
STATUTORY INSTRUMENTS

1985 No. 988

WEIGHTS AND MEASURES

**The Weights and Measures Act 1963
(Various Foods) (Amendment) Order 1985**

Laid before Parliament in draft

Made - - - - 1st July 1985

Coming into Operation 1st July 1985

Whereas the Secretary of State pursuant to section 54(2) of the Weights and Measures Act 1963⁽¹⁾ (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 sections 21(2), (3) and (5) and 54(1) and (4) of the Act and now vested in him 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 (Various Foods) (Amendment) Order 1985 and shall come into operation on 1st July 1985.

2. The Weights and Measures Act 1963 (Cheese, Fish, Fresh Fruits and Vegetables, Meat and Poultry) Order 1984 is hereby amended as follows:—

(a) in Article 5(4) for the words immediately following “only” onwards there shall be substituted:

“—

(a) by net weight;

(b) in the case of countable produce either by net weight or number; or

(c) if the food is sold in a container which does not exceed the appropriate permitted weight specified in Table A of Schedule 2 to this Order, either by net weight or by gross weight.”

; and

(b) in Article 5(7)—

⁽¹⁾ as amended by the Weights and Measures &c. Act 1976 (c.77) and the Weights and Measures Act 1979 (c.45).

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- (i) after sub-paragraph (b) there shall be added the following sub-paragraph—
 - “(c) any food in a quantity of more than 5 kg;”
- ; and
- (ii) the words “or more than 5 kg” shall be deleted.

3. The Weights and Measures Act 1963 (Miscellaneous Foods) Order 1984 is hereby amended as follows:—

- (a) after Article 12 there shall be inserted the following Article:—
 - “**12A.** Potatoes, which are not pre-packed shall, if sold by retail, be sold only—
 - (a) by net weight; or
 - (b) if the food is sold in a container which does not exceed the appropriate permitted weight specified in the Table in Schedule 1A to this Order, either by net weight or gross weight.”;
- (b) in Schedule 1
 - (i) in respect of coffee extracts and chicory extracts consisting of solid and paste coffee and chicory products in column 2 the imperial units of measurement shall be deleted; and
 - (ii) in respect of honey, jam and marmalade, jelly preserves, molasses, syrup and treacle in column 2 the words “1 oz” shall be deleted and in column 3 for the words “ $\frac{1}{2}$ oz” there shall be substituted the words “50 g”; and
- (c) after Schedule 1 there shall be inserted as Schedule 1A the Schedule to this Order.

1st July 1985

Alexander Fletcher
Parliamentary Under-Secretary of State
Department of Trade and Industry

SCHEDULE

Article 3(c)

“SCHEDULE 1A

TABLE OF PERMITTED WEIGHTS FOR CONTAINERS

| <i>Gross weight</i> | <i>Permitted weight of container</i> |
|---------------------|---|
| Not exceeding 500 g | 5 g |
| Exceeding 500 g | a weight at the rate of 10 g per kg of the gross weight.” |

EXPLANATORY NOTE

This Order amends the Weights and Measures Act 1963 (Cheese, Fish, Fresh Fruits and Vegetables, Meat and Poultry) Order 1984. Article 5(4) is amended to allow fruits and vegetables when not pre-packed to be sold by gross weight in a container which does not exceed the permitted weight. The exemption in Article 5(7) is limited in the case of foods above 5 kg to exemption from the requirements of paragraphs (3), (4) and (5).

This Order also amends the Weights and Measures Act 1963 (Miscellaneous Foods) Order 1984. A new Article 12A together with a new Schedule is inserted to allow potatoes when not pre packed to be sold by gross weight in a container which does not exceed the permitted weight. The prescribed range of imperial quantities for coffee extracts and chicory extracts is to be deleted. The 1 oz size is to be deleted from the range of prescribed quantities for honey, jam and marmalade, jelly preserves, molasses, syrup and treacle and the lower limit for prescribed quantities in respect of those products is to be 50 g instead of ½ oz.