Draft Legislation: *This is a draft item of legislation and has not yet been made as a UK Statutory Instrument. This draft has been replaced by a new draft, The Weights and Measures (Specified Quantities) (Unwrapped Bread and Intoxicating Liquor) Order 2011 ISBN 978-0-11-151197-8*

Draft Order laid before Parliament under section 86(5) of the Weights and Measures Act 1985, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2010 No. 0000

WEIGHTS AND MEASURES

The Weights and Measures (Specified Quantities) (Unwrapped Bread and Intoxicating Liquor) Order 2010

Made - - - -	***
Coming into force - -	*6th April 2010*

The Secretary of State, in accordance with section 86(2) of the Weights and Measures Act 1985(**1**), has consulted with organisations appearing to him to be representative of interests substantially affected by this Order and has considered the representations made to him by such organisations with respect to the subject matter of this Order.

A draft of this Order has been laid before Parliament and approved by a resolution of each House of Parliament.

Accordingly, the Secretary of State makes the following Order in exercise of the powers conferred on him by sections 22(1) and (2), 24(1) and 86(1) of that Act:

Citation and commencement

1. This Order may be cited as The Weights and Measures (Specified Quantities) (Unwrapped Bread and Intoxicating Liquor) Order 2010 and comes into force on 6th April 2010.

Amendment of the Weights and Measures Act 1985

2. In the list in paragraph 1 of Part 4 of Schedule 3 to the Weights and Measures Act 1985 (capacity measures in imperial units lawful for use for trade), after "1 pint" insert "2/3 pint".

Amendment of the Weights and Measures (Miscellaneous Foods) Order 1988

3.—(1) The Weights and Measures (Miscellaneous Foods) Order 1988(**2**) is amended as follows.

(2) For article 6 (bread) substitute—

(**1**) 1985 c.72.
(**2**) S.I. 1988/2040, amended by S.I. 2009/663.

"**Unwrapped Bread**

6.—(1) For the purposes of this article "unwrapped loaf of bread" means a loaf of bread which is not made up in advance ready for retail sale or wholesale in a securely closed container and includes bread offered for sale in a confining band.

(2) Subject to paragraph (3), an unwrapped loaf of bread may be made for sale only if—

(a) an indication of the quantity of the bread is given on a ticket displayed in immediate proximity to that loaf; or

(b) there is displayed, in such a position and manner as to be readily available without special request for inspection by a buyer before any sale is made, a notice—

(i) listing the forms in which unwrapped loaves of bread are made for sale; and

(ii) indicating the quantity or quantities in which each such form is made for sale.

(3) The following are exempt from the requirements of paragraph (2)—

(a) any unwrapped loaf of bread in a quantity of 400 g or a multiple of 400 g;

(b) any unwrapped loaf of bread weighing 300 g or less; and

(c) any sale under a contract for the supply of bread for consumption on the premises of the buyer if the contract provides for each delivery of bread to be of a specified aggregate quantity of not less than 25 kg and for the weighing of the bread on delivery.".

(3) In Schedule 1—

(a) in column 2, omit "400 g or a multiple of 400 g."; and

(b) in column 3, omit the words from "(1) where the net weight of each loaf is 300 g or less" to "and for the weighing of the bread on delivery."

opposite the entry "Bread in the form of a whole loaf" in column 1.

Amendment of the Weights and Measures (Intoxicating Liquor) Order 1988

4.—(1) The Weights and Measures (Intoxicating Liquor) Order 1988(**3**) is amended as follows.

(2) In article 2(1)(a) (specified quantities applicable to retail sales of beer or cider), after "1/2 pint", where first appearing, insert ", 2/3 pint".

(3) In article 3 (specified quantities applicable to retail sales of intoxicating liquor sold for consumption on the premises at which it is sold)—

(a) in paragraph (1)—

(i) for "(2) and (3)" substitute "(2), (2A) and (3)"; and

(ii) for "and whisky" substitute "whisky and brandy"; and

(b) after paragraph (2) insert—

"(2A) Any such brandy shall be exempted from the requirements of this article if it is sold prior to 6th April 2011.".

(4) For article 5A substitute—

"**5A.**—(1) For the purposes of this article—

(a) "wine" (except when used in the expression "wine fortified for distillation") means the intoxicating liquor and other liquids specified in column 1 of Part 1 of Schedule 1 to this Order, other than wine fortified for distillation; and

(**3**) S.I. 1988/2039; relevant amending instruments are S.I. 1990/1550, 1994/1883, 2009/663.