

# Facts



# Information

[www.consumer.tas.gov.au](http://www.consumer.tas.gov.au)

Hotline : 1300 65 44 99



## **Information for Market Stall-Holders and Roadside Vendors**

The *Trade Measurement Act 1999* controls transactions based on the measurement of quantity. Amongst other items it regulates fresh produce such as fruit and vegetables. Market stallholders and roadside vendors selling goods and produce should ensure that the applicable provisions of the Trade Measurement Act and the Regulations made under that Act are complied with. These are summarised below.

### **Using a Measuring Instrument**

If you use an instrument for measuring it must be:

- of an approved type;
- be certified or verified before use;
- indicating zero before use;
- regularly checked for accuracy;
- used on a level surface;
- positioned so that the customer can see the weighing process;
- kept clean and in good working order; and
- verified or certified after each repair or adjustment.

### **Approved and Certified Scales**

Any set of scales used for trade has to be of an approved type and be marked with a National Measurement Institute (NMI or NSC) approval number. An example of this could be NSC 6/4D/235.

A Licensed Certifier must also certify approved scales before they can be used for trade. Using an unapproved or uncertified scale can result in an infringement notice issued by a Trade Measurement Inspector, with a penalty of up to \$500 for each offence.

### **Trade Measurement Packaging Legislation**

Australia has uniform pre-packaging legislation that ensures the measurement stated on pre-packaged goods is accurate and clearly visible to consumers. As these goods are not measured in the presence of the customer this legislation also ensures that the person or company responsible for the packaging is clearly identified.



Consumer Affairs and Fair Trading  
*Maintaining a fair, safe and equitable marketplace*

## **Selling Pre-Packaged Goods**

If you are selling goods that were packed prior to sale on other premises, the packaging must contain:

- the name and street address of the packer, or the person for whom they were packed; and
- a measurement statement.

If the goods are packaged on site the packer identification information isn't required, but a measurement statement still is.

## **The Measurement Statement**

As well as being stated in the standard Australian measurement units, the measurement must also be:

- in English;
- printed in the same direction as the name of the product;
- printed in a different colour to that of the background;
- positioned at least 2mm away from the edge of the package and not obscured by any other material;
- on the main display panel.

## **Local Government Responsibility**

Before setting up and operating a roadside stall you may need to obtain a Roadside Vendor's licence from your local Council. The requirements regarding a licence can vary between different local government bodies, so you need to check on these requirements with each relevant Council. If you intend to sell food, you will also need to check on the requirements for this with the health inspector or health unit within the relevant local Council. For information on contacting your local Council, visit the Local Government Association of Tasmania website: [www.lgat.tas.gov.au](http://www.lgat.tas.gov.au)

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