



## ■ DO YOU MEASURE UP FOR THE SHOW?

If your stall is buying or selling goods by weight, volume or length, you need to know about Australia's trade measurement laws.

For example, you must:

- make sure packages are correctly labelled – with measurement statements and packer identification;
- make sure packages contain the amount stated on the label; and
- only use approved measuring instruments that have been verified by a licensed technician (servicing licensee) or trade measurement inspector.

If your business is caught short-measuring its customers, you could be fined up to \$170,000 per offence.

Details of these rules are set out in Australian trade measurement laws, the National Measurement Act 1960 and the National Trade Measurement Regulations 2009.

### **What if I Sell Pre-Packaged Goods?**

All goods pre-packed for sale must be marked with the net measurement (that is the weight, number or volume without the packaging) on the principal display panel. This panel is the part of a package that is most likely to be shown under normal conditions of display.

The measurement statement must be:

- clear to read, 2 mm from the edge of the principal display panel and at least 2 mm from other graphics;
- in the same direction as the brand or product name; and
- in a different colour from the background.

All pre-packages (unless specifically exempt) must be clearly marked with the name and street address of the packer or party accepting responsibility for packing. The use of a post office box, locked bag, telephone number or email is not acceptable.

Pre-packages must not contain less than the stated amount at all times prior to sale.

If the article is likely to lose weight or volume over time, through evaporation, dehydration or other means, the packer must make allowances for any expected losses in the measurement when packaging the product.

### **What If I Use a Measuring Instrument to Sell Goods?**

If you use a **measuring instrument** such as a scale to sell goods, you must make sure it is:

- an approved type, that is suitable for its intended purpose;
- verified before use by a servicing licensee or inspector;
- used in the correct manner (eg level and indicating zero before use);
- positioned so that the customer can easily see the measurement process, or else provide a written statement of the measurement;
- kept clean and in good working order; and
- verified after each repair or adjustment.

NMI recommends that you have all your measuring instruments used for trade checked regularly by a technician licensed by NMI (servicing licensee). You can get a list of servicing licensees by contacting NMI's Licensing Team on 1300 686 664 (option 2) or [tmlicensees@measurement.gov.au](mailto:tmlicensees@measurement.gov.au).

When selling a quantity of a good by weight, the weight of any packaging (the 'tare') should not be included. This process is called 'taring off'. Charging a customer for the weight of a good without subtracting the weight of the packaging is an offence and could result in a costly financial penalty.

### **What If I Sell Wine?**

Wine (unless it is pre-packaged) does not have to be sold by a volume measure. Therefore, wine may be sold in an unmarked glass or carafe

Pre-packed wine, whether in a bottle or cask, must adhere to all standard packaging requirements. However, the trade measurement regulations do not apply to the position of a measurement marking for standard-sized wine containers.

### **How Do I Find Out More About Trade Measurement?**

Visit: [www.measurement.gov.au/trademeasurement](http://www.measurement.gov.au/trademeasurement)

Call: 1300 686 664

Email: [infotm@measurement.gov.au](mailto:infotm@measurement.gov.au)

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The purpose of this communication is to provide you with general information only and should not be relied upon for any legal, business or personal purpose. Nothing in this communication shall be taken in any way to replace the provisions of the *National Measurement Act 1960* (Cth), the *National Trade Measurement Regulations 2009* (Cth) and any other legislative instruments made pursuant to the *National Measurement Act 1960*.