

REGULATIONS 1970, No. 24*

1845

Regulations under the *Weights and Measures (Packaged Goods) Ordinance 1970.*

I, FREDERICK CHARLES CHANEY, the Administrator of the Northern Territory of Australia, having received the advice of the Administrator's Council, in pursuance of the powers conferred on me by the *Weights and Measures (Packaged Goods) Ordinance 1970* and the *Administrator's Council Ordinance 1959-1963*, hereby make the following Regulations.

Dated this nineteenth day of October, 1970.

F. CHANEY
Administrator

WEIGHTS AND MEASURES (PACKAGED GOODS) REGULATIONS

PART I.—PRELIMINARY.

1. These Regulations may be cited as the *Weights and Measures (Packaged Goods) Regulations*. Short title

2. These Regulations are divided into Parts, as follows:— Parts
 - Part I.—Preliminary (Regulations 1-3).
 - Part II.—Packing of Certain Articles in Prescribed Quantities (Regulation 4).
 - Part III.—Marking of Pre-packed Articles (Regulations 5-21).
 - Part IV.—Prohibited and Restricted Expressions (Regulations 22-23).
 - Part V.—Exemptions (Regulations 24-26).

- 3.—(1.) In these Regulations, unless the contrary intention appears— Definitions
 - “bottle” means a hollow vessel of glass, plastic, synthetic resin, or other similar material, but does not include a jar, or a container of the tumbler or drinking glass type;
 - “cocoa” includes cocoa powder and chocolate powder;
 - “coffee” includes coffee beans;
 - “compressed or liquefied gases” does not include liquefied petroleum gas;
 - “condensed milk and evaporated milk” includes flavoured condensed milk and flavoured evaporated milk;
 - “cream” does not include clotted cream;
 - “dried or dehydrated fruit” includes currants, raisins, sultanas and other dried grape products, dates, dried apples, dried pears, dried peaches, dried apricots, dried prunes and dried figs, glace and crystallised fruit, and fruit peel;

* Notified in the *Northern Territory Government Gazette* on 21 October 1970.

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- "dried or dehydrated mixed fruit" includes dried or dehydrated mixed fruit mixed with nuts;
- "drug" means any substance used as a medicine or in the composition or preparation of a medicine;
- "flour" means all kinds of flour, including cornflour;
- "fresh milk" includes flavoured milk;
- "liquid chemicals" means chemicals, including solvents, packed for sale in liquid form for pharmaceutical, laboratory or industrial use;
- "lubricating oil" does not include any substance sold merely as an addition to a lubricating oil;
- "paint" includes enamel but does not include a two-pack paint or artists' paints;
- "peas" includes split peas;
- "resins" includes natural resins, synthetic resins and polymeric materials other than paints;
- "salt" includes flavoured salt;
- "solid detergents, laundry bleaches and household cleaners" means any detergent, bleach or cleanser packed for sale in a powder, flake, granular or other similar form;
- "sugar" includes icing sugar and icing sugar mixture;
- "the Ordinance" means the *Weights and Measures (Packaged Goods) Ordinance 1970*;
- "tobacco" includes plug tobacco; and
- "two-pack paint" means a paint, not being a neutral base paint, that is contained in a package marked with a statement that the contents of the package are to be used only in conjunction with another substance (whether that other substance is not a paint), and that is ordinarily only so used.

(2.) In these Regulations, a reference to a Schedule by number shall be read as a reference to the Schedule so numbered to these Regulations.

PART II.—PACKING OF CERTAIN ARTICLES IN PRESCRIBED QUANTITIES.

Quantities in which certain articles may be packed.

4.—(1.) Each article specified in, and each of the articles included in a class of articles specified in, Column A of the First Schedule are prescribed for the purposes of section 8 of the Ordinance.

(2.) The denomination of weight or measure, or each of the denominations of weights or measures, specified in Column D of an item in the First Schedule is specified, for the purpose of section 8 of the Ordinance, as a denomination of weight or measure in which an article specified in, or an article included in the class of articles specified in, Column A of that item may be packed.

(3.) The following articles and articles included in the following classes of articles and packages containing those articles are exempted from the provisions of section 8 of the Ordinance:—

- (a) an article specified in, or included in a class of articles specified in, Column A of an item in the First Schedule of a weight or measure less than the weight or measure specified in Column B of that item, or of a weight or measure more than the weight or measure specified in Column C of that item;

- (b) confectionary or nuts packed in, or together with, another article if substantially the whole of the value of the combined articles is represented by that other article;
- (c) paint that—
 - (i) is supplied with instructions that the total contents of the package are to be mixed with a stated volume of paint of a type specified in the instructions (being a volume specified in Column D of item 22 in the First Schedule) and is contained in a package the measure of the contents of which is not more than 10 parts per centum of that stated volume;
 - (ii) is a paint tinting base or colouring agent supplied with instructions that it is to be mixed with paint of a type specified in the instructions and in the manner so specified if, when so mixed, the total volume of the mixed paint produced by the mixing will be equal to, or will exceed by not more than ten per centum, the volume specified in Column D of item 22 in the First Schedule;
 - (iii) is in the form of paste paint or artists' paint; or
 - (iv) is an aerosol paint;
- (d) macaroni, spaghetti or vermicelli, that has been processed;
- (e) starch, or starch substitutes, in liquid form or contained in a package that is marked with a statement that the contents of the package are not for laundry use;
- (f) coffee, or mixtures of coffee and chicory, in the form of liquid essences;
- (g) clotted cream;
- (h) ice cream in the form of cakes or puddings or in novelty shapes;
- (i) matured cheese or cheese spread;
- (j) lubricating oil that is supplied in a package on which are marked instructions that the contents of the package—
 - (i) are to be mixed with fuel in such quantity as is specified in those instructions; or
 - (ii) are to be used to fill a specified part of a machine of a type referred to in the instructions;
- (k) industrial methylated spirits contained in a package that is marked with a statement that the contents of the package are not for household use;
- (l) linseed oil, maize oil, olive oil, peanut oil and other vegetable oils sold otherwise than by volume;
- (m) liquid household insecticides in aerosol form;
- (n) confectionery in novelty shapes;
- (o) essential oils;
- (p) a package containing a number of individual servings of an article, if each serving is of a quantity less than the quantity specified, in relation to that article or the class of articles in which that article is included, in Column B of the First Schedule; and
- (q) goods to which item 5 in the First Schedule applies which are packed in a container on which is marked the price per pound of the goods.

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PART III.—MARKING OF PRE-PACKED ARTICLES

Manner, &c., of marking pre-packed articles pursuant to section 7 of the Ordinance.

Articles prescribed for purpose of section 7 of Ordinance.

Manner, &c., of marking articles to which section 9 of the Ordinance applies.

5. The marking of a name, address or brand required by section 7 of the Ordinance to be marked on a package shall be made clearly and legibly on the package.

6. The kinds of articles specified in the Second Schedule are kinds of articles to which section 9 of the Ordinance does not apply.

7.—(1.) Subject to this regulation—

(a) the marking of the weight or measure of an article to which section 9 of the Ordinance applies on the package containing the article shall—

- (i) be on the main display portion of the package or, where the package is of such shape or design that more than one portion of the package is likely to be displayed when the article is exposed for sale, then on at least two of those portions; and
- (ii) show the weight or measure in such a manner that it may be readily seen and easily read by a purchaser when the article is exposed for sale; and

(b) the letters or figures or letters and figures setting out the weight or measure of an article to which section 9 of the Ordinance applies that are marked on the package containing the article—

- (i) shall be clearly stamped or printed in a colour of a distinct contrast to the colour of their background, unless they are clearly stamped or embossed and are of a height at least three times the height required by sub-regulation (1.) of regulation 12 of these Regulations;
- (ii) shall be placed in close proximity to the brand or name of the article where that brand or name appears on the package (or, if the brand or name appears in two or more places on the package, then in close proximity to the brand or name in two such places) and shall be so stamped, printed or, in accordance with sub-regulations (6.) and (7.) of this regulation, hand-written as to be read in the same direction as the brand or name;
- (iii) shall be in the English language and, subject to these Regulations, be expressed in Commonwealth legal units of measurement related to the yard, the pound or the gallon; and
- (iv) shall not be obscured or crowded by any other printed gallon; and

(2.) The marking of the weight or measure of an article to which section 9 of the Ordinance applies on the package containing the article may show the weight or measure on some portion other than the main display portion of the package in the case of—

- (a) toilet preparations packed in quantities not exceeding two ounces or two fluid ounces—

- (i) if the weight or measure of such an article marked on the package containing the article may be readily seen and easily read by a purchaser when the article is exposed for sale; or
 - (ii) if the weight or measure so marked is associated with descriptive material or directions as to the use of the article; and
- (b) an article of any kind, or any group of articles of any kind contained together in an outer package, exempted by the Administrator by a notice under sub-regulation (5.) of this regulation from compliance with the requirement of sub-paragraph (i) of paragraph (a) of the last preceding sub-regulation, if the weight or measure of the article marked on the package containing the article or, as the case may be, the weight or measure of each individual article contained in the outer package marked on the outer package, is marked in accordance with the conditions and restrictions (if any) specified in the notice.

(3.) Sub-paragraph (i) of paragraph (b) of sub-regulation (1.) of this regulation does not apply to or in relation to—

- (a) any pre-packed article—
 - (i) of a kind referred to in sub-regulation (1.) of regulation 18 of these Regulations;
 - (ii) consisting of fruit or vegetables contained in a single package where the weight of each kind of fruit or vegetable is not less than one ounce; or
 - (iii) packed in a plain package and sold to the purchaser on the premises upon which it is packed, being an article that is contained in a package on which the weight of the article is marked in clear and legible handwriting in letters or figures or letters and figures; or
- (b) an article of any kind exempted by the Administrator by a notice under sub-regulation (5.) of this regulation from compliance with the requirement of sub-paragraph (i) of paragraph (b) of sub-regulation (1.) of this regulation, if the weight or measure of the article marked on the package containing the article is marked in accordance with the conditions, and with the restrictions (if any), specified in the notice.

(4.) For the purpose of paragraph (b) of sub-regulation (1.) of this regulation, a marking on a cylindrical package shall be deemed to be not in close proximity to the brand or name of an article contained in the package if the marking and the brand cannot be seen simultaneously.

(5.) The Administrator may, by notice published in the *Gazette*, and subject to such conditions and restrictions (if any) as are specified in the notice, exempt such prepacked articles of a kind to which section 9 of the Ordinance applies, or articles of such kind to which that section applies, as are specified in the notice from compliance with the requirement of sub-paragraph (i) of paragraph (a) of sub-regulation (1.) of this regulation.

(6.) Subject to the next succeeding sub-regulation, the Administrator may, by notice published in the *Gazette*, and subject to such conditions and restrictions (if any) as are specified in the notice, exempt such pre-packed

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articles of a kind to which section 9 of the Ordinance applies, or articles of such kinds to which that section applies, as are specified in the notice from compliance with the requirement of sub-paragraph (i) of paragraph (b) of sub-regulation (1.) of this regulation.

(7.) There shall be specified in a notice published in pursuance of the last preceding sub-regulation a condition that the weight or measure of an article to which the notice relates shall be clearly and legibly marked by means of hand-writing on the package containing the article.

(8.) Notwithstanding sub-regulation (1.) of this regulation—

- (a) packages containing chemicals packed for laboratory use, drugs or articles that are exempted by the Administrator under sub-regulation (9.) of this regulation may be marked with a statement of the quantity contained in the packages expressed in terms of the metric system only; and
- (b) where there is marked on a package a statement of the weight or measure of an article contained in the package expressed in terms of Commonwealth legal units of measurement related to the yard, the pound, or the gallon or in terms of the metric system, the package may, in addition, be marked with a statement of the weight or measure of the article expressed—
 - (i) in terms of any other Commonwealth legal unit of measurement;
 - (ii) in a language other than English; or
 - (iii) in terms of a unit of weight or measurement of any other system of weights or measures,
 if that additional statement sets out the equivalent of the weight or measure specified in the first-mentioned statement.

(9.) Subject to the next succeeding sub-regulation, the Administrator may, by notice published in the *Gazette*, and subject to such conditions and restrictions (if any) as are specified in the notice, exempt such pre-packed articles of any kind to which section 9 of the Ordinance applies as are specified in the notice from compliance with the requirement of sub-paragraph (iii) of paragraph (b) of sub-regulation (1.) of this regulation.

(10.) There shall be specified in a notice published under the last preceding sub-regulation—

- (a) a condition with respect to the units of measurement by reference to which the weight or measure of an article to which the notice relates is to be marked on the package containing the article; and
- (b) a condition that the weight or measure of the article shall be marked on the package containing the article by reference only to those units of measurement.

Manner of making weight or measure.

8. A statement of the weight of an article shall be preceded by or followed by the word "net" in the same size as the letters or figures in the statement of the weight.

Units of measurement in terms of which statement of weight may be marked.

9.—(1.) Where an article to which section 9 of the Ordinance applies is packed for sale by weight and is not of a kind that may, under these Regulations, be marked in terms of a unit of measurement of the metric system, the troy ounce, the pennyweight, the apothecaries' ounce, the

drachm or the scruple, the statement of weight marked on the package containing the article shall be expressed in terms of the hundredweight, cental, pound, ounce, dram or grain.

(2.) In the marking on a package in relation to which the last preceding sub-regulation applies of the weight of an article contained in the package—

- (a) except as provided in paragraphs (c), (d), (e) and (f) of this sub-regulation, no fractions other than $\frac{1}{2}$, $\frac{1}{4}$ and $\frac{3}{4}$ shall be used where the weight of the article is expressed in terms of the hundredweight, pound, ounce or dram;
- (b) pounds may be expressed as decimal sub-multiples of a cental;
- (c) where the weight or measure of the article is expressed in terms of the metric system and in terms of units of measurement related to the pound, decimal sub-multiples of an ounce may be expressed in terms of hundredths of an ounce for quantities not greater than four ounces and tenths of an ounce for quantities greater than four ounces but less than one pound;
- (d) fractions of the pound, or of the ounce, where permitted by these Regulations to be used, may be expressed as decimal sub-multiples of the pound or of the ounce;
- (e) in the case of any article referred to in sub-regulation (1.) of regulation 18 of these Regulations, ounces or parts thereof may be expressed as decimal sub-multiples of the pound, the smallest permissible sub-multiple thereof being 0.01 of a pound; and
- (f) where the weight of an article is expressed in terms of the ounce and the article weighs less than two ounces, the fractions $\frac{1}{2}$, $\frac{3}{4}$, $\frac{1}{4}$ and $\frac{3}{8}$ may be used.

10.—(1.) Where an article to which section 9 of the Ordinance applies is packed for sale by volume and is not of a kind that may, pursuant to these Regulations, be marked in terms of a unit of measurement of the metric system or in terms of the cubic foot, the statement of volume marked on the package containing the article shall be expressed in terms of the gallon, quart, pint, fluid ounce, fluid drachm or minim.

Units of measurement in terms of which statement of volume may be marked.

(2.) Subject to the next succeeding sub-regulation, in the marking on a package in relation to which the last preceding sub-regulation applies of the volume of an article contained in the package—

- (a) where the volume is expressed in terms of the gallon, a fraction other than $\frac{1}{2}$, $\frac{1}{4}$, $\frac{1}{8}$ or $\frac{3}{4}$ shall not be used;
- (b) where the volume is expressed in terms of the pint or the fluid ounce, a fraction other than $\frac{1}{2}$, $\frac{1}{4}$, $\frac{1}{8}$, $\frac{3}{4}$ or $\frac{3}{8}$ shall not be used; and
- (c) the fraction $\frac{1}{2}$ shall not be used with a whole number in expressing the volume of the article.

(3.) The fractions of the gallon, the pint and the fluid ounce referred to in paragraphs (a) and (b) of the last preceding sub-regulation may be expressed as decimal fractions of the gallon, the pint or the fluid ounce (as the case may be).

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Statement of weight to be in terms of the largest unit of weight or measurement.

11.—(1.) Subject to this regulation, the statement of weight or measure marked on a package containing an article to which section 9 of the Ordinance applies shall be expressed in terms of a unit of weight or measure that is not, having regard to the weight or measure of the article, capable of being converted to a larger unit of weight or measure.

(2.) Notwithstanding the provisions of sub-regulation (1.) of this regulation—

- (a) a statement of weight or measure need not be expressed in terms of a unit greater than the pound or the yard;
- (b) in any case where it is customary to express the length or width of an article in terms of feet or inches, the length or width of the article may be so expressed;
- (c) in the case of articles of a quantity less than one gallon, the quantity may be expressed in terms of pints and fluid ounces and an additional statement stating the quantity in fluid ounces may be added;
- (d) in the case of articles of a quantity less than one quart, the quantity may be expressed in terms of fluid ounces and an additional statement stating the quantity in fluid ounces may be added;
- (e) a fraction of a pint may be expressed as a number of fluid ounces; and
- (f) in any case where under these Regulations, the quantity of an article may be expressed in terms of a unit of measurement of the metric system, the quantity may be expressed in terms of the kilogramme, gramme, milligramme, kilolitre, litre, millilitre, kilometre, metre or millimetre, but nothing in this paragraph requires a statement of weight or measure so expressed to be expressed in terms of a unit greater than the kilogramme or the litre.

Sizes of print.

12.—(1.) The statement of weight or measure marked on a package (not being a bottle) containing an article of a kind to which section 9 of the Ordinance applies shall be printed in a size not less than the size specified in the Second Column of the table in this sub-regulation opposite to the entry in the First Column of that table that represents the largest dimension of that package.

TABLE

First Column	Second Column
3" or less	0.08"
Over 3" but not over 6"	0.10"
Over 6" but not over 10"	0.13"
Over 10"	0.19"

(2.) The statement of weight or measure marked on a package (being a bottle) containing an article of a kind to which section 9 of the Ordinance applies shall be printed in a size not less than the size specified in the Second Column of the table in this sub-regulation opposite to the entry in the First Column of that table that represents the largest dimension of that package.

TABLE

First Column	Second Column
4½" or less	0.08"
Over 4½" but not over 9"	0.10"
Over 9" but not over 14"	0.13"
Over 14"	0.19"

(3.) The minimum size of print specified in this regulation applies in respect of all letters and all figures other than fractions.

(4.) The minimum size of print of the individual figures comprising a fraction marked on a package shall be not less than one-half of the minimum size specified in this regulation in respect of a package having the same dimensions.

(5.) Letters and figures signifying a weight and printed by a ticket-printing weighing machine shall be not less than 0.12" in height, irrespective of the size of the package.

(6.) For the purposes of this regulation, the largest dimension of a package is—

- (a) in the case of a rectangular package, the height, length or breadth, whichever is the greatest; or
- (b) in the case of a cylindrical, oval or conical package, the height or the maximum diameter, whichever is the greater.

13.—(1.) Subject to this regulation, the statement of weight or measure marked on a package containing an article of a kind to which section 9 of the Ordinance applies shall—

Manner, &c., of stating weight or measure in the case of certain articles.

- (a) if the article is an article that is commonly sold by lineal or superficial measure, be expressed in terms of such measure;
- (b) if the article is a quantity of liquid, be expressed in terms of liquid measure; or
- (c) in any other case, be expressed in terms of weight.

(2.) Notwithstanding the last preceding sub-regulation, the units of measurement by reference to which the weight or measure of an article of a kind referred to in the First Column of the table in this sub-regulation is to be expressed in a marking on a package containing the article are the units referred to in the Second Column of that table opposite to the description of that kind of article.

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TABLE

First Column	Second Column
Acids in liquid form	Units related to weight or volume
Aerosol products	Units related to weight
Compressed or liquefied gases	Units related to weight or units related to volume at a particular temperature and pressure
Condensed milk	Units related to weight or volume
Cream and cream substitutes	Units related to volume
Drugs in liquid form	Units related to weight or volume
Evaporated milk	Units related to weight or volume
Honey, malt extract, golden syrup and treacle	Units related to weight
Heavy residual fuel oil, industrial diesel fuel and furnace oil	Units related to weight or volume
Ice cream and other frozen confections	Units related to volume
Linseed oil and other vegetable oils packed in quantities not exceeding one-half of a gallon	Units related to volume
Linseed oil and other vegetable oils packed in quantities exceeding one-half of a gallon	Units related to weight or volume
Liquefied petroleum gas	Units related to weight
Liquid chemicals	Units related to weight or volume
Paint (other than paste paint), varnish and varnish stain ..	Units related to volume
Paste paint	Units related to weight
Resins	Units related to weight or volume
Skin Cream packed in jars	Units related to weight or volume
Tomato sauce	Units related to volume
Yoghurt	Units related to weight

(3.) In the case of an article consisting of—

- (a) condensed milk;
- (b) evaporated milk;
- (c) linseed oil or another vegetable oil in a quantity exceeding one-half of a gallon;
- (d) a liquid chemical;
- (e) resin; or
- (f) yoghurt,

the package containing the article may be marked with a statement of the quantity of the article expressed in terms of weight and an additional statement of that quantity expressed in terms of volume but which shall not be marked with a statement of the quantity expressed partly in terms of weight and partly in terms of volume.

(4.) For the purposes of the Ordinance and these Regulations, the net weight of an aerosol product shall be determined by ascertaining the difference between the combined weight of the package and its contents and the

combined weight of the package and any residue of its contents after the product has been discharged from the package at ambient temperature and in the manner indicated in the instructions printed on the package.

14.—(1.) Subject to this regulation, the statement of weight or measure marked on a package containing an article of a kind to which section 9 of the Ordinance applies shall not be expressed—

Prohibition of use of certain terms in expressing weight or measure of articles.

- (a) in terms of two denominations of weight or measure between which the weight or measure of the article falls; or
- (b) in terms of a minimum, approximate or average weight or measure.

(2.) Notwithstanding the last preceding sub-regulation, a statement of the weight of dressed poultry may be expressed in terms of a minimum weight and a statement of the weight of a number of eggs contained together in a package may be expressed in terms of the minimum weight of each egg contained therein or of two weights between which the weight of each such egg falls.

15. A statement of the dimensions of an article consisting of a tarpaulin, a bed sheet, or other sheets of hemmed fabric material marked on the article or on a package containing the article shall be expressed in terms of the finished size of the article.

Statement of dimensions of certain articles.

16. Where a statement of the measure of an article marked on the package containing the article may, pursuant to these Regulations, be expressed in terms of the length of the article, and the width or the thickness of the article has, or both the width and the thickness of the article have, a direct relationship to the value of the article, the width or thickness or the width and the thickness shall also be marked on the package.

Thickness or width to be marked on packages in certain cases.

17. In the case of aluminium foil, waxed paper, facial tissues, or toilet paper, the statement of quantity of the article marked on the package containing the article may be expressed in terms of the number of useable sheets of stated dimensions of the article contained in the package.

Special provisions relating to certain articles.

18.—(1.) Subject to this regulation, a package containing pre-packed meat, natural cheese, dressed poultry, fish (including crustacea), unsliced bacon, ham or smallgoods shall, before being exposed for sale, be marked with a statement of the price per pound of the article.

Certain articles to be marked with statement of price per pound.

(2.) The statement of the price per pound of an article referred to in the last preceding sub-regulation is, in addition to any statement of weight of the article required by these Regulations, to be marked on the package containing the article.

(3.) Sub-regulation (1.) of this regulation does not apply to or in relation to an article if—

- (a) a statement of the price per pound of the article is indicated by a prominent statement in letters of a size of not less than one-half of an inch placed on or immediately adjacent to a tray in or on which there are displayed packages containing that article; or

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(b) the article consists of—

- (i) frankfurts;
- (ii) minced meat;
- (iii) natural cheese packed in net weights of four ounces, six ounces, eight ounces, twelve ounces, one pound, one and one-half pounds and multiples of one pound;
- (iv) sausage meat;
- (v) sausages;
- (vi) saveloys;
- (vii) sliced cooked meat;
- (viii) sliced bacon; or
- (ix) frozen fish.

Statement of weight in terms of numbers of bags to the ton in certain cases.

19.—(1.) A statement of the weight of an article contained in a package to which this regulation applies marked on the package may, notwithstanding any other provision of these Regulations, be expressed in terms of the number of bags of that article that weigh one ton, and such a statement shall, for the purposes of the Ordinance, be deemed to be a statement of the weight of the article calculated by dividing one ton by the number of bags so stated.

(2.) A package is a package to which this regulation applies if the package is a bag that contains not less than fifty-six pounds.

Provisions applicable where article contained in an inner and outer package.

20.—(1.) Where a pre-packed article of a kind to which section 9 of the Ordinance applies is contained in both an inner and an outer package and is such an article as is commonly sold in the inner package after removal from the outer package, the statement of weight or measure of the article required by the Ordinance to be marked on the package containing the article shall be marked on both the inner package and the outer package.

(2.) Where two or more pre-packed articles of a kind to which section 9 of the Ordinance applies are packed together for sale in an outer package, and are ordinarily so sold without removal from the outer package, it is a sufficient compliance with this Part of these Regulations if each individual package is marked, in accordance with these Regulations, with a statement of the weight or measure of the article contained therein, or a statement of the weight or measure of each such article is marked, in accordance with these Regulations, other than sub-paragraph (i) of paragraph (a) of sub-regulation (1.) of regulation 7 of these Regulations, on the outer package.

(3.) Where two or more pre-packed articles described in Column A of the First Schedule, each of which is of a quantity less than the quantity specified in Column B of that Schedule opposite to the description of the article set out in Column A, are contained together in an outer package, it is a sufficient compliance with this Part of these Regulations if the outer package is marked in accordance with these Regulations with a statement of the number of individual articles contained therein and the total net weight or measure of the articles.

(4.) Nothing in this Part of these Regulations shall be read or construed as requiring a statement of the weight or measure of its contents to be marked on an outer package containing two or more pre-packed articles of a kind to which section 9 of the Ordinance applies.

21.—(1.) The articles named in Column 1 of the Third Schedule are declared to be articles that are, for the purposes of section 12 of the Ordinance, articles the weights of which are likely by reason of climatic conditions or evaporation, to be subject to variation after packing of the articles.

Articles that may be marked "net weight when packed".

(2.) Packages containing articles named in Column 1 of the Third Schedule are declared to be packages that may be marked with the words "Net weight when packed" or words to the like effect.

(3.) Each of the articles named in Column 1 of the Third Schedule is an article to which sub-section (10.) of section 12 of the Ordinance applies.

(4.) The number specified in Column 2 of the Third Schedule opposite to an article specified in Column 1 of that Schedule is prescribed for the purposes of paragraph (b) of sub-section (10.) of section 12 of the Ordinance.

(5.) The number specified in Column 3 of the Third Schedule opposite to an article specified in Column 1 of that Schedule is prescribed for the purposes of paragraph (b) of sub-section (11.) of section 12 of the Ordinance.

PART IV.—PROHIBITED AND RESTRICTED EXPRESSIONS.

22. An expression that is marked on a package containing a pre-packed article (other than an article referred to in item 4, 5 or 12 of the Second Schedule) is a prohibited expression under section 16 of the Ordinance if it relates to the contents of the pre-packed article or the package and consists of or includes the word "gross" or the words "gross weight".

Prohibited expressions.

23. An expression (not being a prohibited expression) that is marked on a package containing a pre-packed article is a restricted expression for the purposes of section 16 of the Ordinance if it relates to the size of the pre-packed article or the package and consists of, or includes, any of the following words:—

Restricted expressions.

King
Giant
Jumbo
Queen
Longfellow
Family
Hi-boy
Huge
Gigantic
Colossal
Economy
Bigger
Extra
Large
Long.

PART V.—EXEMPTIONS.

24. Nothing in Part III. of these Regulations applies to, or in relation to an article described in, or included in a class of articles described in, the Second Schedule.

Exemptions from Part III. of these Regulations.

Weights and Measures (Packaged Goods) Regulations

Exemptions from provisions requiring name &c., to be marked.

25. An article described in, or included in a class of articles described in, the Third Schedule to these Regulations is exempted from the operation of the provisions of the Ordinance that require the name and address of the person who packs an article or on whose behalf an article is packed to be marked on the package containing the article.

Exemption of imported goods.

26. A pre-packed article packed outside Australia and imported into Australia before the first day of November, 1970, is exempted from the operation of the provisions of the Ordinance and these Regulations.

THE SCHEDULES

FIRST SCHEDULE

ARTICLES TO WHICH SECTION 8 OF THE ORDINANCE APPLIES

Regulations 4 and 20.

Item No.	Column A	Column B	Column C	Column D
1.	Butter Cooking fats Dripping Lard Margarine Vegetable shortening	1 oz	56 lb	4 oz; 8 oz; 12 oz; 1 lb; 1½ lb; multiples of 1 lb
2.	Sugar	1 oz	70 lb	8 oz; 12 oz; 1 lb; 1½ lb; multiples of 1 lb
3.	Confectionery Nuts	8 oz	5 lb	8 oz; 10 oz; 12 oz; 1 lb; multiples of ½ lb
4.	Tea	1 oz	10 lb	1 oz; 2 oz; 4 oz; 8 oz; 1 lb; multiples of 1 lb
5.	Frankfurts Minced meat Sausage meat Sausages Saveloys Sliced cooked meat Sliced bacon	nil	10 lb	2 oz; 4 oz; 6 oz; 8 oz; 12 oz; 1 lb; 1½ lb; multiples of 1 lb
6.	Bread crumbs Canned cream Custard powder Desiccated coconut Dessert rice Macaroni, spaghetti and ver- celli Oatmeal, semolina, barley, rolled oats and other similar foods Soup noodles Starch Starch substitutes	3 oz	14 lb	4 oz; 6 oz; 8 oz; 12 oz; 1 lb; 1½ lb; mul- tiples of 1 lb
7.	Cereal breakfast foods	3 oz	14 lb	4 oz; 6 oz; 8 oz; 10 oz; 12 oz; 1 lb; 1½ lb; multiples of 1 lb
8.	Powdered milk Flavoured powdered milk	3 oz	10 lb	4 oz; 6 oz; 8 oz; 12 oz; 14 oz; 1 lb; 1½ lb; 2 lb; 2½ lb; mul- tiples of 1 lb
9.	Cocoa, coffee, coffee powders, coffee substitutes, ground coffee and mixtures of coffee and chicory	1 oz	10 lb	1 oz; 2 oz; 4 oz; 6 oz; 8 oz; 10 oz; 12 oz; 14 oz; 1 lb; mul- tiples of 1 lb

Weights and Measures (Packaged Goods) Regulations

FIRST SCHEDULE—continued

Item No.	Column A	Column B	Column C	Column D
10.	Dried or dehydrated fruit Dried or dehydrated mixed fruit Mixed fruit	3 oz	10 lb	4 oz; 6 oz; 8 oz; 12 oz; 1 lb; 1½ lb; multiples of 1 lb
11.	Arrowroot Flour Ground rice Rice (other than dessert rice) Sago Tapioca Wheatmeal	3 oz	60 lb	8 oz; 12 oz; 1 lb; 1½ lb; multiples of 1 lb
12.	Ground pepper	½ oz	2 lb	½ oz; ¾ oz; 1 oz; 1½ oz; 2 oz; 4 oz; 8 oz; 12 oz; 1 lb; 1½ lb; 2 lb
13.	Fresh beans Fresh peas Frozen vegetables	nil	50 lb	4 oz; 6 oz; 8 oz; 10 oz; 12 oz; 1 lb; 1½ lb; multiples of 1 lb
14.	Frozen fish	3 oz	25 lb	4 oz; 6 oz; 8 oz; 10 oz; 12 oz; 14 oz; 1 lb; 1½ lb; multiples of 1 lb
15.	Fresh milk	1½ fl oz	10 gal	½ pt; ¾ pt; 1 pt; 1 pt; 1 qt; ½ gal; 3 qt; 1 gal; multiples of 1 gal
16.	Fresh cream Cream mixtures Cream substitutes	1½ fl oz	1 gal	½ pt; ¾ pt; 1 pt; 1 pt; 1 qt; ½ gal; 1 gal
17.	Ice cream	½ pt	5 gal	½ pt; 15 fl oz; 1 pt; 1½ pt; 1 qt; 3 pt; multiples of 1 qt
18.	Processed cheese	3 oz	20 lb	4 oz; 6 oz; 8 oz; 12 oz; 1 lb; 1½ lb; multiples of 1 lb
19.	Dried beans Dried lentils Dried peas Salt	3 oz	10 lb	4 oz; 8 oz; 12 oz; 1 lb; 1½ lb; multiples of 1 lb
20.	Jam	2 oz	10 lb	2 oz; 4oz; 6 oz; 8 oz; 10 oz; 12 oz; 1 lb; 1½ lb; multiples of 1 lb
21.	Tobacco	½ oz	5 lb	½ oz; 1 oz; 2 oz; 4 oz; 8 oz; 1 lb; 1½ lb; multiples of 1 lb

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FIRST SCHEDULE—continued

Item No.	Column A	Column B	Column C	Column D
22.	Paint Varnish	3 fl oz	5 gal	$\frac{1}{2}$ pt; $\frac{1}{2}$ pt; 1 pt; 1 qt; $\frac{1}{2}$ gal; 1 gal; multiples of 1 gal
23.	Laundry soap Soap flakes Soap powders Solid detergents Solid laundry bleaches Solid household cleansers	3 oz	10 lb	8 oz; 12 oz; 1 lb; $1\frac{1}{2}$ lb; $1\frac{1}{2}$ lb; multiples of $\frac{1}{2}$ lb
24.	Liquid detergents Liquid laundry bleaches	4 fl oz	5 gal	$\frac{1}{2}$ pt; $\frac{3}{4}$ pt; 1 pt; 26 fl oz; $1\frac{1}{2}$ pt; 1 qt; 3 pt; $\frac{1}{2}$ gal; $\frac{3}{4}$ gal; 1 gal; multiples of 1 gal
25.	Kerosene Other petroleum fuels, lubricating oils	8 fl oz	40 gal	$\frac{1}{2}$ pt; 1 pt; 26 fl oz; 1 qt; $\frac{1}{2}$ gal; 3 qt; 1 gal; multiples of 1 gal
26.	Greases Petroleum jellies	2 oz	10 lb	2 oz; 4 oz; 6 oz; 8 oz; 1 lb; multiples of 1 lb
27.	Industrial methylated spirits Turpentine Mineral turpentine Vinegar	8 fl oz	40 gal	$\frac{1}{2}$ pt; 13 fl oz; 1 pt; 26 fl oz; 1 qt; $\frac{1}{2}$ gal; 1 gal; multiples of 1 gal
28.	Linseed oil, maize oil, peanut oil and other vegetable oils (other than castor oil and olive oil)	nil	5 gal	$\frac{1}{2}$ pt; 13 fl oz; 1 pt; 26 fl oz; 1 qt; $\frac{1}{2}$ gal; 1 gal; multiples of 1 gal
29.	Castor oil, olive oil	8 fl oz	2 gal	$\frac{1}{2}$ pt; 13 fl oz; 1 pt; 26 fl oz; 1 qt; $\frac{1}{2}$ gal; 1 gal; 2 gal
30.	Liquid household insecticides	4 fl oz	5 gal	4 fl oz; 8 fl oz; 16 fl oz; 20 fl oz; 32 fl oz; 1 qt; $\frac{1}{2}$ gal; 1 gal; multiples of 1 gal

Weights and Measures (Packaged Goods) Regulations

SECOND SCHEDULE

Regulations 6 and 22.

Articles to which Section 9 of the Ordinance does not apply and Articles
Exempted by Regulation 22

Item No.	Articles
1.	A pre-packed article that is not packed for sale by weight or measure and is not ordinarily so sold
2.	A package containing a number of articles that are not ordinarily sold by weight, if the number of articles in the package is marked on the package in accordance with these Regulations
3.	A package that contains less than nine articles and is made wholly or partly of a transparent material so that, if the package is exposed for sale, the number of articles contained therein is readily apparent to a purchaser
4.	Wheat, maize, oats, chaff, potatoes and other agricultural produce of a like nature, if sold by weight in sacks of more than sixty pounds gross weight
5.	Confectionery, nuts, popcorn, potato crisps and savouries— (i) in a package of less than three ounces gross weight; or (ii) packed on premises for sale on those premises, if— (A) the package is displayed for sale on those premises in a receptacle bearing a prominent statement, in letters not less than one-half of an inch in height, of the weight and of the price of the contents of the package; and (B) the gross weight of the package does not exceed eight ounces or the sale price of the package does not exceed twenty cents; or (iii) packed in (or together with) another article, if the substantial value of the combined articles is represented by that other article
6.	Confectionery in novel shapes
7.	Goods (other than powdered milk and condensed milk, whether flavoured or not) contained in a package on which there is set out a direction that the entire contents of the package, or each of a stated number of smaller packages contained therein are to be diluted to a stated weight or measure including— (i) jelly crystals, blancmange powders, custard powders, junket tablets and junket powders; (ii) photographic developers and fixers and chemicals packed for use in connexion with photography; and (iii) chemicals packed for agricultural or horticultural use
8.	Honey in the comb, being honey contained in the original frames
9.	Liquid colouring materials contained in a package on which is set out a direction that the entire contents of the package are to be mixed with a stated volume of paint of a type specified in the instructions and if the measure of the contents of the package is not more than ten parts per centum of that stated volume
10.	Goods that are goods for therapeutic use, being— (i) goods compounded or made to the order of the purchaser of the goods or of a medical practitioner, dentist or veterinary surgeon; or (ii) goods the supply of which otherwise than on the written prescription of a medical practitioner, dentist or veterinary surgeon is an offence against a law in force in the Territory
11.	Ice cream and other frozen confections contained in packages of less than ten fluid ounces
12.	Flour, bran, pollard, wheatmeal and other milled grain products if sold by weight in sacks of more than sixty pounds gross weight
13.	Paint and paint colouring agents contained in packages of less than three ounces or three fluid ounces
14.	Toilet and medicinal preparations packed in cake or tablet form for use in washing
15.	Any article other than drugs, dried vegetables (including freeze-dried vegetables), pepper and other spices, tobacco or yarns, contained in a package of less than one ounce or one fluid ounce
16.	Pastries and pies, irrespective of weight, if packed singly in a transparent package without printing, decoration or advertising matter of any description, and not packed for sale by weight, if ordinarily not so sold

SECOND SCHEDULE—continued

Item No.	Articles
17.	Cakes, sponges and puddings, if packed singly in packages of less than four ounces gross weight
18.	Matches
19.	Dried vegetables (including freeze-dried vegetables) and tobacco, if in packages containing less than one-half of an ounce
20.	Toilet preparations in compacts, and refills of those preparations
21.	Garden compost, tan bark, farm-yard manure, peatmoss or leaf mould
22.	Single application hair dyes or hair bleaches
23.	Yarns, if contained in packages of less than one-half of an ounce net weight
24.	Alcoholic liquors in quantities of less than two fluid ounces or more than two gallons
25.	Wines labelled before the commencement of the Ordinance
26.	Any pre-packed article that is for the time being the subject of a permit issued by the Administrator in Council pursuant to section 10 of the Ordinance, if the article is sold in accordance with the conditions and restrictions (if any) specified in the permit
27.	Vaccines of a quantity less than 25 millilitres, and single doses of substances used for injections and contained in vials or ampoules
28.	Baled hay
29.	Milk, alcoholic liquor, aerated water, soft drink or cordial packed in a bottle being a bottle— (i) manufactured before the first day of November, 1970; (ii) bearing an embossed or ceramic marking stating the measure of the article that it contains; and (iii) packed before the first day of November, 1970
30.	Paper that is sold— (i) by weight, whether gross weight or net weight, in quantities weighing more than ten pounds; or (ii) by number in quantities of more than five hundred sheets in wrapping applied to the paper at the mill at which it was produced
31.	Kippers
32.	Articles exceeding one hundred and seventy-five pounds in weight or forty gallons in capacity

THIRD SCHEDULE

Regulation 21.

Articles that may be Marked "Net Weight When Packed"

Column 1 Article	Column 2 Number of Parts prescribed for the purposes of section 11 (10.) (b)	Column 3 Number of Parts prescribed for the purposes of section 11(11.) (b)
Whole hams	7	2
Bar soaps	21	16
Soap powders (other than detergent powders)	15	10
Soap flakes	10	5
Glauber salts	7	2
Washing soda	7	2
Tobacco	10	5
Cotton wool	7	2
Oven-baked animal biscuits	9	4

