

GUERNSEY STATUTORY INSTRUMENT  
1991 No. 50

The Weights and Measures (Measuring Equipment) (Liquid and Dry  
Capacity Measures) Regulations, 1991

Made ... .. 16th December, 1991  
Laid before the States ... 29th January, 1992  
Coming into operation ... 17th December, 1991

THE STATES BOARD OF EMPLOYMENT, INDUSTRY AND COMMERCE, in exercise of the powers conferred by sections 7(1), 8(1), (4) and (7), 11(1) and 61(1) of the Weights and Measures (Guernsey and Alderney) Law, 1991(a) and in exercise of all other powers enabling it in that behalf, hereby makes the following Regulations -

PART I

APPLICATION

1.(1) Subject to paragraph (2) below these Regulations apply to liquid capacity measures and dry capacity measures for use for trade and such measures are hereby prescribed for the purposes of section 8(1) of the Law.

(2) Nothing in these Regulations shall apply to measuring equipment of the following descriptions:

- (a) liquid capacity measures for use only for making up or checking packages in accordance with section 44(1) or (2)(a) of the Law; and

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(a) Ordre en Conseil No. XVII of 1991.

- (b) capacity measures to which the Weights and Measures (Measuring Equipment) (Intoxicating Liquor Capacity Serving Measures) Regulations, 1991(b) apply.

PART II

LIQUID CAPACITY MEASURES

Materials and principles of construction

2. Liquid capacity measures shall be made of aluminium alloys, copper, copper alloys, earthenware, enamelled-metal, glass, nickel alloys, plated, tinned or galvanised iron or steel, stainless steel, tin alloys, urea formaldehyde plastic or vulcanite, or of any other material approved by the competent authority.

3.(1) Liquid capacity measures made of pewter or of other tin alloys shall contain at least 80 per cent by weight of tin, and shall not contain more than 10 per cent by weight of lead.

(2) All such measures shall bear the name and address of the maker on the underside of the bottom of the measure.

4.(1) Liquid capacity measures made of copper or copper alloys shall be well tinned all over the inside; on plated measures the coating shall show no signs of peeling.

(2) On measures on which there are strengthening ribs or bands, such ribs or bands shall not take such a form as to show, by indentation or otherwise, any divisions on the measure which, in the opinion of an inspector, might reasonably be mistaken for graduations.

5. Liquid capacity measures, if their maximum purported values are clearly defined, may have a top rim, lip or retaining edge to prevent spilling:

Provided that -

- (a) in the case of measures made of metal for the sale of milk and in the form of churns, the top rim, lip or retaining edge shall not increase the capacity of the measure by more than 25 per cent of its maximum purported value;
- (b) in the case of other measures, the top rim, lip or retaining edge shall not increase the capacity of the measure by more than 10 per cent of its maximum purported value.

6. No liquid capacity measure shall be so constructed that -

- (a) it has a false bottom; or
- (b) it does not completely empty when tilted to an angle of 120 degrees from the vertical.

7. In the case of liquid capacity measures fitted with a tap, the tap shall completely empty the measure without tilting.

8. Publicans' measures made of metal, glass, or earthenware may be provided with a spout or projecting mouth; they may also have a bottom rim but, in the case of measures of a maximum purported value not exceeding 1 pint, such rim shall

not project more than half an inch below the bottom of the measure.

9. Dipping measures made of metal of a maximum purported value not exceeding half a gallon for use for the sale of milk shall be of circular or elliptical section with vertical sides, and the height shall not be more or less by 10 per cent than  $1\frac{1}{2}$  times the mean diameter of the section.

10. Liquid capacity measures made of glass, other than apothecaries measures, shall have their maximum purported values defined either -

- (a) by the brim of the measure; or
- (b) by a line not less than 2 inches in length, and distant not less than half an inch nor more than  $1\frac{1}{2}$  inches from the brim.

11. Liquid capacity measures made of earthenware shall have their maximum purported values defined either -

- (a) by the brim of the measure; or
- (b) by an indelible line marked on the inside of the measure, so that -
  - (i) in the case of measures of a maximum purported value not exceeding 1 quart, the distance from the bottom of the line to the brim does not exceed three-eighths of an inch;
  - (ii) in the case of measures of other maximum purported values, the said distance does

not exceed three-quarters of an inch.

12.(1) Subject to paragraphs (2) and (3) of this regulation, any liquid capacity measure (other than a measure made of metal of a maximum purported value of half a gallon or less or 2½ litres or less) may be used for trade by means of any division or subdivision marked thereon as a capacity measure of any lesser quantity.

(2) In the case of measures made of glass which are subdivided by graduations, the total number of graduations on the measure shall be marked thereon and all graduations shall be marked by clearly defined lines, which shall -

(a) in the case of measures of a maximum purported value of 1 gallon or less (other than an apothecaries measure), be not less than 1 inch in length; and

(b) be not less than one-twelfth of an inch apart.

(3) In the case of measures made of metal which are subdivided by graduations, all graduations shall be marked by clearly defined lines and if such measures are for use for the sale of milk and are -

(a) of a maximum purported value not exceeding 5 gallons, the graduations shall be marked on two metal strips fixed opposite to each other inside the measure; or

(b) of a maximum purported value exceeding 5 gallons, the graduations shall be marked

either on a metal strip inside the measure and extending to the whole depth of the measure or on metal tablets securely soldered to the measure.

13.(1) Liquid capacity measures shall have their maximum purported value conspicuously, legibly and durably marked on the outside of the body of the measure (and not upon the handle, bottom, rim or edges) either in full or by means of one of the following abbreviations only:

gal qt pt fl oz l dl cl ml.

(2) The maximum purported value shall be marked -

- (a) on measures made of glass on which the said value is defined by a line, at the line;
- (b) on measures made of enamelled-metal, in a distinctly different colour from that of the body of the measure;
- (c) on measures made of metal for use for the sale of milk and of a said value exceeding 5 gallons, on the graduated strip or the topmost tablet as well as on the outside of the measure;
- (d) on measures made of sheet metal, by means of embossing, engraving or impressing on the body of the measure or on a slip of tin or on a shield securely soldered to the measure.

14.(1) Apothecaries measures which are subdivided shall be made of glass and shall be of the conical or cylindrical type.

(2) If such measures are marked with an indication of their equivalent purported values in terms of weight, the words "of water" shall also be marked on the measure in close proximity to the said indication.

Testing

15. Measuring equipment shall be submitted for testing and tested in a clean condition and shall be complete in itself.

16.(1) Liquid capacity measures of maximum purported values between 8 gallons and one-sixth of a gill inclusive, shall be tested by transferring water from the Bailiwick standard or working standard into the measure under test.

(2) Measures -

(a) with a lip or rim, shall be tested to the bottom of the lip or rim;

(b) on which the purported value is defined by a line, shall be tested to the bottom of the line and, in the case of measures made of glass, shall be so tested by taking the level of the water at the bottom of the meniscus.

17. The Schedule to these Regulations shall have effect for prescribing limits of error in relation to liquid capacity measures.

PART III

DRY CAPACITY MEASURES

Materials and principles of construction

18.(1) Dry capacity measures shall be made of aluminium

alloys, copper, copper alloys, plated, tinned or galvanised steel or iron, stainless steel or well-seasoned wood, or of any other material approved by the competent authority.

(2) Measures made of wood shall not be turned from the solid nor made of sappy wood.

(3) Measures of a maximum purported value of 4 gallons or more shall be provided with handles.

19. Dry capacity measures of a maximum purported value not exceeding 8 gallons shall be of cylindrical shape, with the internal diameter approximately equal either to the depth or to twice the depth, the difference between the internal diameter and the depth being not greater than 5 per cent of the depth or twice the depth respectively.

20.(1) Dry capacity measures made of wood (other than measures made of wicker or other open material) of a maximum purported value of 1 gallon or more shall be bound or strengthened with metal or wooden straps or hoops.

(2) Such measures of a maximum purported value of 2 gallons or more shall have metal band fixed around the rim.

21. Dry capacity measures shall have their purported values marked thereon in like manner as they are marked on liquid capacity measures, except that -

(a) in the case of measures made of wood (other than measures made of wicker or other open material), the said values shall be marked by branding;

- (b) in the case of measures made of wicker or other open material, they shall be marked on a brass tablet or plate fastened to the measure by means of copper wire, or by branding on a tablet of wood securely worked into the side of the measure.

Testing

22. Measuring equipment shall be submitted for testing and tested in a clean condition and shall be complete in itself.

23.(1) Dry capacity measures (other than measures made of wicker or other open material) shall be tested either with water or in the following manner with rape seed:

- (a) the Bailiwick standard or working standard of corresponding purported value shall be filled with seed which has been passed through a hopper, a vertical distance of 6 inches being left between the bottom of the hopper and the top of the standard; if the seed has been lying unused prior to the test, it shall be passed at least 6 times through the hopper;
- (b) all the seed contained in the standard shall then be replaced in the hopper and thence run from the hopper into the measure under test, which shall be so placed that the same vertical distance of 6 inches intervenes between the bottom of the hopper and the top

of the measure;

- (c) the seed shall be levelled by means of a strike (made of hard wood, circular in section and  $1\frac{1}{2}$  inches in diameter) being swept across both the standard and the measure as quickly and lightly as possible to prevent any undue settlement or vibration.

(2) Measures made of wicker or other open material shall be similarly tested by means of cereals of the smallest size practicable.

24. The Schedule to these Regulations shall have effect for prescribing limits of error in relation to dry capacity measures.

#### PART IV

#### SUPPLEMENTARY PROVISIONS

##### Passing as fit for use for trade

25.(1) No measuring equipment shall be passed as fit for use for trade unless -

- (a) it complies with the appropriate requirements of these Regulations;
- (b) in the case of -
  - (i) a dry capacity measure with more than one purported value in terms of units of capacity measurement and commonly known as a double measure; and
  - (ii) a capacity measure marked with an indication of its purported value in

units of both the imperial system and  
the metric system;

it is made in accordance with a pattern in  
respect of which a certificate of approval is  
in force;

- (c) it is sufficiently strong to withstand the  
wear and tear of ordinary use in trade; and
- (d) it does not bear a maker's mark or any trade  
mark which, in the opinion of the inspector,  
might reasonably be mistaken for the  
prescribed stamp.

Stamping

26.(1) Subject to paragraph (2) of this regulation, no  
measuring equipment shall be stamped unless it contains a plug  
or stud of soft metal for the reception of an inspectors's  
stamp, such plug or stud being made irremovable by under  
cutting or otherwise.

(2) Paragraph (1) of this regulation shall not apply  
to:

- (a) capacity measures made of glass, earthenware,  
enamelled-metal, plastic or vulcanite;
- (b) liquid capacity measures made of metal; and
- (c) dry capacity measures made of material other  
than metal.

(3) The stamp shall be placed on the plug or stud  
referred to in paragraph (1) above.

27. The stamp shall be placed on liquid capacity measures as follows -

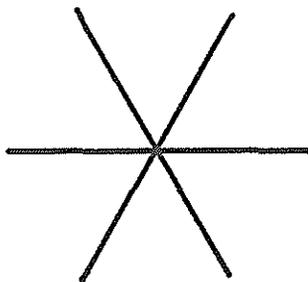
- (a) on measures made of glass, earthenware, enamelled-metal, urea formaldehyde plastic or vulcanite, it shall be etched or sand-blasted beneath or near to the indication of the purported value on the outside of the measure;
- (b) on measures made of metal (other than enamelled-metal) which are subdivided, it shall be placed both on solder affixed to the inside strips or tablets near to the top-most graduation and also on the outside of the measure near to the indication of the purported value;
- (c) on measures made of metal which are not subdivided and which have no lip or rim, it shall be placed near to the indication of the purported value on the outside of the measure;
- (d) on measures made of metal (other than enamelled-metal) which are not subdivided but which have a lip or rim, it shall, as far as practicable, be placed on the bottom of the inside of the lip or rim; and
- (e) on measures other than those specified in the preceding sub-paragraphs of this regulation, it shall be placed on a plug or stud of soft metal provided for such use.

28. Dry capacity measures -

- (a) made of metal shall be stamped near the brim in a vertical line with the indication of the purported value. Where necessary, such measures shall be provided with a plug of soft metal to receive the stamp;
- (b) made of wood (other than measures made of wicker or other open material) shall be branded on the outside in a line vertical with the indication of the purported value and, in the case of new measures, also in the inside angle at the bottom of the measure; and
- (c) made of wicker or other open material shall be stamped on a tablet, plate or fastening affixed in such a manner that it cannot be removed without defacing the stamp.

Obliteration of stamps

29. Stamps shall be obliterated by an inspector, in accordance with the requirements of these Regulations, by means of punches or pincers of a six-pointed star design as shown in the following illustration:



30.(1) Subject to the following provisions of this Regulation an inspector shall obliterate the stamp on -

- (a) any measuring equipment which falls outside the prescribed limits of error or which does not comply with any relevant requirements of these Regulations; and
- (b) any measure which has been so broken or damaged that it cannot in his opinion be properly adjusted or the accuracy of which has in his opinion been affected by an alteration, adjustment, addition or repair made or carried out since it was last stamped.

(2) Where any equipment is found not to comply with the requirements of these Regulations solely because it falls outside the prescribed limits of error, an inspector may, instead of immediately obliterating the stamp thereon pursuant to paragraph (1), serve upon the person in possession of the equipment a notice requiring him to ensure that the equipment is brought within the prescribed limits of error before the expiry of 28 days or such shorter period as may be specified in the notice.

(3) Where any notice given pursuant to paragraph (2) is not duly complied with the inspector shall obliterate the stamp on the relevant equipment.

PART V

GENERAL

Interpretation

31.(1) The Interpretation (Guernsey) Law, 1948(c) applies to the interpretation of these Regulations as if they were an enactment.

(2) In these Regulations -

"certificate of approval" means a certificate of approval of a pattern of measuring equipment issued by the competent authority;

"competent authority" means the Secretary of State for the time being responsible for the carrying out of the functions assigned by the Weights and Measures Act 1985(d) or any Community obligation;

"the Law" means the Weights and Measures (Guernsey and Alderney) Law, 1991; and

"the stamp" means the prescribed stamp(e).

Citation

32. These Regulations may be cited as the Weights and Measures (Measuring Equipment) (Liquid and Dry Capacity Measures) Regulations, 1991.

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(c) Ordres en Conseil Vol. XIII, p.355.

(d) An Act of Parliament (1985 c.72).

(e) S.I. 1991/46.

Commencement

33. These Regulations shall come into operation on  
17th December, 1991.

Dated 16th December, 1991.

A handwritten signature in cursive script, appearing to read "David Evans".

DAVID EVANS  
President of the  
States Board of Employment, Industry and Commerce.

SCHEDULE

PRESCRIBED LIMITS OF ERROR UPON THE TESTING  
OF CAPACITY MEASURES

1.(1) The prescribed limits of error for capacity measures in relation to the passing of any such measure as fit for use for trade shall be the appropriate amount specified in paragraph 2 or 3, as the case may be, of this Schedule.

(2) The prescribed limits of error for capacity measures in relation to the obliteration of the stamp on any such measure shall be -

(a) in the case of a capacity measure other than an apothecaries measure -

(i) if the error found on testing is in deficiency, an amount equal to half the corresponding amount prescribed in relation to the passing of such measure as fit for use for trade;

(ii) if the error so found is in excess, an amount equal to the corresponding amount prescribed in relation to the passing of such measure as fit for use for trade;

(b) in the case of an apothecaries measure (and whether the error found on testing is in deficiency or excess), an amount equal to the corresponding amount prescribed in relation to the passing of such measure as fit for use for trade.

2. Imperial system

(a) Liquid Measures

Purported capacity	Error in excess only, fluid ounces
1/6, 1/5 or 1/4 gill	0.0625
1/3, 2/5 or 1/2 gill, 4 fl oz	0.125
1 gill, 6 fl oz or 1/3 pt	0.25
8 fl oz or 1/2 pt	0.375
1 pt	0.5
1 qt or 1/2 gal	1.0
1 to 3 gal (inclusive)	2.0
4 to 7 gal (inclusive)	3.0
8 to 19 gal (inclusive)	5.0
20 to 32 gal (inclusive)	10.0
33 to 64 gal (inclusive)	15.0

- (i) In the case of conical-shaped measures made of metal, the foregoing amounts of error (as tabulated) shall be decreased to half the said amounts.
- (ii) In the case of milk churns of purported values of 4 to 32 gallons inclusive, the foregoing amounts of error (as tabulated) shall be increased to double the said amounts.
- (iii) In the case of measures made of enamelled-metal, glass or earthenware where the purported value is defined by the brim, and of a purported value exceeding half a pint, the foregoing amounts of error (as tabulated) shall be increased to double the said amounts; and of a purported value of half a pint, the prescribed limit of error shall be half a fluid ounce in excess only.
- (iv) In the case of subdivided measures, the error at any graduation shall not exceed that specified for a measure of equivalent purported value.

(b) Dry Measures

Purported capacity	Error in excess only
$\frac{1}{2}$ pt	0.625 fl oz
1 pt	0.25 gill
1 qt	0.5 gill
$\frac{1}{2}$ gal	1.0 gill
1 gal or 2 gal	1.5 gill
4 gal or 8 gal	0.5 pt

3. Metric system

(a) Liquid measures made of metal, other than apothecaries measures

Purported value	Error in excess only
	millilitres
1 millilitre	0.05
2 millilitres	0.1
5 millilitres	0.25
10 millilitres	0.5
20 millilitres	1
25 millilitres	1
50 millilitres	2
100 millilitres	2
200 millilitres	5
250 millilitres	5
500 millilitres	10
1 litre	15
2 litres	25
2½ litres	25
5 litres	50
10 litres	75
20 litres	100

In the case of subdivided measures, the error at any graduation shall not exceed that specified for a measure of equivalent purported value.

(b) Liquid measures made of earthenware, glass or enamelled-metal, and measures made of other materials approved by the competent authority, other than apothecaries measures

Purported value	Error in excess only
	millilitres
200 millilitres	10
250 millilitres	10
500 millilitres	25
1 litre	50
2 litres	100
2½ litres	100
5 litres	200

In the case of subdivided measures, the error at any graduation shall not exceed that specified for a measure of equivalent purported value.

(c) Apothecaries measures

Approximate internal diameter of measure in millimetres at the graduation tested	Error in excess or in deficiency
millimetres	millilitres
10	0.05
20	0.15
30	0.3
40	0.4
50	0.6
60	0.6
70	0.8
80	0.8
90	1
100	1

In the case of graduated measures made of glass in the form of burettes, the foregoing amounts of error shall be decreased to half the said amounts.

(d) Dry measures

Purported value	Error in excess only
	millilitres
200 millilitres	10
500 millilitres	25
1 litre	50
2 litres	100
2½ litres	100
5 litres	150
10 litres	250
20 litres	300

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations apply to dry and liquid capacity measures (except certain liquid capacity 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). Such dry and liquid capacity measures are prescribed for the purposes of section 8(1) of the Weights and Measures (Guernsey and Alderney) Law, 1991 so that it is unlawful to use them for trade purposes unless they have been tested, passed as fit for such use and stamped by an inspector of weights and measures.

The Regulations make provision for -

- (a) the materials and principles of construction and marking of liquid capacity measures (Regulations 2 to 14) and of dry capacity measures (Regulations 18 to 21);
- (b) the testing of liquid capacity measures (Regulations 15 and 16) and of dry capacity measures (Regulations 22 and 23);
- (c) the prescribed limits of error for liquid capacity measures (Regulation 17) and for dry capacity measures (Regulation 24); and
- (d) the passing as fit for use for trade, stamping and obliteration of stamps on such measures (Regulations 25 to 30).