

1977 No. 145

WEIGHTS AND MEASURES

Weights and Measures (Honey) Order (Northern Ireland) 1977

Made	24th May 1977
Coming into operation	1st August 1977
<i>To be laid before Parliament under Paragraph 3(3) of Schedule 1 to the Northern Ireland Act 1974</i>	

The Department(a) of Commerce, after consultation with such organisations as appear to it to be representative of interests substantially affected by this Order and consideration of the representations made to it by such organisations with respect to the subject matter of this Order, in exercise of the powers conferred on it by section 15(2), (3) and (5) of the Weights and Measures Act (Northern Ireland) 1967(b) (hereinafter referred to as "The Act") and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Weights and Measures (Honey) Order (Northern Ireland) 1977 and shall come into operation on 1st August 1977.

Revocation

2. Parts VIII and XI of Schedule 2 to the Act shall cease to apply to honey.

Control of sale

3. Honey (other than chunk honey and comb honey) which is not pre-packed shall, when sold by retail, be sold only by net weight.

Requirements for pre-packed honey

4. Honey (other than chunk honey and comb honey) shall, except where made up in a quantity of less than half an ounce, be pre-packed only if it is made up in one of the following quantities by net weight, that is to say, 1oz, 2oz, 4oz, 8oz, 12oz, 1 lb, 1½ lb, or a multiple of 1 lb.

5.—(1) Subject to paragraph (2), honey shall be pre-packed or otherwise made up in a container for sale only if the container is marked with an indication of quantity by net weight.

(2) In a case where the net weight of the honey made up in a container (whether or not pre-packed) is 10kg or more, the container need not be marked with an indication of quantity by net weight if—

- (a) the honey is not sold by retail, and
- (b) at a time when it is sold, a document containing such an indication expressed in both imperial and metric units of measurement accompanies the container.

(a) Formerly Ministry: see 1973 c. 36 s. 40 and Sch. 5 para. 8(1)

(b) 1967 c. 6 (N.I.)

Application

6. Section 16(2) of the Act, in so far as it applies for the purposes of section 15(2)(b) of the Act in relation to a contravention of article 5 in a case mentioned in paragraph (2) of that article, shall have effect subject to the modification that the following provisions shall be omitted, that is to say—

- (a) in paragraph (a) the words “has in his possession for sale”;
- (b) paragraph (b);
- (c) in paragraph (c) the words “have in his possession for sale or for delivery after sale”; and
- (d) the words “whether the sale is, or is to be, by retail or otherwise”.

Sealed with the Official Seal of the Department of Commerce for Northern Ireland on 24th May 1977.

(L.S.)

W. T. McCrory

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Order but is intended to indicate its general purport.)

This Order provides that Parts VIII and XI of Schedule 2 to the Weights and Measures Act (N.I.) 1967 shall cease to apply to honey on 1st August 1977 when the provisions of those Parts are replaced by those of this Order.

The Changes are as follows:—

- (a) containers in which comb honey and chunk honey are made up are required to be marked with an indication of quantity by net weight; hitherto a container of comb honey has not been required to be marked with an indication of quantity, and a container of chunk honey has been required to be marked with an indication of quantity by net weight or by capacity measurement;
- (b) containers in which honey is made up, where the quantity is 10kg (approximately 22lbs) or more, need not be marked with an indication of quantity in the case of a sale otherwise than by retail, if the indication expressed in imperial and metric units is then given in an accompanying document. As a consequence section 16(2) of the Act (dealing with certain offences) has been modified so that in such a case the offences are related to the time of sale;
- (c) small quantities will no longer be exempt from the requirement to indicate the quantity on the container.

Indications of quantity marked on containers will by virtue of Regulation 10(2) of the Weights and Measures (Marking and Abbreviations) Regulations (Northern Ireland) 1976 (S.R. 1976 No. 155) have to be marked in both imperial and metric units.