
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 187

**The Weights and Measures (Food) (Amendment)
Regulations (Northern Ireland) 2016**

Amendments to the Weights and Measures (Miscellaneous Foods) Order (Northern Ireland) 1989

18.—(1) Article 2 is renumbered as article 2(1).

(2) In the renumbered article 2(1)—

- (a) for the definition of ““chicory”, “chicory extract paste”, “coffee”, “coffee mixture”, “coffee extract paste”, “instant chicory”, “instant coffee”, “liquid chicory extract” and “liquid coffee extract””, substitute—

““chicory”, “chicory extract paste”, “coffee extract paste”, “instant chicory”, “instant coffee”, “liquid chicory extract” and “liquid coffee extract”, have the same meanings as in the Coffee Extracts and Chicory Extracts Regulations (Northern Ireland) 2001(1);”;

- (b) for the definition of ““chocolate confectionery”, “flour confectionery” and “sugar confectionery””, substitute—

““chocolate confectionery” means any food which is ready for consumption without further preparation, of which a characterising ingredient is chocolate, cocoa or non-fat cocoa solids, and includes food of which a characterising ingredient is carbohydrate sweetening matter and which has a chocolate or chocolate-flavoured coating, but does not include any biscuits, chocolate products, flour confectionery or edible ice;”;

- (c) for the definition ““cocoa product”, “chocolate product”, “fancy chocolate product”, “container” in relation to these products and “reserved description””, substitute—

““chocolate product” means any chocolate product to which the Cocoa and Chocolate Products Regulations (Northern Ireland) 2003(2) apply;

“cocoa product” means any cocoa product to which the Cocoa and Chocolate Products Regulations (Northern Ireland) 2003 apply;”;

- (d) before the definition of “coffee bag” insert—

““coffee” means the dried seed of the coffee plant whether such seed has been roasted or ground or both roasted and ground;”;

- (e) for the definition of ““condensed milk” and “dried milk””, substitute—

““condensed milk” means milk, partly skimmed milk or skimmed milk or any combination thereof, whether with or without the addition of cream, dried milk or sucrose, which has been concentrated by the partial removal of water, but does not include dried milk;”;

(1) S.R. 2001 No. 45, amended by S.R. 2014 No. 223; there are other amending regulations but none is relevant

(2) S.R. 2003 No. 313, amended by S.R. 2014 No. 223; there are other amending regulations but none are relevant

- (f) before the definition of “liquid coffee and chicory products” insert—
- ““container”, in relation to cocoa products, chocolate products and fancy chocolate products, includes any form of packaging of goods for sale as a single item, whether by way of wholly or partly enclosing the food or by way of attaching the food to some other article, and in particular includes a wrapper or confining band, but does not include any crimp case used to support the base or the base and sides of any chocolate product;
- “dried milk” means milk, partly skimmed milk or skimmed milk or any combination thereof, whether with or without the addition of cream, which has been concentrated to the form of powder, granule or solid by the removal of water;
- “fancy chocolate product” includes any chocolate product in the form of figurines, cigarettes or eggs or enclosed in a seasonal selection pack;
- “flour confectionery” means any cooked food which is ready for consumption without further preparation (other than reheating), of which a characterising ingredient is ground cereal, including shortbread, sponges, crumpets, muffins, macaroons, ratafias, pastry and pastry cases, and also includes meringues, petits fours and uncooked pastry and pastry cases, but does not include bread, pizzas, biscuits, crispbread, extruded flat bread or any food containing a filling which has as an ingredient any cheese, meat, offal, fish or shellfish;”;
- (g) before the definition of “Member State” insert—
- ““mass caterer” means any establishment (including a vehicle or a fixed or mobile stall), such as restaurants, canteens, schools, hospitals and catering enterprises in which, in the course of a business, food is prepared to be ready for consumption by the final consumer;”;
- (h) before the definition of “preserved milk” insert—
- ““pre-packed”, in relation to food to which this Order applies, means either or both of—
- (a) made up for direct sale (within the meaning of Article 2(2)(e) of the FIC Regulation⁽³⁾) by way of retail;
- (b) made up in advance ready for retail sale in an open container;”;
- (i) before the definition of “solid and paste coffee and chicory products” insert—
- ““relevant wholesale”, in relation to food to which this Order applies, means a sale by way of wholesale, but does not include any of the following—
- (a) a sale to a mass caterer;
- (b) a supply of food that is prepacked food within the meaning of the FIC Regulation intended for sale to the final consumer or to a mass caterer, or any other supply of food that is made up in advance ready for retail sale in an open container; or
- (c) a supply to which Article 8(8) of the FIC Regulation applies⁽⁴⁾;”;
- (j) after the definition of “solid and paste coffee and chicory products” insert—
- ““sugar confectionery” means any food which is ready for consumption without further preparation, of which a characterising ingredient is carbohydrate sweetening matter, and includes sweetened liquorice and chewing gum, but does not include any

(3) The FIC Regulation means Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, as defined in Article 2(2) of the Weights and Measures (Northern Ireland) Order 1981.

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chocolate confectionery, chocolate products, cocoa products, flour confectionery, edible ice, table jellies, slab marzipan or sugar.”

(3) After the renumbered article 2(1) insert—

“(2) References in this Order to items being “loose” include items packed at the request of the customer.”