
STATUTORY INSTRUMENTS

1988 No. 2040

The Weights and Measures (Miscellaneous Foods) Order 1988

Milk

11.—(1) Milk which is not pre-packed shall be sold only by capacity measurement or by net weight.

(2) If in the case of any pre-packed milk made up in a quantity of less than $\frac{1}{2}$ pt its container is clearly and conspicuously marked with a statement in writing that it is not for sale otherwise than by means of a vending machine, then, notwithstanding that the milk is made up in a quantity other than one of those specified in column 2 of Schedule 1 to this Order in relation to milk, a person shall not by reason only of that fact be guilty of an offence under section 25(2) of the Act—

- (a) in respect of a sale of that milk by that or any other person if the sale is by means of a vending machine or is otherwise than by retail; or
- (b) in respect of the possession of that milk by that or any other person if the milk is shown to be in that possession—
 - (i) for sale by means of a vending machine which complies with paragraph (3) below; or
 - (ii) for sale otherwise than by retail; or
 - (iii) for delivery after sale otherwise than by retail.

(3) Milk shall be sold by means of, or offered or exposed for sale in, a vending machine only if there is displayed on or in the machine—

- (a) an indication of the quantity by capacity measurement of the milk comprised in each item for sale by means of that machine; and
- (b) except where the machine is on premises at which the seller carries on business, a statement of the name and address of the seller.