

1976 No. 431**WEIGHTS AND MEASURES****The Weights and Measures Act 1963 (Dried Fruits)
Order 1976***Laid before Parliament in draft**Made - - - - 16th March 1976**Coming into Operation 1st January 1977*

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 her to be representative of interests substantially affected by this Order and considered the representations made to her 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 powers conferred by section 21(2), (3) and (5) of the Act and now vested in her(b) and of all other powers enabling her in that behalf, hereby makes the following Order:—

1.—(1) This Order may be cited as the Weights and Measures Act 1963 (Dried Fruits) Order 1976 and shall come into operation on 1st January 1977.

(2) In this Order “dried fruits” means dried fruits of any one or more of the following descriptions, that is to say, apples (including dried apple rings), apricots, currants, dates, figs, muscatels, nectarines, peaches, pears (including dried pear rings), prunes, raisins, sultanas and dried fruit salad.

(3) The Interpretation Act 1889(c) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

2. Part IX of Schedule 4 to the Act shall cease to apply to dried fruits.

3. Dried fruits which are not pre-packed shall be sold by retail only by net weight.

(a) 1963 c. 31.
(c) 1889 c. 63.

(b) S.I. 1970/1537 (1970 III, p. 5293).

4. Dried fruits shall be pre-packed—
- (a) except where made up in a quantity not exceeding 75g or exceeding 10 kg, only if they are made up in one of the following quantities by net weight, that is to say—
- (i) 4 oz, 8 oz, 12 oz, 1 lb, 1½ lb, or a multiple of 1 lb; or
 - (ii) 125g, 250g, 375g, 500g, 1kg, or a multiple of 1 kg; and
- (b) except where made up in a quantity not exceeding 25g, only if the container is marked with an indication of quantity by net weight.

Alan Williams,

Minister of State,

Department of Prices and Consumer Protection

16th March 1976.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order provides that Part IX of Schedule 4 to the Weights and Measures Act 1963 shall cease to apply to dried fruits, that is apples (including dried apple rings), apricots, currants, dates, figs, muscatels, nectarines, peaches, pears (including dried pear rings), prunes, raisins and sultanas and dried fruit salad on 1st January 1977, when the provisions of that Part are replaced by those of this Order.

Dried fruits may be pre-packed only in a prescribed range of imperial or metric weights where the quantity exceeds 75g (approximately $2\frac{7}{10}$ ozs) and does not exceed 10kg (approximately 22 lbs). Every container in which such goods are pre-packed must be marked with an indication of quantity by net weight unless the quantity does not exceed 25g (approximately $\frac{9}{10}$ oz). If not pre-packed, such goods may be sold by retail only by net weight. The reference to metric units is new.

SI 1976/431
ISBN 0-11-060431-8



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