
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends Schedule 6 to the Weights and Measures Act 1985 (“the Act”) which, among other things, lists products which shall be pre-packed only if the container is marked with a quantity or which must be sold by quantity if not made up in a container.

The amendments made by the Order implement, in part, article 1 of Council Directive [76/768/EEC](#) on the approximation of the laws of member States relating to cosmetic products (O.J. No. L262, 27.9.76, p.169) (“the Cosmetics Directive”) as substituted by article 1 of Council Directive No. [93/35/EEC](#) (O.J. No. L151, 23.6.93, p.32) and article 6 of the Cosmetics Directive as substituted by article 1 of Council Directive [88/667/EEC](#) (O.J. No. L382, 31.12.88, p.46).

The principal changes—

- (a) revise the current scope of Schedule 6 to the Act by substituting the definition of “cosmetic products” contained in the amended article 1 of the Cosmetics Directive for that of “perfumery and toilet preparations” for the purposes of the Act;
- (b) specify the threshold above which quantity has to be marked on pre-packed cosmetic products as 5g or 5ml;
- (c) make provision for cosmetic products which are sold by number;
- (d) require cosmetic products which are not pre-packed to be sold by quantity expressed by net weight, volume or number.

The Order also revokes the Weights and Measures Act 1963 (Dentifrices) Order 1974 which made special provision in relation to dentifrices pre-packed in tubes.