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

2005 No.

WEIGHTS AND MEASURES

The Weights and Measures (Miscellaneous Foods) (Amendment) Order 2005

Made - - - -	*2005*
Coming into force - -	*2005*

Whereas the Secretary of State pursuant to 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 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 86(5) of that Act:

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

1. This Order may be cited as the Weights and Measures (Miscellaneous Foods) (Amendment) Order 2005 and shall come into force on the fourteenth day after the day on which it is made.

2. In article 2 of the Weights and Measures (Miscellaneous Foods) Order 1988(**2**) ("the 1988 Order") after the definition of "liquid coffee and chicory products" there is inserted—

> "Member State" means a member State as defined in Part II of Schedule 1 to the European Communities Act 1972(**3**), Norway, Iceland or Liechtenstein;"

3. In article 3 of the 1988 Order after paragraph (3) there is inserted—

> "(4) Paragraph (1) shall not apply to a pre-packed food which is made up in a quantity other than as specified in column 2 of Schedule 1, provided the package was brought into the United Kingdom from another Member State in which a package made up in such a quantity could lawfully be marketed."

4. In Schedule 1 omit the entries beginning "Chocolate products in bar or tablet form" and "Cocoa products of the following reserved descriptions".

(**1**) 1985 c. 72.
(**2**) S.I.1988/2040, to which there are amendments not relevant to this Order.
(**3**) 1972 c. 68.