



TRADE MEASUREMENT AND THE SALE OF SEAFOOD

All businesses that sell goods by measurement or that manufacture, pack, import or sell pre-packaged product, are required to comply with Australian trade measurement laws, the *National Measurement Act 1960* and the *National Trade Measurement Regulations 2009*.

The laws apply to both wholesale and retail businesses. If your business is caught short-measuring its customers, you could be fined up to \$170,000 per offence as a company or up to \$34,000 per offence as an individual.

For example, 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 licensed technician or inspector
- used in the correct manner (eg level and indicating zero before use)
- kept clean and in good working order
- verified after each repair or adjustment.

The National Measurement Institute (NMI) recommends that all measuring instruments used for trade are 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.

Under trade measurement law all fish except for shellfish must be sold by weight.

While shellfish such as molluscs (e.g. mussels, oysters, octopus, scallops and squid) and crustaceans (e.g. crabs, lobsters, prawns and shrimps) do not have to be sold by weight, when they are sold by weight the relevant trade measurement laws apply.

Any product, including both fish and shellfish, that is pre-packed before it is offered for sale must be marked with the correct net weight.

The laws relating to the sale of seafood by weight can also be affected by whether it is frozen or preserved in brine.

For specific advice about these matters and for all other trade measurement enquiries, please contact NMI's trade measurement hotline on 1300 686 664 or infotm@measurement.gov.au.

NMI employs trade measurement inspectors who can visit a place of business 'at any reasonable time of day' in response to a complaint or enquiry from a consumer, or as part of a trade measurement compliance inspection program.

The NMI website contains further information on trade measurement laws and regulations, including a *Guide to the Sale of Pre-packaged Goods*, and a *Guide to the Sale of Meat and Seafood*: www.measurement.gov.au/publications/trademeasurement.

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) or any other legislative instruments made pursuant to the *National Measurement Act 1960*.