
STATUTORY INSTRUMENTS

1994 No. 1258

WEIGHTS AND MEASURES

The Weights and Measures (Packaged Goods) (Amendment) Regulations 1994

<i>Made</i>	- - - -	<i>9th May 1994</i>
<i>Laid before Parliament</i>		<i>10th May 1994</i>
<i>Coming into force</i>	- -	<i>31st July 1994</i>

Whereas the Secretary of State pursuant to section 86(2) of the Weights and Measures Act 1985⁽¹⁾ has consulted with organisations appearing to him to be representative of interests substantially affected by these Regulations and has considered the representations made to him by organisations with respect to the subject matter of these Regulations:

Now, therefore, the Secretary of State in exercise of the powers conferred on him by sections 48, 49, 66, 86 and 94(1) of that Act and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Weights and Measures (Packaged Goods) (Amendment) Regulations 1994.

(2) These Regulations shall come into force on 31st July 1994.

(3) In these Regulations, “the principal Regulations” means the Weights and Measures (Packaged Goods) Regulations 1986⁽²⁾.

Intoxicating liquor

2. The principal regulations are hereby amended in Schedule 1, in Part I,—

(a) in item 29, by the insertion after the words “Alcoholic beverages” of the words “not falling within item 29A”; and

(b) by the insertion after item 29 of a new item “29A” consisting—

(i) in column 1, of the words “Intoxicating liquor and other liquids specified in column 1 of Schedule 1 to the Weights and Measures (Intoxicating Liquor) Order 1988⁽³⁾” and

⁽¹⁾ 1985 c. 72; section 94(1) defines “prescribed”.

⁽²⁾ S.I. 1986/2049 as amended by S.I. 1987/1538 and 1992/1580.

⁽³⁾ S.I. 1988/2039 as amended by S.I. 1990/1550.

(ii) in column 3, of the words “5 ml 10 L”.

Cosmetic products

3.—(1) The principal regulations are hereby amended in Schedule 1, in Part II,—

- (a) in each of items 4 and 15, by the insertion after the word “soap” where it first occurs, of the words “not being a cosmetic product as defined in item 21 below”;
- (b) by the omission of item 18; and
- (c) by the substitution for items 21 to 24 of a new item “21” consisting,—
 - (i) in column 1 of the words “cosmetic products, that is to say, any substance or preparation intended to be placed in contact with the various external parts of the human body (that is to say, the epidermis, hair system, nails, lips and external genital organs) or with the teeth and the mucous membranes of the oral cavity with a view exclusively or mainly to cleaning them, perfuming them, changing their appearance, correcting bodily odours, protecting them or keeping them in good condition”,

(ii) in column 2, of the words—

“(i) products in sachets or other containers for single use only;

(ii) packages comprising items for which particulars of weight or volume are not significant.”; and

(iii) in column 3, of the words—

“5 g or 10 kg or

5 ml 10L”.

(2) The principal regulations are hereby amended in Schedule 6, in Part II, in paragraph 2, in column 1, by the substitution for the words “goods to which Council Directive No. [76/768/EEC](#) applies” of the words “cosmetic products as defined in item 21 in Part II of Schedule 1”.

Department of Trade and Industry
9th May 1994

Strathclyde
Minister of State for Consumer Affairs and
Small Firms,

EXPLANATORY NOTE

(This note is not part of the Regulations)

These regulations amend Schedule 1 to the Weights and Measures (Packaged Goods) Regulations 1986 (S.I.1986/2049) which lists products which fall to be made up under the average system of quantity control without having to be marked with the EEC sign (the “e mark”).

The amendments made by the Regulations implement article 6 of Council Directive76/768/EEC on the approximation of the laws of Member states relating to cosmetic products (O.J. No. L 262, 27.9.76, p.169) as substituted by article 1(4) of Council Directive 88/667 (O.J. L 382, 31.12.88, p.46).

The principal changes are:

- (a) to revise the list of goods included in Schedule 1 in conformity with the Directive; and
- (b) for the purposes of that Schedule, to set the lower limit for the quantity in packages of such products as 5 g or 5 ml.

The Regulations also modify Schedule 1 in relation to intoxicating liquor.

A Compliance Cost Assessment of the impact that these Regulations will have on business will be available in the libraries of both Houses of Parliament once the Regulations, having been made, are laid before Parliament and from the Consumer Affairs Division of the Department of Trade and Industry, Room 407, 10-18 Victoria Street, London SW1H 0NN.