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BWMA gratefully records the Patronage of the late The Hon. Mrs Gwyneth Dunwoody, MP and Lord Shore, and the Honorary Membership of the late John Aspinall, Nirad C Chaudhuri CBE, Jennifer Paterson, CBE, Leo McKern AO, Norris McWhirter CBE, Fred Dibnah MBE, Sir Julian Hodge, KStG, KStJ, Bernard Levin, CBE, Dr Charles H Sisson, CH, DLitt, Fritz Spiegl, F S Trueman, OBE, Sir Rowland Whitehead, Bt, George MacDonald Fraser, OBE, Beryl Cook, OBE, Keith Waterhouse, CBE

Back to the Future

The British government has confirmed that it will amend the Weights and Measures Act 1985 to allow the use of supplementary indications after December 2009. According to Lynnette Falk of the National Measurement Office, "... we will be making the necessary changes to UK legislation before the end of the year" (email, 17 June 2009). This change implements EC Directive 2009/3, amending Directive 80/181. However, as we explain on page two of this issue, *the long-term prospects for supplementary indications remain uncertain.*

With regards to enforcement of metric regulations against traders using imperial scales, David Lammy MP, Minister for Skills, said on 6 May 2009 in response to a Parliamentary question by Caroline Spelman, Shadow Secretary of State for Communities and Local Government: "Discussions are continuing between Government and LACORS (Local Authorities Coordinators of Regulatory Services) on the updating of LACORS guidance on the enforcement of units of measurement legislation. This guidance will reflect an update to Directive 80/181/EEC and will be available to local authority trading standards departments in advance of the changes to UK law which will be implemented before the end of 2009".

NASA reverts to English

Following the crash of the Mars Orbiter in 1999, purported owing to a measurement mix-up, NASA (National Aeronautics and Space Administration) switched to metric units. In May 2009, however, NASA released a new measurement directive, relating to its flagship *Constellation Program*, "...establish[ing] a hybrid system of English and International System of Units, with English being the primary and default unit of measure". NASA explains that, "...cost estimates to achieve [metric conversion] significantly exceeded the resources that could be made available in the critical years. Therefore, given budget constraints and the need for consistent practice of units throughout the Constellation Program lifecycle, to minimize risks and to achieve mission success, the program is revising its previous [metric] management directive to a primarily English units-based program, with limited usage of SI".

John Michell and Keith Waterhouse

John Michell, geomancer and metrologist, who founded the Anti-Metrication Board in 1970 to combat the Metrication Board of Ted Heath, died in April, aged 76. Shortly before his death, we were delighted that John accepted honorary membership of BWMA, and we place him among the Honorary Members for this issue. We also acknowledge Keith Waterhouse, who died in September, aged 80; novelist and playwright, he did much to highlight the absurdity of enforced metrication in his *Daily Mail* column.

John Gardner, Director

BWMA is a non-profit body that exists to promote parity in law between British and metric units. It enjoys support from across Britain's political spectrum, from all manner of businesses and the general public. BWMA is financed by member subscriptions and donations. Membership is £12 per year. Cheques or postal orders payable to "BWMA", 41 Greensleeves Avenue, Broadstone, Dorset BH18 8BJ

European Directive 80/181: update and analysis

On 11 March 2009, EC Directive 2009/3 effected amendments to metrication Directive 80/181 regarding supplementary indications. Originally, in 1979, Article 3 (2) of 80/181 set the expiry date for authorisation of supplementary indications as 31 December 1989. This was deadline was extended to 31 December 1999 by Directive 89/617, and to 31 December 2009 by Directive 1999/103.

Directive 2009/3 did not extend the 2009 deadline to a specific date; instead, the expiry date was omitted from the wording of the directive. Thus, Article 3 (2), which previously read, *"The use of supplementary indications shall be authorized until 31 December 2009"*, has been changed to: *"The use of supplementary indications shall be authorized"*

This change ends the game of brinkmanship that has existed for 30 years, as illustrated by the dates of the previous amending Directives: 89/617 was passed on 27 November 1989, a little over four weeks before supplementary indications were to become unlawful, and Directive 1999/103 was not passed until 24 January 2000 meaning, presumably, the use of supplementary indications in the EU was illegal for the first 24 days of 2000.

Directive 2009/3, however, was passed well ahead of time, reflecting the widely held view that the matter had to be resolved. Its preamble says:

"Directive 80/181/EEC authorises the use of supplementary indications in addition to the legal units laid down in Chapter I of the Annex to that Directive until 31 December 2009. However, in order to avoid creating obstacles for Community undertakings exporting to certain third countries that require products to be marked in other units than those laid down in Chapter I, it is appropriate to maintain the authorisation to use supplementary indications".

BWMA founder and President Vivian Linacre has pointed out that a permanent derogation is anomalous; rather than removing the date for an enactment of legislation, why not just remove the legislation? By retaining the words, *"the use of supplementary indications shall be authorized"*, the EC has held its territory. It maintains that people rely on it for *"authorisation"* to provide additional information, an act that was perfectly lawful before the EC came into existence.

Purporting of the right to convey *"authorisation"* carries with it a practical implication in that the deadline can be *reactivated* without the need for new legislation. Is the EC likely to do this? Paragraph 5 of Directive 2009/3's preamble states:

"It is appropriate that the Commission continue to strongly pursue, in the context of its third country trade relations, including the Transatlantic Economic Council, the acceptance in third country markets of products labelled only in the units of the International System of Units (SI)".

This means that the EC will seek the elimination of non-metric units in non-EU countries, a reference to the Fair Packaging and Labelling Act in the United States that places metric and inch-pound units on an equal footing. We also draw attention to the insertion of new article 6b which states:

"The Commission shall monitor market developments relating to this Directive and its implementation with regard to the smooth functioning of the internal market and international trade and shall submit a report on those developments, accompanied by proposals where appropriate, to the European Parliament and to the Council by 31 December 2019".

BWMA's interpretation is that, should the U.S. Fair Packaging and Labelling Act be repealed during the next ten years, the EC will propose to the European Parliament in 2019 a new expiry date for supplementary indications, perhaps in ten, or even five, years, i.e. 2029 or 2024.

The British Government appears to be of the same mind in a letter to the European Commission, dated 5 March 2007 (note the last sentence):

"As to the form of a further extension, we favour an open-ended extension rather than for another 10-years. The permission to use supplementary indications has already been extended twice in the past (from 1989 to 1999 and then to 2009). During the three decades since the Directive was agreed, the need for dual labelling to allow products to be sold in both metric and non metric markets has not diminished and dual labelling has not been a barrier to trade. Therefore, the arguments for extending the use of supplementary indications remain the same today as they were at the time the last extension was agreed in 1999. An extension without time limit has the advantage of providing greater certainty to business. If, at some point in the future, the USA should change over to the metric system, the Directive could be reviewed in light of those changes at an appropriate time".

Despite EU/UK intentions, there is no likelihood of the FPLA being repealed while support for it is maintained by the U.S. Food Marketing Institute. But BWMA will continue to watch the situation closely, and has written to the UK and EC authorities for an explanation as to their long term intentions.

A copy of amending Directive 2009/3/EC is on the web:
<http://register.consilium.europa.eu/pdf/en/09/st03/st03601.en09.pdf>

Freedom of Information latest

After a year's delay by the Information Commission, there has been a flurry of activity. Before we reproduce the latest correspondence, here is a recap:

On 18 September 2007, BWMA submitted the following request to Department for Business, Enterprise and Regulatory Reform; "Dear Sirs, Please could supply copies of all communications between BERR and the European Commission in relation to the EC's recent consultation regarding metrication Directive 80/181. Thank you for your assistance, etc"

9 November 2007: request declined by NWML

28 December 2007: BWMA request for internal review of NWML decision

29 Feb 2008: DIUS declines BWMA request for an internal review

28 April 2008: BWMA appeal to Information Commissioner

27 May 2008: first holding letter from Information Commissioner's Office

22 September 2008: second holding letter from Information Commissioner's Office

12 December 2008: third holding letter from Information Commissioner's Office

On the following pages, we reproduce the following new correspondence:

14 April 2009: Information Commissioner's Office commences investigation

28 May 2009: letter from National Measurement Office, releasing the sought information

8 June 2009: Information Commissioner's Office closes the file without issuing a Decision Notice

18 July 2009: BWMA appeals the ICO's decision not to issue a Decision Notice

23 July 2009: ICO rejects BWMA's appeal

24 August 2009: BWMA makes second appeal

Letter from Information Commissioner's Office, commencing investigation, 14 April 2009

Dear Mr Gardener [sic]

Further to our email to you dated 12 December 2008 regarding your complaint against the Department for Innovation, Universities and Skills (the "DIUS") I am writing to inform you that this complaint has now been allocated to me to investigate. I am sorry for the long delay in your case being assigned to a case officer.

In order to reach a decision as to whether the Freedom of Information Act 2000 (the "Act") has been correctly applied, I will need to carry out a thorough investigation. This may take me some time as I will need to ensure that I am aware of all the relevant facts and that I carefully consider the application of the law to those facts.

Where possible the Information Commissioner prefers complaints to be resolved by informal means. If this does not prove to be possible, he will usually issue a Decision Notice to you and the public authority once an investiga-

tion has been completed. This will inform you of his decision and the reasons for it.

Where the Commissioner decides that a request has not been handled properly he may specify what steps he believes are necessary to remedy the situation. This can include requiring a public authority to release information which has previously been withheld. A copy of the Decision Notice will be placed on our website (with your details omitted). If you disagree with the decision that has been reached you have a legal right of appeal to the Information Tribunal.

Your request

From the information which has been provided to us, I understand that you made a request to the Department for Business, Enterprise and Regulatory Reform ("BERR") on 18 September 2007 for, "*...all communications between Department for Business, Enterprise and Regulatory Reform and the European Commission in relation to the EC's recent consultation regarding metrication Directive 80/181.*"

This request was responded to on 9 November 2007 by the National Weights and Measures Laboratory (on behalf of the DIUS) on 9 November 2007. This letter stated that it was the DTI which had communicated with the European Commission, rather than BERR. Therefore the information it considered fell within the scope of your request would be communications between the DTI and the European Commission. It disclosed some information to you, but withheld the remainder, stating that it was exempt from disclosure under section 27 (1) (b) of the Act.

You requested an internal review of this response on 28 December 2007. On 29 February 2008 the DIUS wrote to you with the result of the internal review. The internal review upheld its use of section 27 (1) (b).

The scope of the case

It is my understanding that as the area of the DTI's activities which relate to your request were taken over by the DIUS, and information which falls under your request would be held by DIUS. I have spoken to an FOI officer at BERR who has confirmed that this is so.

Therefore the focus of my investigation will be to determine whether the DIUS was correct to withhold the information in question under section 27 (1) (b).

Therefore I have written to the DIUS today in order to obtain a copy of the withheld information, together with its submissions as to why it believes that this information is exempt from disclosure under the Act.

Please contact me as soon as possible if there are matters other than these that you believe should be addressed. This will help avoid any unnecessary delay in investigating your complaint. If I do not hear from you, my investigation will focus only upon the matters identified above.

As I have indicated, the process of reaching a decision may take some time but I will keep you updated of any substantive developments on this case. However, if you have any queries at any time you are welcome to write to me at the above address, at casework@ico.gsi.gov.uk (please ensure that you quote the above case reference) or

by telephoning me via our main switchboard, on 01625 545700.

It may not be possible for me to respond to enquiries immediately due to other work commitments but I will endeavour to provide a response as promptly as possible and will ensure that a response is provided within 14 working days of the receipt of any enquiry.

Christopher Hogan
Senior Complaints Officer

Letter from National Measurement Office, 28 May 2009

Dear Mr Gardner

I am writing to you following your request to the Information Commissioner for a decision in this case. His Office has now been in touch with me and, to assist it with reaching a decision in this case, has asked for more detail surrounding the rationale for refusal to disclose certain information in response to your request for information of 18 September 2007.

At the time of your request we took the view that, because of a request from the European Commission, its release into the public domain could be prejudicial to relations between the UK and the Commission and, therefore, not in the public interest. In the light of the ICO's recent approach, we have given further consideration to your request, taking into account the circumstances prevailing at the time that it was made. We have concluded that, on balance, the decision not to disclose at that time was the right one. However, negotiation of the Directive amending Directive 80/181/EC is now complete and the new Directive (2009/3/EC) which amends Directive 80/181 was recently formally signed and published in the Official Journal. The sensitivities which formerly applied to the withheld correspondence therefore no longer apply. That being so, and with the agreement of the European Commission, I now enclose a copy of the letter which was previously withheld.

A copy of this letter goes to Christopher Hogan at the ICO.

Paul Cole, National Measurement Office

The requested information: a letter from the UK government's Permanent Representation to the European Union, 14 December 2005

Dear Mr Weissenberg

We have previously discussed the scope for a long-term solution to the continuing difficulties which the UK faces with regard to Directive 80/181 on units of measurement, in particular the pint, the mile, the troy ounce and the acre. As in the UK's view the continued use of these units is not affecting the internal market, the application of the principles of subsidiarity and proportionality - strongly endorsed in recent Commission communications on Better Regulation, including the Commission's 2006 Work

Programme - should allow a different approach.

I understand that the Commission is considering an amendment to the Directive to allow the extension beyond 31 December 2009 of the use of supplementary indications. The UK would strongly support such a change in the interest of facilitating international trade. It would be extremely helpful for resolving the UK's difficulties if the Commission could consider some additional modifications at the same time.

The UK has pursued a policy of active metrication for more than thirty years. As a result it has ceased to authorise the use of all units not complying with the International System, except the units listed in Chapter II of the Annex to the Directive for the uses there specified.

The continued authorisation of these units for the purposes stated in Chapter II of the Directive has not constituted a barrier to the establishment and functioning of the internal market in the past twenty-five years. It has not affected the free movement of goods, services or workers within the Community. Conversely, restrictions on their use would not improve the establishment or functioning of the internal market.

To provide a little more background:

The mile for road traffic signs

Road traffic signs are inherently local in their scope, and speed limits are applicable to specific roads or parts of a road or to specific areas. At the meeting with your services on 27 October, I explained the practical and political difficulties of changing the measurements on some half a million road signs, including about 300,000 speed limit signs. This could not be done in stages, and would involve very considerable expenditure. A conservative estimate would be at least €1.1 bn for changing signs, but this takes no account of the related costs of relocating signs where this was necessary, e.g. moving countdown signs so that they were at a useful metric distance from a junction, say 2 km rather than 1 mile. There would be significant costs for related publicity to overcome significant potential road safety problems, before taking account of the consequential costs for businesses and other organisations (e.g. changing publicity material). I need hardly need stress the relevance of the principle of proportionality to costs of this nature compared to the negligible benefit in terms of the EU's objectives, and the political consequences if the UK was obliged to incur such costs.

The Pint for Draught Beer, etc

Dispense of draught beer or cider is a service restricted to the premises on which it is provided, with no effect on trade between Member States. Delivery of milk in returnable bottles is similarly a local

service restricted to the delivery area of a particular supplier.

The Troy Ounce for Precious Metals

Trade in precious metals, on the other hand, can clearly be conducted across borders. However, the overwhelming majority of transactions are paper transactions in a financial asset, with no physical transfer of metal. London is the leading global market for such transactions, and the troy ounce is the unit used in all four world financial centres in which this trade is conducted (London, New York, Tokyo and Zurich). As for the much smaller physical trade in precious metals, this can be conducted in either troy or metric units, whichever the purchaser and seller find convenient. We would thus suggest that the continued use of the troy ounce in these contexts is not in practice a barrier to trade between Member States. And a move to metric units would have significant practical disadvantages for the EU's international trade without any real benefits for the EU.

The Acre for Land Registration

As for the acre, the three UK Land Registries no longer use the acre on new title plans or in describing registered properties (Imperial measurements however may appear in quotations from older property deeds, where these are part of a register entry).

Since Directive 80/181 was adopted, the Community's thinking on subsidiarity has evolved considerably, and its application is now enshrined in the Protocol on Subsidiarity and Proportionality in the Amsterdam Treaty. In our view, continuing use of these units meets the three guidelines for applying subsidiarity, and the guideline for applying the proportionality principle.

First, the issue does not have transnational aspects which cannot be satisfactorily regulated by action by Member States, since it related solely to the use of measures within the UK and does not impinge on imports. Second, lack of Community action does not appear to conflict with the requirements of the Treaty. Thirdly, action at Community level on these usages would not produce clear benefits by reason of its scale or effect.

Accordingly, we consider that the continued authorisation of these units, consistent with the principle of subsidiarity, should now be a matter for the Member State.

The UK would therefore propose that in the likely revision of Directive 80/181, the Directive should be amended to include the wording annexed to this letter. The purpose of these amendments would be to lift the obligations to phase out the use of the units listed in Chapter II of the Annex to the Directive.

I remain at your disposal to discuss this request further as appropriate. I am copying this letter to Cornelis Brekelmans and Alexandra Jour-Schroeder,

Yours sincerely,
Antony P Vinall Counsellor (Industry)
cc: Ms A Jour-Schroeder, Verheugen Cabinet;
Cornelis Brekelmans, DG Enterprise

Annex - Suggested modifications to Directive 80/181/EEC

Art 1 (b); delete "... and until a date to be fixed by those States".

Annex, Chapter 2, footnote: delete "Until the date to be fixed under Article 1 (b)

It is also suggested that the Directive effecting these modifications should have a recital explaining that the use of the units listed in Chapter 2 of the Annex to the Directive for the purposes specified there do not affect intra-Community trade and it is not therefore necessary to regulate their use at Community level.

[See page 7 for BWMA comments on the above letter]

Follow up letter from Information Commissioner's Office, 8 June 2009

Dear Mr Gardner

I am writing to you in regard to your complaint to the Information Commissioner about the Department for Innovation, Universities and Skills (the "DIUS").

Since I last wrote to you on 14 April 2009, I have been in contact with the DIUS about your complaint.

The DIUS has now confirmed to me that it has disclosed the previously withheld information to you. This disclosure was made in a letter to you from Paul Cole at the National Measurements Office, dated 28 May 2009.

If you did not receive this letter (and the attached information) I recommend that you contact Paul Cole on 020 8943 7272, or on email at info@nmo.gov.uk. Alternately, you can contact me and I will contact the DIUS on your behalf and ask them to resend you a copy of the requested information through the post.

As the DIUS has now disclosed the previously withheld information to you, I am writing to inform you that the Commissioner does not intend to issue a Decision Notice in this case. This is because the DIUS has provided you with the information it holds which relates to your request, albeit belatedly, and therefore there is no further action which he could require the DIUS to take. This is in line with the Commissioner's robust complaints handling policy. This Policy can be accessed on our website, at

http://www.ico.gov.uk/upload/documents/library/freedom_of_information/forms/a%20robust%20approach%20to%20foi%20complaint%20cases001.pdf

The robust complaints handling policy outlines criteria under which the Commissioner may choose not to issue a Decision Notice on a case. These criteria include:

- Where there has been a delay in response to a request for information, but it is clear that the requested information has now been provided
- Where the requested information has now been provided following intervention from the Commissioner.
- Where a refusal notice provided by a public authority may be technically defective but it is obvious, from the face of the evidence, that the request was properly refused
- Where a breach was of a procedural nature only (including failure to provide advice or help) which a public authority has subsequently acknowledged
- Where an alleged breach is insignificant with no practical consequence.

In this instance we believe that this case falls under the second of these criteria. Essentially, under this policy, cases will be closed where there is no constructive or remedial action which a Decision Notice could require a public authority to take.

Therefore, as we believe that this case falls under this criteria the Commissioner does not intend to proceed any further and a Decision Notice will not be issued on this case.

This case does raise some good practice issues, in relation to the way in which the DIUS handles requests for information - according to the DIUS website, requests are currently dealt with on their behalf by the Department for Children, Schools and Families - and I have passed the details of these issues on to our Good Practice and Enforcement Team (who monitor good practice issues with public authorities) for their consideration.

I can assure you that your complaint has been taken seriously, and I thank you for bringing this matter to the attention of the Commissioner.

If you are unhappy with this decision you may complain to my team leader, Pam Clements, at the address at the top of this letter.

Christopher Logan, Senior Complaints Officer

BWMA's complaint to the Information Commissioner's Office, 18 July 2009

Dear Ms Clements

Mr Hogan says that the Information Commissioner's Office will not be issuing a Decision Notice, because the requested information "... has now been provided following intervention from the Commissioner".

However, DIUS cites a different reason for releasing the information. According to their letter of 28 May 2009:

"At the time of your request we took the view that, because of a request from the European Commission, its release into the public domain could be prejudicial to relations between the UK and the Commission and, therefore, not in the public interest ... We have concluded that, on balance, the decision not to disclose

at that time was the right one. However, negotiation of the Directive amending Directive 80/181/EC is now complete and the new Directive (2009/3/EC) which amends Directive 80/181 was recently formally signed and published in the Official Journal. The sensitivities which formerly applied to the withheld correspondence therefore no longer apply. That being so, and with the agreement of the European Commission, I now enclose a copy of the letter which was previously withheld".

Therefore, DIUS remains of the view that its decision to withhold the information was correct, and that the reason for reversing that decision now is changed circumstances (that the "renegotiation ... is now complete").

Accordingly, this case does not fall under the criteria provided by Mr Hogan for not issuing a Decision Notice. We therefore request that the ICO decides whether DIUS was right not to provide the information at the time it was requested.

Rejection of BWMA's complaint by Information Commissioner's Office, 23 July 2009

Dear Mr Gardner

Thank you for your letter of 18 July 2009.

You have complained about Chris Hogan's decision to close case reference FS50200459 robustly. As Mr Hogan's line manager, your correspondence has been passed for my attention. Please note that in light of your complaint a new reference number has been generated which should be quoted in future correspondence concerning this matter.

I have considered the circumstances of this case and note you do not dispute the fact that you have now received all the information you requested on 18 September 2007.

In view of this fact I agree with the approach taken by Mr Hogan to close your complaint without the issuing a decision notice and I am not prepared to agree to your complaint being reopened.

The Commissioner operates a two stage complaint process for complaints of this nature. Therefore if you are dissatisfied with my decision you may make a further complaint to my manager requesting a review of my decision. Your complaint should be addressed to Andrew Laing, Assistant Commissioner Operations, quoting the reference number at the top of my letter.

Pam Clements, Team Leader, FOI Team

BWMA's second complaint to the Information Commissioner's Office, 24 August 2009

Dear Mr Laing

Case reference RCC0260245

We would like to lodge a second stage complaint regarding the replies from Pam Clements, 23 July 2009 and Christopher Hogan, 8 June 2009.

I draw attention to the fact that Ms Clements does not dispute that Mr Hogan gave an incorrect reason for DIUS's decision to provide the requested information. Nor does she deny that, according to DIUS, the information was released only *after* it had ceased to be sensitive.

The matter cannot not resolved by the eventual release of information, since this does not touch upon its withholding at the *relevant time*.

DIUS maintains, "... the decision not to disclose at that time was the right one". The implication is that DIUS will withhold information in similar circumstances in future.

Consequently, there is a need for the ICO to issue a Decision Notice.

To be continued ...

Comments on the Government's 2005 letter to the EC

The UK government's letter of 14 December 2005 indicates the extent to which the British government is powerless in matters where legal and political competence has been transferred to the European Commission.

Regarding the information on road sign metrication, BWMA will keep this data on file for when the government next considers installing kilometres on Britain's roads. Of more immediate consequence is the government's view that trade in precious metals "... *can be conducted in either troy or metric units, whichever the purchaser and seller find convenient*". This statement contradicts everything that the government has said to justify not allowing pounds and ounces for loose foods, etc. BWMA has written to Peter Mason the chief executive of the National Measurement Office for an explanation (below) and will report on his reply in due course.

BWMA's letter to Peter Mason, Chief Executive, National Measurement Office, Teddington, Middlesex, 24 August 2009

Dear Mr Mason

Thank you for Paul Cole's letter of 28 May (ref 07/0406) supplying a copy of the government's letter to the European Commission dated 14 December 2005. I draw your attention to paragraph three on page two of the 2005 letter:

"As for the much smaller physical trade in precious metals, *this can be conducted in either troy or metric units, whichever the purchaser and seller find convenient*. We would thus suggest that the continued use of the troy ounce in these contexts is not in practice a barrier to trade between Member States".

You will be aware that the above practice has not been applied to pounds and ounces for foods, etc. It has been the government's view for a number of years that one authorised set of measurements is needed for consumer protection, as illustrated by this statement from 1996:

"It was considered that if some products were sold in imperial units and others in metric, this would hinder the consumer's ability to make value-for-money comparisons, and would open up the scope for fraudulent trading".

Similarly, according to a DTI report on metrication in 1999:

"From the consumer's perspective, if goods were sold in metric units in some shops, and in imperial in others it would be difficult to compare prices ... with the risk of error in the calculation and misinformed choices".

And if I may quote the April edition of *The Yardstick*, which records our meeting on 20 January 2009:

"Mr Mason also said that differing unit pricing meant lack of comparison between goods. Effectively, if one half of a market priced in pounds, and the other half in kilos, the consumer would be excluded from 50% of the market".

The sentiments above are not consistent with the government's view, as expressed to the EC, that trade in precious metals "... *can be conducted in either troy or metric units, whichever the purchaser and seller find convenient*". We would be grateful if you could explain this contradiction.

Yours sincerely, etc

From the Archives: A Light in the East, BWMA report, January 1908:

Much has been written in late years of the "Awakening of China", and in this issue we have the privilege of presenting to the nations of the West the latest sign of that awakening. The Imperial Decree is noteworthy not only for what it says, but for the way it says it: calm, dignified, temperate language, foreshadowing neither panic nor indolence in the projected reform.

In the Sino-Japanese treaty of 1903 China agreed to "carefully inquire" into the subject of uniform weights and measures for the whole of the Empire, and in this Decree we have a proof of their determination to carry out that agreement. We are enabled to say, on the authority of the Grand Councilor Yuan Shih Kai, one of the Presidents of the Chinese Foreign Office, that it is the intention of China first to study the scales in use in China, and then those of foreign countries. We are also informed that the Government will naturally favour a system familiar to the people, as it is uniformity of scale, not necessarily change, that China seeks. Yuan Shih Kai's own idea is to establish, if possible, a uniform Chinese system which will correspond conveniently with the standards of other countries, so as to avoid cumbrous fractions when conversions are being effected from one system into another.

To students of the East it has long been evident that if China is ever to take its place as one of the great commercial nations of the world, not only its weights and measures, but its coinage also, requires to be placed on a uniform and stable footing. How overwhelming will be the difficulty of effecting the necessary reforms among populations so enormous and over distances so remote, can only be faintly conjectured. The Decree will be welcomed as a step in the right direction. Nor is there any reason to doubt the sincerity of its

authors or their determination to see it carried into effect. What the result will be time only can show.

Britons – may we not say "Anglo-Saxons", for British standards of weight and measure are used by the people of the United States – the world over have nothing to fear in the searching enquiries which China will make. Our yard, our foot, our inch, our pound, have stood the test of centuries and made us the great manufacturing people we are. We can trust the Chinaman to cunningly sift the chaff from the grain, and he is quite competent to distinguish between the plausible theory and the provable fact.

As an Association founded to defend the weights and measures in common use by the English-speaking people of the world against the greatest metrological fallacy ever put forward, and believing that in the economy of nations it is advisable all should use "one weight and one measure," we hope to see the millions of China either adopting those standards or, to use the words of the Grand Councillor already quoted, standards which "conveniently correspond" with them.

If China in her wisdom accedes to the Petition recently presented to His Excellency the Chinese Ambassador in London, on behalf of English houses trading with China, we may look for such a gigantic and mutual trade between the Chinese-speaking and the English-speaking peoples as the world has not yet witnessed.

Brent Council removes metric sign

Email to Geoff Lumley, 21 May 2009: "Thank you for your letter of 27 April 2008 and your email sent to our Office on 18 May 2009, regarding the speed hump warning sign which is in First Drive junction with Brentfield, where the distance is shown in the incorrect units. Please note that we shall be removing this sign which states "Road humps 20m ahead" as the sign shows non-compliant information ... Harji Hirani, Senior Engineer, Traffic Management"

Knorr's Soups

Eddie Worster has received this from Knorr Soups: (7 April 2009): "We have recently stopped dual printing the weight on our packages of Knorr Soups. This decision was based on consumer feedback as consumers these days tend to measure in milliliters instead of pints. I'm sorry to hear that you were dissatisfied with this decision and will pass your comments on to our Product Development team".

Readicut Ltd, and Poundland

Stuart Delvin received the following from Readicut, a West Yorkshire producer of tapestry, needlecraft and rugs (7 May 2008): "Thank you for your recent letter regarding the weights and measures used in our catalogues. I, too, would prefer to use the imperial system in our catalogues but I understood that it was no longer permitted under the current legislation. I will do some investigation as to where things stand on the matter and hopefully we can re-introduce some of the more traditional measures into our catalogues in the future. Thank you for bringing this to my

attention and pleased be assured I will look into the matter closely".

Stuart also received a letter from Jim McCarthy, Chief Executive of Poundland, copied to Poundland's Packaging and Design Manager Neil Ballard (1 April 2008): "I am passing your letter on to our Packaging Department with some supporting comments about the benefit of using both imperial and metric measures".

Redwings Horse Sanctuary

Mr C Phillips received this from Redwings Horse Sanctuary in Norfolk (16 September 2008): "With regard to your concern about the use of metric units in our Gift Catalogue I can only apologise that and offer my regret that you feel unable to support us though the purchasing of gifts because we use metric as opposed to imperial measurements. I have spoken with our Enterprises Manager who sources and selects our gifts and she sends her apologies that you are not pleased to see only metric values. As you say, there is no legal reason why we cannot show imperial units alongside metric ones, but as our Enterprises Manager explained, the sad truth is that nearly all manufacturers and suppliers now only use metric terms. This means that if we were to provide an imperial measurement, we could only offer an approximate one at best and would have to either convert the metric value or measure all of the products ourselves. As I am sure you can appreciate, whilst this may seem a good option, it would not only take a lot of time and accuracy from our staff, but would also run the risk of us accidentally misleading supporters if we were to get a measurement wrong. For this reason it seems more considerate to our customers to provide the actual size as stated by the manufacturer and allow supporters to convert the measurement themselves".

Newsflash: in June 2009, DIUS, the Department for Innovation, Universities & Skills, of which the National Measurement Office (created from a merger of the National Weights and Measures Laboratory and the National Measurement System Unit) is the Executive Agency responsible for metrication, merged with the Department for Business, Enterprise & Regulatory Reform (BERR), created previously from the merger of the Department of Trade and Industry and the Better Regulation Executive, formerly the Regulatory Impact Unit, and before that the Deregulation Unit, to form the new Department for Business, Innovation and Skills (DBIS). According to its website, an important part of the department's work is "*reducing unnecessary bureaucracy*".

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