Solid Fuel Vending Machines) Regulations 1965**(c)** and the Weights and Measures (Milk and Solid Fuel Vending Machines) (Amendment) Regulations 1976**(d)** are hereby revoked.

2. The information required to be displayed—

(*a*) on or in a milk vending machine by virtue of Article 6 of the Weights and Measures Act 1963 (Milk) Order 1979**(e)**, and

(*b*) on or in a solid fuel vending machine by virtue of paragraph 4 of Schedule 6 to the Act

shall be displayed in accordance with the following provisions of these Regulations.

3.—(1) The units of measurement to be used in marking any such machine with information as to the quantity comprised in each item for sale by means of that machine shall be the same as are used to mark the container included in that item with a statement of quantity as required by section 1(4)(*a*) of the Weights and Measures Act 1979**(f)**, or as would be so used but for any exemption from that requirement having effect by virtue of regulations made under section 13 of that Act**(g)**.

(2) The characters in which that information is displayed shall be clear and legible and shall be marked upon a plain background and in a colour which is a distinct and conspicuous contrast thereto.

(3) The characters in which that information is displayed shall be not less than 10 mm in height.

(4) The numerator and denominator together indicating a vulgar fraction shall appear one on top of the other and for the purposes of paragraph (3) of this Regulation shall be treated as a single character.

(a) 1963 c. 31. **(b)** S.I. 1970/1537. **(c)** S.I. 1965/2149.
(d) S.I. 1976/795. **(e)** S.I. 1979/1752.
(f) 1979 c. 45; and *see* Regulation 10 of S.I. 1979/1613.
(g) *See* Regulation 5(2)(*a*) of, and Part I of Schedule 3 to, S.I. 1979/1613.

4.—(1) The information referred to in Regulation 3 shall be displayed prominently so that a prospective buyer can read it easily and unless the information is displayed near to or upon an example of the relevant item or its container which is visible in the machine to a prospective buyer it shall be displayed as follows:—

(*a*) in the case of a machine by means of which a selection of items can be offered to prospective buyers, in a position near to or upon the device by which selection of the relevant item is effected; or

(*b*) in any other case in a position near to a coin slot.

(2) In the case of a machine by means of which a selection of items can be offered the said information shall be so displayed as to indicate clearly to which of any series of coin slots, press buttons, drawers or other selecting devices or to which selecting position of any single selecting device the information relates.

5. The statement of the name and address of the seller which is required to be displayed if the machine is not on premises where the seller carries on business shall be clearly and legibly marked upon the machine in a position where it can be easily seen by a prospective buyer.

Sally Oppenheim,
Minister of State,
Department of Trade.

25th February 1980.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations replace the Weights and Measures (Milk and Solid Fuel Vending Machines) Regulations 1965. The Regulations apply to vending machines by means of which pre-packed milk and solid fuel are for sale, and specify the manner in which information is to be displayed on or in such vending machines and the units of measurement to be used in marking the machines with any information about the quantity of each item for sale therein.

The changes are:—

(1) In the case of milk, the information is now required to be displayed on or in the machine by virtue of the Weights and Measures Act 1963 (Milk) Order 1979;

(2) The Regulations still require vending machines by means of which pre-packed milk and solid fuel are for sale to be marked with the same units of measurement as are required to be marked on the container of the item in question (or would be marked if the container was not exempt from that requirement). From 1st January 1980 that requirement arises under the Weights and Measures Act 1979 (instead of the Weights and Measures Act 1963). There is an exemption in the case of milk when made up in quantities of $\frac{1}{3}$ pt, $\frac{1}{2}$ pt or 1 pint in transparent containers.