
EXPLANATORY NOTE

(This note is not part of the Order.)

This Order amends the Weights and Measures (Miscellaneous Foods) Order (Northern Ireland) 1989 (“the 1989 Order”). Article 4 of the 1989 Order requires that certain foods are pre-packed only in the quantities prescribed in Schedule 1 to the 1989 Order. This Order gives effect to the judgment of the European Court of Justice in Case C-3/99 *Cidrerie Ruwet SA v Cidre Stassen SA and HP Bulmer Ltd* by exempting from that requirement imports into Northern Ireland (whether directly or indirectly through Great Britain) of pre-packed foods made up in a quantity which is not specified in Schedule 1 to the 1989 Order from a member State of the European Community, or one of the other States in the European Economic Area, provided that it is lawful to sell such packages in that quantity in that other State.

The deletion of the prescribed quantities for chocolate and cocoa products in Schedule 1 to the 1989 Order implements Article 7 of Council Directive [2000/36/EC\(1\)](#) which repealed Council Directive [73/241/EEC\(2\)](#) in which those requirements were prescribed.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

(1) OJNo. L197, 3.8.2000 p19.
(2) OJ No. L228, 16.8.73 p23.