
STATUTORY INSTRUMENTS

2006 No. 659

The Weights and Measures (Packaged Goods) Regulations 2006

Scope of application

- 3.—(1) Subject to paragraphs (2) to (6), these Regulations apply to:
- (a) packages intended for sale in constant unit nominal quantities which are:
 - (i) equal to values predetermined by the packer;
 - (ii) expressed in units of weight or volume; and
 - (iii) of not less than 5 grams or 5 millilitres and not more than 25 kilograms or 25 litres;
 - (b) outer containers.
- (2) These Regulations also apply to bread which is sold either unwrapped or in open packets if:
- (i) it has been made up to a pre-determined constant quantity; and
 - (ii) it is intended for sale in constant unit nominal quantities expressed in units of weight, which are not less than 300 grams per loaf and not more than 10 kilograms per loaf.
- (3) Schedule 5 sets out modifications in the application of these Regulations to bread.
- (4) These Regulations do not apply to packages which are not marked with the E-mark and which:
- (a) contain a product which is intended solely for use in, or in connection with, a process or treatment in the course of a trade or business;
 - (b) contain a product which is:
 - (i) intended, and which would normally be regarded as appropriate, for sale to an ultimate consumer; and
 - (ii) made up in quantities of less than 5 grams or 5 millilitres;where the packages are not intended, or would not normally be regarded as appropriate, for sale to an ultimate consumer;
 - (c) contain a single application of a cosmetic product;
 - (d) are intended for despatch outside the United Kingdom;
 - (e) are intended for use by Her Majesty's forces or by a visiting force within the meaning of any of the provisions of Part I of the Visiting Forces Act 1952⁽¹⁾;
 - (f) are intended for use as stores within the meaning of the Customs and Excise Management Act 1979⁽²⁾ in a ship, aircraft or hovercraft on a voyage or flight to an eventual destination outside Great Britain; or
 - (g) contain a product listed in Schedule 6 in a quantity less than the predetermined constant quantity there shown against that product.
- (5) Regulations 4, 5, 6, 8, and 9 shall not apply to a package or an outer container which has been:
- (a) packed in, or imported into, a Member State other than the United Kingdom;

(1) 1952 c. 67.

(2) 1979 c. 2.

- (b) marked with the E-mark in accordance with the law of that Member State; and
- (c) marked with the name and address of the person in that Member State who packed or imported the package or outer container, or who arranged for the package or outer container to be packed,

if, after the package or outer container has left that Member State, at least one of the following conditions is satisfied in relation to it:

- (a) it has not entered a country which is not a Member State;
 - (b) it has been sealed at all times in a container bearing a customs seal;
 - (c) there has been no reasonable opportunity for any person to alter the quantity of the product contained within it.
- (6) These Regulations do not apply to:
- (a) a package of frozen or quick frozen poultry meat which is classified by weight category in accordance with Article 3(3) of Council Regulation (EEC) No. 1906/90⁽³⁾;
 - (b) a package containing a product listed in Annex I to Council Regulation (EC) No. 2200/96⁽⁴⁾.

⁽³⁾ Council Regulation (EEC) No. 1906/90 of 26 June 1990 on certain marketing standards for poultrymeat (O.J. No L173, 6/7/1990, p.1).

⁽⁴⁾ Council Regulation (EC) No. 2200/96 of 28 October 1996 on the common organization of the market in fruit and vegetables (O.J. L297, 21/11/1996, p.1).