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STATUTORY INSTRUMENTS

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**2006 No. 659**

**The Weights and Measures (Packaged Goods) Regulations 2006**

**Packers' and importers' duties as to equipment, checks and documentation**

- 9.—(1) It shall be the duty of a packer in making up packages either—
- (a) to measure the product contained in each package using equipment which complies with paragraph (2) to ensure that the packages are packed in accordance with regulation 4(1), or
  - (b) to carry out checks on the product contained in the packages using a system of sampling and tests which are sufficiently rigorous to ensure that the packages are packed in accordance with regulation 4(1), and for this purpose—
    - (i) to use equipment which complies with paragraph (2), and
    - (ii) to make, and to keep until the relevant date, a record of the checks, together with a record of the corrections and adjustments which they have shown to be necessary.
- (2) Equipment complies with this paragraph if it is suitable for the use to which it is put.
- (3) It shall be the duty of an importer—
- (a) to carry out such a check as is mentioned in paragraph (1)(b) and to comply with subparagraphs (i) and (ii) of that paragraph in connection with the check; or
  - (b) to obtain, before the packages leave his possession, sufficient evidence to give reasonable grounds for believing that the packages have been packed in accordance with regulation 4(1).
- (4) The importer shall keep, until the relevant date, the evidence obtained for the purposes of paragraph 3(b).
- (5) The relevant date, for the purposes of paragraphs (1)(b)(ii) and (4), is either:
- (a) the date, as marked on the package, which indicates by when the product ought to be consumed; or
  - (b) one year after the packages have left the possession of the packer or importer (as appropriate),
- whichever occurs first.