

STATUTORY INSTRUMENTS

**1988 No. 2040**

**The Weights and Measures (Miscellaneous Foods) Order 1988**

**Special provisions in respect of particular foods Biscuits and shortbread**

5.—(1) Article 3(1)<sup>F1</sup>... above shall not apply in relation to biscuits which have been pre-packed on the same premises as those on which they were produced, where either:—

- (a) the biscuits are in the possession of the producer for sale by him by retail on those premises; or
- (b) if the producer has agreed to sell or has sold the biscuits, he agreed to sell or sold them by retail on those premises.

(2) Biscuits to which paragraph (1) above applies (other than wafer biscuits which are not cream-filled) shall be pre-packed only if the container is marked with an indication of quantity by net weight:

Provided that there shall be exempted from the requirements of this paragraph biscuits pre-packed in a quantity not exceeding 100 g.

- (3) Shortbread shall be pre-packed only if the container is marked with an indication of quantity by net weight:

Provided that there shall be exempted from the requirements of this paragraph shortbread—

- (a) where made up in a quantity not exceeding 50 g; or
- (b) consisting of a piece or pieces each weighing 200 g or more if the number of pieces in the container, if more than one, is marked on the container or is clearly visible and capable of being easily counted through the container.

(4) Wafer biscuits which are not cream-filled shall be pre-packed only if the container is marked with an indication of quantity by number or, in the case of a container marked with the EEC mark within the meaning of section 54 of the Act, only if it is marked with an indication of quantity by net weight.

(5) Wafer biscuits which are not cream-filled and which are [<sup>F2</sup>sold loose must] if sold by retail be sold only by number.

[<sup>F3</sup>(6) Shortbread, when sold loose must, if sold by retail, be sold only by net weight, unless sold in a quantity of eight pieces or fewer.]

**Textual Amendments**

- F1** Words in art. 5(1) omitted (13.12.2014) by virtue of [The Weights and Measures \(Food\) \(Amendment\) Regulations 2014 \(S.I. 2014/2975\)](#), regs. 1, **23(a)**
- F2** Words in art. 5(5) substituted (13.12.2014) by [The Weights and Measures \(Food\) \(Amendment\) Regulations 2014 \(S.I. 2014/2975\)](#), regs. 1, **23(b)**
- F3** Art. 5(6) substituted (13.12.2014) by [The Weights and Measures \(Food\) \(Amendment\) Regulations 2014 \(S.I. 2014/2975\)](#), regs. 1, **23(c)**

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**Changes to legislation:** *There are currently no known outstanding effects for the The Weights and Measures (Miscellaneous Foods) Order 1988, Section 5. (See end of Document for details)*

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**Commencement Information**

**II** [Art. 5](#) in force at 1.1.1989, see [art. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Weights and Measures (Miscellaneous Foods) Order 1988, Section 5.