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S T A T U T O R Y   I N S T R U M E N T S

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1981 No. 1782

**WEIGHTS AND MEASURES**  
**The Weights and Measures Act 1963**  
**(Coffee and Coffee Mixtures) Order 1981**

*Laid before Parliament in draft*

*Made - - - - - 9th December 1981*

*Coming into Operation            1st January 1982*

Whereas the Secretary of State pursuant to section 54(2) of the Weights and Measures Act 1963(a) (hereinafter referred to as “the Act”) has consulted with organisations appearing to him to be representative of interests substantially affected by this Order and considered the representations made to him by such organisations with respect to the subject matter of this Order:

And whereas a draft of this Order has been laid before Parliament and approved by resolution of each House of Parliament pursuant to section 54(3) of the Act:

Now, therefore, the Secretary of State, in exercise of the powers conferred by section 21(2), (3) and (5) of the Act and now vested in him (b) and of all other powers enabling him in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Weights and Measures Act 1963 (Coffee and Coffee Mixtures) Order 1981 and shall come into operation on 1st January 1982.

2. In this Order—

“coffee” means the dried seed of the coffee plant whether or not such seed has been roasted or ground or both roasted and ground and whether or not it has been subjected to a decaffeination process;

“coffee and chicory mixture” means a mixture of roasted coffee and chicory which contains no substance other than roasted coffee and chicory;

“French coffee—coffee and chicory mixture” means a mixture of roasted coffee and chicory of which not less than 51% by weight is coffee and which contains no substance other than roasted coffee and chicory;

“Viennese coffee—coffee with fig flavouring” means a mixture of roasted coffee and fig of which not less than 85% by weight is coffee and which contains no substance other than roasted coffee and fig;

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(a) 1963 c. 31.

(b) S.I. 1970/1537.

“coffee mixture” means coffee and chicory mixture, French coffee—coffee and chicory mixture or Viennese coffee—coffee with fig flavouring, whether or not they have been subjected to a decaffeination process;

“coffee bag” means a permeable sealed bag, which is intended to be immersed in water in the course of preparation to drink, containing coffee or a coffee mixture, or a mixture of any of those products and instant coffee within the meaning of the Weights and Measures Act 1963 (Coffee Extracts and Chicory Extracts) Order 1978(a), which consists predominantly of coffee or a coffee mixture.

3. Parts VIII and XI of Schedule 4 to the Act, so far as they apply, shall cease to apply to coffee (including coffee beans, coffee powders of all kinds, ground coffee, mixtures of coffee and chicory and mixtures of coffee and other products).

4. Coffee and coffee mixtures which are not pre-packed shall, when sold by retail, be sold only by net weight.

5.—(1) Subject to paragraph (2) below, coffee and coffee mixtures and the contents of coffee bags shall be pre-packed only if they are made up in one of the following quantities by net weight, that is to say—

(a) 2 oz, 4 oz, 8 oz, 12 oz, 1 lb, 1½ lb or a multiple of 1 lb;

(b) 75 g, 125 g, 250 g, 500 g, 750 g, 1 kg or a multiple of 500 g.

(2) There shall be exempted from the requirements of paragraph (1) above products made up in quantities of less than 25 g and more than 5 kg.

6.—(1) Subject to paragraph (2) below, coffee and coffee mixtures and the contents of coffee bags shall be pre-packed only if the container is marked with an indication of quantity by net weight.

(2) There shall be exempted from the requirements of paragraph (1) above products made up in quantities of less than 25 g.

*Sally Oppenheim,*  
Minister of State,  
Department of Trade.

9th December 1981.

EXPLANATORY NOTE  
(*This Note is not part of the Order.*)

This Order implements the requirements of Council Directive No. 80/232/EEC (OJ. No. L51, 25.2.1980, p.1). It prescribes a range of metric as well as imperial quantities, and makes provision for quantity marking for pre-packed coffee (including coffee mixtures and coffee bags but not including coffee extracts and chicory extracts covered by the Weights and Measures Act 1963 (Coffee Extracts and Chicory Extracts) Order 1978). This Order and the previous Order supersede Parts VIII and XI of Schedule 4 to the Weights and Measures Act 1963, which will cease to apply to coffee.

The products covered by this Order are coffee and the following coffee mixtures, namely coffee and chicory mixture, French coffee—coffee and chicory mixture, and Viennese coffee—coffee with fig flavouring, and the contents of coffee bags which consist wholly or predominantly of coffee or coffee mixtures but may also include instant coffee.

The Order provides that:—

- (a) products which are not pre-packed shall, when sold by retail, be sold only by net weight. (Art. 4);
- (b) products made up in quantities of 25 g (approximately 9/10 oz) or more and not more than 5 kg (approximately 11 lb) are to be pre-packed only in prescribed imperial or metric weights (Art. 5);
- (c) products made up in quantities of 25 g or more are to be pre-packed only if the container is marked with an indication of quantity by net weight (Art. 6).

NOTE AS TO EARLIER ORDERS REPLACING PARTS OF SCHEDULE 4 TO  
THE WEIGHTS AND MEASURES ACT 1963*(This Note is not part of the Order.)*

Section 21 of, and Schedule 4 to, the Act regulate by Order certain transactions in foods which are in many cases required to be prepacked or made for sale only in specified quantities. The Orders listed below have been made before this Order providing that Parts of Schedule 4 shall cease to apply to the foods in question (or that certain foods are exempted from the requirements of Part XI). This list includes, in the case of wine and grape must, Regulations made under section 2(2) of the European Communities Act 1972 (c. 68).

Parts of Schedule 4 affected	Commodity	Ranges of Prescribed Quantities	Relevant Statutory Instruments
III and XI (Part)	Cheese	None	1977/1335
IV and XI (Part)	Bread	Metric	1977/2059
V and XI (Part)	Liquid milk	Imperial or Metric	1979/1752
VI (Part) and XI (Part)	Wine	None	1978/463
VII (Part)	Potatoes	Imperial or Metric	1978/741
VIII (Part)	Cereal breakfast foods in flake form (except cereal biscuit breakfast foods)	Metric	1975/1177 1977/2058
VIII (Part)	Tea	Metric	1976/1294 1977/2058
VIII (Part) and XI (Part)	Cocoa (including cocoa powder and chocolate powder)	Metric (cocoa products)	1977/1332
VIII (Part) and XI (Part)	Coffee extracts and chicory extracts (including instant coffee and instant chicory)	Imperial or Metric (solid and paste coffee and chicory products)	1978/1081
VIII (Part) and XI (Part)	Honey	Imperial (other than chunk honey and comb honey)	1977/558
VIII (Part)	Salt	Metric, cut lump salt excepted	1973/1968 1977/2058
VIII (Part) and IX	Sugar	Metric	1974/1166 1977/1333
VIII (Part)	Dried vegetables	Metric	1975/1179 1978/1080 1981/1780
VIII (Part)	Barley kernels, pearl barley, rice (including ground rice and rice flakes), sago, semolina and tapioca	Imperial or Metric	1981/1781

Parts of Schedule 4 affected	Commodity	Ranges of Prescribed Quantities	Relevant Statutory Instruments
VIII (Part)	Flour of bean, maize, pea, rice, rye, soya bean or wheat, cake flour (other than cake mixtures and sponge mixtures), cornflour (other than blancmange powders and custard powders) and self raising flour	Metric	1975/1178 1978/1080
VIII (Part)	Flour of oats	Metric	1975/1177 1977/2058
VIII (Part)	Pasta (macaroni and similar products)	Metric	1973/1967 1978/1080
IX and XI (Part)	Edible fats	Metric	1976/430 1977/2058
IX	Dried fruits (including dried fruit salad)	Metric	1976/431 1978/1080 1981/1780
IX	Oatflakes and oatmeal, (Note. Rolled oats is removed from Part IX by Para. 19 of Schedule 5 to the Weights and Measures Act 1979)	Metric	1975/1177 1977/2058
XI (Part)	Biscuits and shortbread	Metric (biscuits, other than wafer biscuits which are not cream filled)	1976/111 1977/2058
XI (Part)	Chocolate bars/tablets. Other chocolate products (other than chocolate powder).	Metric None	1977/1332
XI (Part)	Grape must	None	1978/463

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