



Weights and Measures Act 1985

1985 CHAPTER 72

PART IV

REGULATION OF TRANSACTIONS IN GOODS

General offences

[^{F1}31A Non-compliance with certain requirements of the FIC Regulation

- (1) Subject to subsection (2) below, a food business operator to which Article 1(3) of the FIC Regulation applies is guilty of an offence if that food business operator fails to comply with—
- (a) any of the provisions of Article 8 of the FIC Regulation (responsibilities of food business operators) applicable to the food business operator, to the extent that the provisions relate to net quantity;
 - (b) Article 9(1)(e) of the FIC Regulation (mandatory indication of net quantity of food), except to the extent that it relates to a failure to comply with Article 13(5) of the FIC Regulation; or
 - (c) Chapter V of the FIC Regulation (voluntary food information), to the extent that it imposes requirements in respect of net quantity.
- (2) A food business operator is not guilty of an offence under subsection (1) if the food business operator acts in accordance with any of the following—
- (a) an exception contained in Chapter IV of the FIC Regulation;
 - [^{F2}(b) a measure adopted by the United Kingdom before IP completion day under Article 40 of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers as it had effect in EU law (milk and milk products: national measures derogating from Articles 9(1) and 10(1));
 - (ba) regulations made under Article 40 of the FIC Regulation (milk and milk products: regulations derogating from Articles 9(1) and 10(1));]
 - [^{F3}(c) a measure permitted to be maintained by Article 42 of the FIC Regulation (authority to maintain measures in specified legislation about the expression

Changes to legislation: There are currently no known outstanding effects for the Weights and Measures Act 1985, Section 31A. (See end of Document for details)

of net quantity in relation to food in the absence of regulations under Article 23(2));]

(d) transitional measures under Article 54(1) of the FIC Regulation.

(3) In this section “food business operator” and “net quantity” have the same meanings as in the FIC Regulation.]

Textual Amendments

- F1** S. 31A inserted (13.12.2014) by [The Weights and Measures \(Food\) \(Amendment\) Regulations 2014 \(S.I. 2014/2975\)](#), regs. 1, **5**
- F2** S. 31A(2)(b)(ba) substituted for s. 31A(2)(b) (31.12.2020) by [The Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/529\)](#), regs. 1, **3(2)(a)** (as amended by [S.I. 2020/1501](#), regs. 1, **4(3)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F3** S. 31A(2)(c) substituted (31.12.2020) by [The Food \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/529\)](#), regs. 1, **3(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

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There are currently no known outstanding effects for the Weights and Measures Act 1985, Section 31A.