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**1983 No. 1078**

**WEIGHTS AND MEASURES**

**The Weights and Measures Act 1963 (Wine and Grape Must)  
Order 1983**

*Laid before Parliament in draft*

*Made - - - - - 21st July 1983*

*Coming into Operation 1st January 1984*

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

1. This Order may be cited as the Weights and Measures Act 1963 (Wine and Grape Must) Order 1983 and shall come into operation on 1st January 1984.

2.—(1) This Order applies to the wine (whether or not imported) and grape must specified in paragraph 1(a) and (b) of Annex III to Council Directive No. 75/106/EEC(c), that is to say:—

- (a) wine of fresh grapes; fresh grape must with fermentation arrested by the addition of alcohol including wine made of unfermented grape juice blended with alcohol, except for wines included in subheadings 22.05 A and B and liqueur wines (subheading ex 22.05 C);
- (b) grape must, in fermentation or with fermentation arrested otherwise than by the addition of alcohol (heading 22.04); and

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(a) 1963 c. 31, section 58 and Part VI of Schedule 4 were amended by Schedule 3 to the Alcoholic Liquor Duties Act 1979.

(b) S.I. 1970/1537.

(c) OJ No. L 42, 15.2.1975, p. 1, as amended by Council Directive No. 79/1005/EEC (OJ No. L 308, 4.12.1979, p. 25).

- (c) "yellow" wines entitled to use the following designations of origin: "Côtes du Jura", "Arbois", "L'Étoile" and "Château-Chalon".

(2) In this Article references to a heading or subheading are references to a heading or subheading of the Common Customs Tariff of the European Economic Community<sup>(a)</sup>.

3. Subject to the following provisions of this Order, wine and grape must shall be pre-packed only if they are made up in one of the following quantities by volume, that is to say:—

10 cl, 25 cl, 37.5 cl, 50 cl, 75 cl,  
1 L, 1.5 L, 2 L, 3 L and 5 L.

4. Until 31st December 1985, wine and grape must may be pre-packed if they are made up in the quantity by volume of 73 cl; and until 31st December 1988, they may be pre-packed if they are made up in one of the following quantities by volume, that is to say:—

35 cl, 70 cl and 1.25 L.

5. Subject to Article 6 below, yellow wine specified in Article 2(1)(c) above shall be pre-packed only if it is made up in the quantity by volume of 62 cl.

6. There shall be exempted from the requirements of Articles 3 and 5 above:—

- (a) wine and grape must made up in quantities of less than 5 ml and more than 10 L;
- (b) wine to which Article 2(1)(a) of the Weights and Measures (Sale of Wine) Order 1976<sup>(b)</sup> applies; and
- (c) wine and grape must made up in securely closed containers before the date of coming into operation of this Order.

*Alexander Fletcher,*  
Parliamentary Under Secretary of State,  
Department of Trade and Industry.

21st July 1983.

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<sup>(a)</sup> See Annex to Council Regulation (EEC) No. 950/68 (OJ No. L 172, 22.7.1968, p. 1) as last amended by Council Regulation (EEC) No. 3000/82 (OJ No. L 318, 15.11.1982, p. 1).

<sup>(b)</sup> S.I. 1976/1120.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order implements the requirements of Council Directive No. 75/106/EEC, as amended by Council Directive No. 79/1005/EEC, in so far as it relates to certain pre-packed wines known as table wines and grape must. "Wine" in this Order means wine of fresh grapes excluding:—

- (a) sparkling wines;
- (b) liqueur (fortified) wine;
- (c) vermouths;
- (d) British wine (eg fruit or tonic wines).

The Order provides that, where wine is made up in a quantity of at least 5 millilitres and not more than 10 litres, it is to be pre-packed only in prescribed metric quantities.

The Order does not apply to wine sold on the premises at which it is to be consumed otherwise than pre-packed in a securely closed bottle, nor does it apply to wine and grape must made up in a securely closed container before the date of coming into operation of this Order.

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