

## STATUTORY INSTRUMENTS

# 1988 No. 2040

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

### Application of section 25 of the Act as modified in relation to certain foods

**18.**—(1) Section 25(2) and (3) of the Act shall apply in the case of any 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 <sup>F1</sup>... made up in a container for [<sup>F2</sup>relevant wholesale] where the information required by article 3(2), 7, 9(2) or 12, or permitted by article 17 (1)(d)(i), to be marked on the container is given in a document accompanying the container in accordance with article 4 or 17(2) with the following modifications:—

- (a) in section 25(2) the words “whether the sale is, or is to be, by retail or otherwise” shall be omitted; and
- (b) in paragraphs (d) and (e) of section 25(3)—
  - (i) after the word “information” there shall be inserted the words “or is accompanied by a document containing particular information”; and
  - (ii) after the words “so marked” there shall be inserted the words “or accompanied”.

(2) Where subsections (2) and (3) of section 25 of the Act apply by virtue of paragraph (1) above, a person shall not be guilty of an offence under the said subsection (2) by reason only of—

- (a) having in his possession for sale, or
- (b) having in his possession for delivery after sale, or
- (c) causing or suffering any other person to have in his possession for sale or for delivery after sale,

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 <sup>F3</sup>... made up in a container for [<sup>F4</sup>relevant wholesale] otherwise than in a container so accompanied.

### Textual Amendments

- F1** Word in art. 18(1) omitted (13.12.2014) by virtue of [The Weights and Measures \(Food\) \(Amendment\) Regulations 2014 \(S.I. 2014/2975\)](#), regs. 1, **31(a)(i)**
- F2** Words in art. 18(1) substituted (13.12.2014) by [The Weights and Measures \(Food\) \(Amendment\) Regulations 2014 \(S.I. 2014/2975\)](#), regs. 1, **31(a)(ii)**
- F3** Word in art. 18(2) omitted (13.12.2014) by virtue of [The Weights and Measures \(Food\) \(Amendment\) Regulations 2014 \(S.I. 2014/2975\)](#), regs. 1, **31(b)(i)**
- F4** Words in art. 18(2) substituted (13.12.2014) by [The Weights and Measures \(Food\) \(Amendment\) Regulations 2014 \(S.I. 2014/2975\)](#), regs. 1, **31(b)(ii)**

### Commencement Information

- I1** [Art. 18](#) 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 18.