

**BRITISH BEER & PUB ASSOCIATION**  
(formerly Brewers & Licensed Retailers Association)

**GUIDANCE NOTES ON THE DISPENSE OF DRAUGHT BEER  
BY FREE FLOW AND HAND PULL**

(REVISED NOVEMBER 1995)

Issued by the Brewers and Licensed Retailers Association in conjunction with the Association of Licensed Multiple Retailers, the British Hospitality Association, Business in Sport and Leisure, the Federation of Licensed Victuallers Associations, the Federation of the Retailer Licensed Trade Northern Ireland, the Licensed Victuallers Trade Associations (Midlands) and (West), Licensed Victuallers Wales, the London and South East Licensed Victuallers Association, the National Federation of Licensed Retailers and The Scottish Licensed Trade Association.

**GUIDANCE TO BAR STAFF ON THE DISPENSE OF DRAUGHT BEER**

- 1. A measure of a beer served with a head must include a minimum of 95% liquid**
- 2. The beer should not be made available to the customer until bar staff are satisfied with the measure**
- 3. Requests from customers for top-ups should be received with good grace and never refused, subject to avoiding spillage of liquid.**

**BACKGROUND**

1. Beer is a generic term covering ales, stouts and lagers, each of these has its own characteristics and the different styles and brews provide a wide range of choice. The style of beer produced often depends upon regional and local tradition, as for the methods of dispense and forms of presentation. All beers consist of a mixture of liquid and gas and this produces a head, which is part liquid and part gas. There are those who like beers with a large head and those who like smaller heads. Consumer preferences vary considerably in different parts of the country.

**THE LEGAL POSITION**

2. Draught beer is required by law to be served in measures of one-third pint,  $\frac{1}{2}$  pint and multiples of  $\frac{1}{2}$  pint.  $\frac{1}{2}$  pint (284ml) and pint (568ml) are in practice the only measures normally used. Draught beer must be sold in stamped capacity serving measures of the quantity in question unless metered dispense is being used.
3. Two kinds of capacity measure may be used\*. With the brim measure glass the level of the nominal capacity is denoted by the brim of the measures. The regulations governing the manufacture of this measure permit a maximum error

of 34ml (about 1.2 fl oz) in excess only, in the case of pints. In practice pint brim measures are manufactured with an average capacity of around 585ml (20.6 fl oz). The range is likely to be from 576ml (20.3 fl oz) to 593ml (20.9 fl oz). There is no indication on the measure of what its actual capacity is. With the line measure the nominal capacity is denoted by a line on the glass. Regulations no longer stipulate a maximum or minimum permitted distance that the line should be from the brim, but the maximum error permitted for the placing of the line remains 17ml in deficiency or excess, ie a range from 551ml to 585ml.

4. Whether or not beer is served with a head is dependent on various factors; the type of beer, the equipment used to dispense it and individual consumer preferences. To be acceptable to some customers certain beers must be served without a head whilst in other situations a head will be a pre-requisite for acceptability of beer. Recognising this the courts have upheld that the **head of froth is an integral part of what is purported to be sold provided that it is not excessive or unreasonable** in the light of what the customer was to be taken as ordering.

\* SI 1988 No 120 Capacity Serving Measures (Intoxicating Liquor) Regulations 1998 as amended by SI 1993 No 2060 refers.

## **BRIM MEASURE GLASSES**

5. When dispensing beer with a head into a brim measure glass the head must reach the brim or above it to ensure that the quantity of beer (liquid and head) dispensed is at least a pint or half a pint. As the head collapses the small proportion of liquid it contains will fall into the rest of the beer and the gas will disperse into the atmosphere. When the head has totally collapsed the amount of liquid may be less than a pint or half pint. The deficiency will depend on the size of the head and the type of beer. **The Brewers and Licensed Retailers Association and the Retail Organisations listed have agreed that a head of froth is excessive and unreasonable if the measure of draught beer does not contain a minimum of 95% liquid after the collapse of the head. They recommend as strongly as possible that all licensees follow this principle.** The recommendation that the measure of draught beer should contain a minimum of 95% liquid applies whether or not a top-up has been requested.
6. The following best practice should apply:
  - If beer is served in a brim measure glass at the time of service and the liquid level of the beer does not meet the customer's requirements, it must always be recognised that the can ask for a top-up to meet them. **Such a request should always be received with good grace and should never be refused** although spillage of liquid should be avoided. Many licensees have found useful the use of notices in bars where beer is served with a head in brim measure glasses reminding customers of their right to ask for a top-up.
  - Should bar staff have difficulty in serving any beer with a head in a standard brim measure glass so as to provide a measure with a minimum of 95% liquid, consideration should be given to serving that product in a line measure glass or a special badged glass.

## LINE MEASURE GLASSES

7. When beer is dispensed by free flow into a line measure glass sufficient beer (liquid and head) must be dispensed so as to ensure that if the head totally collapsed the liquid in the measure would be level with the line defining the measure.

## GENERAL GUIDANCE

8. Problems associated with the serving of a variety of beers in a manner and in quantities acceptable to customers will be increased by the use of different types of measuring glasses. Licensees are strongly advised to avoid using brim measure and line measure glasses side by side, since this is confusing to bar staff and customers alike, and encourages misunderstandings and dissatisfaction. If this is not possible licensees should ensure that bar staff are aware of the potential problems and are trained in the correct use of brim and line measure glasses. Licensees using metered dispense should dispense from meters into unmarked oversized glasses.
9. Licensees should ensure that their staff are fully trained in the law and this guidance and are committed to ensuring that, having regard to the reasonable preferences and expectations of their customers with respect to a head or lack of head on beers, they will receive at least 95% liquid. The purchase transaction should only be regarded as complete when the beer is made available for consumption. The gas in the liquid should have time to clear, and the bar staff should have an opportunity to complete service by topping up prior to completion of the transaction. The manner of service by bar staff should reflect this.
10. The Licensed Trade expects that in enforcing the Weights and Measures legislation, Trading Standards Officers will recognise the decisions of the courts as well as making reasonable allowances for genuine human error by licensees and their staff. The Licensed Trade also expects that Trading Standards Officers will have regard to paragraph 9 in implementing test purchase transactions. That said it cannot be emphasised too strongly that, **where beer is served with a head, the Trade will not condone the delivery of less than 95% liquid.** The remedy for short measure, as defined by the law and the guidance, is prosecution. **Where beer is served with a head and the purchasing transaction is properly completed in accordance with these guidelines neither the Brewers and Licensed Retailers Association nor the Retail Organisations listed will support defences arguing that a measure containing less than 95% liquid is acceptable where the amount of liquid is less than 95% after collapse of the head.** These guidelines are intended as relevant evidence for the courts.