1990 No. 395

WEIGHTS AND MEASURES

Weights and Measures (Sundry Foods) (Amendment) Order (Northern Ireland) 1990

Made . . . . . *13th November 1990*

Coming into operation . . *1st January 1991*

The Department of Economic Development, in exercise of the powers conferred by Article 19(2), (3) and (7) of the Weights and Measures (Northern Ireland) Order 1981(**a**) and now vested in it(**b**) and of every other power enabling it in that behalf, and after consultation, in accordance with Article 48(2) of that Order, with such organisations as appear to it to be representative of interests substantially affected by this Order and consideration of the representations made to it by such organisations with respect to the subject matter of this Order, hereby makes the following Order:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Weights and Measures (Sundry Foods) (Amendment) Order (Northern Ireland) 1990 and shall come into operation on 1st January 1991.

(2) In this Order "the Order of 1981" means the Weights and Measures (Northern Ireland) Order 1981.

Amendment of the Weights and Measures (Miscellaneous Foods) Order (Northern Ireland) 1989

2. The Weights and Measures (Miscellaneous Foods) Order (Northern Ireland) 1989(**c**) shall be amended as follows—

(*a*) in Article 2—

(i) in the definition of "chocolate confectionery", "flour confectionery" and "sugar confectionery" the words "and also includes bun loaves, fruit loaves, malt loaves and fruited malt loaves" shall be omitted; and

(ii) for the definition of "coffee bag" there shall be substituted—

" "coffee bag" means a permeable sealed bag, which is intended to be immersed in water or to have water percolated through it, containing coffee, or a coffee mixture, or a combination of either coffee or a coffee mixture (or both) with a lesser quantity of instant coffee;";

(**a**) S.I. 1981/231 (N.I. 10)
(**b**) By S.I. 1982/846 (N.I. 11) Art. 4
(**c**) S.R. 1989 No. 69

(*b*) in Article 4—

(i) in paragraph (1) the words ''and cut lump salt'' shall be omitted; and

(ii) in paragraph (2) the words ''cut lump salt and'' shall be omitted;

(*c*) for Article 5 there shall be substituted the following Article—

''*Provision for the containers of certain foods not sold by retail to be accompanied by a document indicating quantity*

5.—(1) In the case of solid and paste coffee and chicory products, cocoa products and chocolate products, honey, caseins and caseinates or preserved milk for human consumption pre-packed or otherwise made up in a container for sale, the information required by Article 4(2), 8, 10(2) or 13 to be marked on the container may, if:—

(*a*) the foods are not sold by retail; and

(*b*) the net weight of the foods is not less than the particular quantities specified in paragraph (2) in relation to the foods,

be given at the time when they are sold in a document accompanying the container and containing an indication of quantity by net weight expressed in the case of honey in both imperial and metric units of measurement and in other cases in metric units only.

(2) The quantities referred to in paragraph (1) are:

solid and paste coffee and chicory products	5 kilogrammes
cocoa products and chocolate products	10 kilogrammes
honey	10 kilogrammes
caseins and caseinates	10 kilogrammes
preserved milk for human consumption	10 kilogrammes.'';

(*d*) in Article 10(1) after the words ''chicory products'' there shall be inserted the words ''in a quantity of not less than 5 millilitres'';

(*e*) in Article 15—

(i) in paragraph (1) the words ''or, in the case of flour confectionery, if'' onwards shall be omitted; and

(ii) for paragraph (2) there shall be substituted—

''(2) There shall be exempted from the requirements of this Article—

(*a*) flour confectionery, if the number of items in the container is clearly visible and capable of being easily counted through the container; and

(*b*) any foods in a quantity by number of one.'';

(*f*) in sub-paragraph (*b*) of Article 16(3) for ''flour confectionery'' there shall be substituted ''bun loaves, fruit loaves, malt loaves and fruited malt loaves''; and

(*g*) in Schedule 1—

(i) in the item relating to barley kernels, pearl barley etc. for the entry in column (2) there shall be substituted:

"125 g, 250 g, 375 g, 500 g or a multiple of 500 g.";

(ii) in the items relating to dried vegetables etc., flour etc., honey and salt, there shall be added in column (4) the words "less than 5 g" and in the item relating to milk there shall be added in column (4) the words "less than 5 ml";

(iii) in the item relating to edible fats etc., the words "in the case of those of the description in paragraph (*a*)" shall be omitted from the entry in column (4);

(iv) in the item relating to tea in a tea bag, there shall be added:

(*aa*) in column (2) the following note:

"*Note*

In the case of tea in a tea bag the prescribed quantities and quantity marking relate to the contents." and

(*bb*) in column (4) the words "less than 5 g"; and

(v) in the item relating to tea other than tea in a tea bag:

(*aa*) for the description in column (1) there shall be substituted:

"Tea, other than instant tea or tea in a tea bag";

(*bb*) in column (2) after the words "and in the case of tea" there shall be added the words "(other than instant tea or tea in a tea bag)"; and

(*cc*) in column (4) there shall be added the words "less than 5 g".

Amendment of the Weights and Measures (Intoxicating Liquor) Order (Northern Ireland) 1989

3. The Weights and Measures (Intoxicating Liquor) Order (Northern Ireland) 1989(**a**) shall be amended as follows—

(*a*) in Article 3—

(i) for paragraph (1) there shall be substituted—

"(1) Subject to paragraphs (2), (3) and (4), unless pre-packed in a securely closed container, intoxicating liquor of any of the following descriptions, that is to say, gin, rum, vodka and whiskey, shall be sold by retail for consumption on the premises at which it is sold only—

(*a*) in, or in a multiple of, one of the following quantities, which shall be the same for those parts of any licensed premises within the meaning of the Licensing (Northern Ireland) Order 1990(**b**) in respect of which any person is the holder of the licence and for all those liquors, that is to say ¼ gill and 25 ml; and

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(**a**) S.R. 1989 No. 164
(**b**) S.I. 1990/594 (N.I. 6)