
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 187

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

Amendments to the Weights and Measures (Intoxicating Liquor) Order (Northern Ireland) 1989

32. In article 6—

(a) for paragraph (1) substitute—

“(1) Where intoxicating liquor or other liquids specified in column 1 of Schedule 1—

(a) are pre-packed in a closed container for direct sale (within the meaning of Article 2(2)(e) of the FIC Regulation⁽¹⁾); or

(b) are, in the case of those specified in Part III of Schedule 1, made up in a closed container for relevant wholesale,

the container must, subject to the exemptions specified in column 4 of Schedule 1, be marked with an indication of quantity by volume.”;

(b) in paragraph (2) after “pre-packed” insert “for direct sale (within the meaning of Article 2(2)(e) of the FIC Regulation)”;

(c) after paragraph (2) insert—

“(3) For the purposes of this article—

(a) “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; and

(b) “relevant wholesale”, in relation to food to which this article applies, means a sale by way of wholesale, but does not include any of the following:

(i) a sale to a mass caterer;

(ii) 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

(iii) a supply to which Article 8(8) of the FIC Regulation applies⁽²⁾.”.

(1) 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

(2) Article 8(8) of the FIC Regulation sets out the application of the FIC Regulation to food business operators that supply food not intended for the final consumer or mass caterers to other food business operators. In those circumstances, sufficient information must be provided to the recipient food business operator to enable that food business operator to meet its obligations under Article 8(2) of the FIC Regulation, which requires the business operator to ensure the presence and accuracy of the food information in accordance with the applicable food information law and relevant national provisions.