EXPLANATORY MEMORANDUM TO

THE WEIGHTS AND MEASURES (SPECIFIED QUANTITIES) (UNWRAPPED BREAD AND INTOXICATING LIQUOR) ORDER 2010

2010 No. [DRAFT]

1. This Explanatory Memorandum has been prepared by the Department for Business, Innovation and Skills and is laid before Parliament by Command of Her Majesty.

This Memorandum contains information for the Joint Committee on Statutory Instruments.

2. Purpose of the instruments

2.1 This instrument amends the legislation that requires unwrapped bread and certain non pre-packaged alcoholic drinks to be sold only in fixed sizes, known as specified quantities. It removes the requirement for unwrapped bread to be sold in specified quantities and replaces it with a requirement for labelling where new sizes are introduced. It also amends the specified quantities for alcoholic drinks by deregulating wine sold by the glass in a quantity below 75 ml; introducing a new size of 2/3 pint for draught beer and cider; adding brandy to the list of spirits subject to specified quantities; and replacing the specified quantities for fortified wines with measures that reflect existing trade practice.

3. Matters of special interest to the Joint Committee on Statutory Instruments.

3.1 None.

4. Legislative Context

4.1 This instrument follows on from Directive 2007/45/EC on nominal quantities for pre-packages which was implemented by the Weights and Measures (Specified Quantities) (Pre-packed Products) Regulations 2009 (SI 2009/663). This Directive and the implementing Regulations apply only to pre-packaged products. However, the UK also has in place specified quantities for a small number of non pre-packaged goods, notably unwrapped bread and intoxicating liquor. As part of the review of pre-packaged specified quantities, the National Measurement Office considered the future of specified quantities for unwrapped bread and non pre-packaged intoxicating liquor, which are outside the scope of the Directive, to ensure that they remain appropriate and do not impose any unnecessary burdens on business.

5. Territorial Extent and Application

5.1 The Weights and Measures (Specified Quantities)(Unwrapped Bread and Intoxicating Liquor) Order 2010 applies to Great Britain.

6. European Convention on Human Rights

The Rt Hon Lord Drayson, Minister for Science and Innovation has made the following statement regarding Human Rights:

In my view the provisions of the Weights and Measures (Specified Quantities) (Unwrapped Bread and Intoxicating Liquor) Order 2010 are compatible with the Convention rights.

7. Policy background

7.1 Legislation in this area is aimed at protecting consumers from short measure and ensuring that they have sufficient information on quantity to enable them to make informed purchasing decisions. The use of specified quantities protects consumers against marginal reductions in quantity and makes it easier to compare the unit price. In addition, regulating the quantities available for intoxicating liquor helps drinkers to keep track of their intake for health and safety reasons. Under existing provisions, the UK regulates the quantities available for the sale of non pre-packed beer, cider, wine, vodka, rum, gin and whisky and unwrapped bread. The Instrument amends existing provisions so that consumers receive sufficient protection, but gives greater flexibility on sizes and removes provisions that are unnecessarily restrictive.

7.2 Under the Weights and Measures (Miscellaneous Foods) Order 1988 (SI1988/2040) any unwrapped loaf above 300 g must be sold only in a multiple of 400 g. Article 3 of this Instrument amends that Order to deregulate specified quantities for unwrapped bread and bring the treatment of unwrapped bread into line with the that of pre-packaged bread, which can already be sold in any size. This change will free up the market to allow for innovation. Article 3 also requires that where any new sizes are adopted information on quantity must be provided in the form of a ticket or notice. This will ensure that consumers have sufficient information on quantity, without imposing new burdens on those businesses that choose not to adopt new sizes.

7.3 The Government's policy is to continue to regulate the quantities in which alcoholic drinks are served. This is in recognition of the special characteristics of alcohol as a commodity and to help consumers' awareness of the quantity of alcohol that they are consuming. This Instrument makes amendments to bring the regulation of sizes for intoxicating liquor up to date and takes account of the Government's proposed new mandatory code for alcohol retailers (produced jointly by the Home Office and the Department of Health).

7.4 Article 4(2) of the Order amends the Weights and Measures (Intoxicating Liquor) Order 1988 to permit the optional sale of draught beer and cider in 2/3 pint measures. This provision provides additional flexibility for licensed premises to offer a greater range of sizes and more choice for consumers.

7.5 Article 4(3) of the Order extends the specified quantities that apply to certain spirits (gin, rum, vodka and whisky) to brandy. This will bring the regulation of

brandy into line with the other spirits and will benefit consumers by providing greater clarity and consistency and will follow current trade practice. This provision will not apply to brandy sold before 6 April 2011 to ensure that business has adequate time to make any changes that may be necessary.

7.6 Article 4(4) of the Order amends exempts fortified wines from the specified quantities that apply to wine sold by the glass and replaces them with specified quantities of 50 ml and 70 ml. This reflects the sizes which are already widely in use by the trade.

7.7 Article 4(4) also exempts wine (other than fortified wine) of a quantity less than 75 ml from the requirement to display quantity information or use a specified quantity. The removal of this restriction will encourage innovation in the market for wine and allow consumers the choice to sample wines in small quantities.

8. Consultation outcome

8.1 A public consultation on proposals to update the legal framework for prescribed quantities for unwrapped bread and alcohol was conducted between 23 October 2008 and 1 January 2009. The consultation document was sent directly to around 150 stakeholders and a total of 127 responses were received. The responses were predominantly from businesses, trading standards and individual consumers. A vast majority were in favour of retaining specified quantities for non pre-packaged alcohol and a majority supported the removal of specified quantities for unwrapped bread.

8.2 There was also strong support for the proposals to deregulate small servings of wine and to extend specified quantities to other spirits such as brandy. There was no clear consensus on whether to introduce 2/3 pint size for beer and cider or how to deal with fortified wine.

9. Guidance

9.1 The National Measurement Office circulated guidance on the changes being introduced in the Instrument to business and trading standards officers in January 2010. A copy of this guidance is also available on the NMO website.

10. Impact

10.1 The impact on business, charities or voluntary bodies will be neutral. The benefits are hard to quantify but overall we expect the proposals to have a neutral cost impact. However, it seems highly likely that innovation by businesses (e.g. two thirds pint, unwrapped bread in non-traditional sizes, samples servings of wine) will be driven by opportunities to benefit commercially and so there is the potential for an overall net benefit.

10.2 The impact on the public sector will be neutral.

10.3 An Impact Assessment is attached to this Memorandum.

11. Regulating small business

11.1 The legislation applies to small business as a large proportion of licensed premises are small businesses.

11.2 To minimise the impact of the requirements on firms employing up to 20 people, the approach taken is to ensure that groups representing those affected were fully consulted at all stages and that their views were taken into account. It is anticipated that any benefits will be available proportionately to small firms.

12. Monitoring & review

12.1 The operation of weights and measures legislation is subject to regular review via a bi-annual meeting of the National Measurement Office, the Local Authority Co-ordinators of Regulatory Services (LACORS) and the Trading Standards Institute. Similarly, business views are sought via regular meetings with the trade associations and individual businesses.

13. Contact

Lynnette Falk at the Department for Business, Innovation and Skills Tel: 0207 215 0109 or email: lynnette.falk@bis.gsi.gov.uk can answer any queries regarding the instrument.

Summary: Intervention & Options

Department /Agency:	Title:	
BIS/National Measurement Office	**Impact Assessment of proposals to amend specified quantities for non-pre-packed alcoholic drinks and unwrapped bread**	
Stage: Final	**Version:** 1	**Date:** 18 January 2010
Related Publications:		
Available to view or download at: http://www.nmo.bis.gov.uk		
Contact for enquiries: Paul Cole		**Telephone:** 0208 943 7218

What is the problem under consideration? Why is government intervention necessary?

The UK needs to decide how to proceed with the proposed updating of weights and measures law governing the sizes (specified quantities) in which non-pre-packed alcohol and unwrapped bread may be sold so that they are consistent with the rules for pre-packaged goods. Views were, therefore, sought on whether to maintain or relinquish and, in some cases, amend specified quantities for these goods.

What are the policy objectives and the intended effects?

This second phase of the consultation on the future of specified quantities was concerned with the small number of specified quanitities which apply in the UK to non-pre-packed alcoholic drinks and unwrapped bread. The first phase, which is now complete, focused on specified quantities for pre-packed goods which have now been removed Europe-wide for all goods except for wines and spirits. The UK implemented Directive 2007/45 on 11 April 2009. Non-pre-packed goods fall outside the scope of the Directive.

What policy options have been considered? Please justify any preferred option.

Option 1: Maintain specified quantities (with some amendments) for non-pre-packed alcoholic drinks but remove them for unwrapped bread.

Option 2: Do nothing This has been included not because it is considered to be a realistic option, but to enable the contrast between doing nothing and the option of taking regulatory action to be more sharply defined.

When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects? After one year.

Ministerial Sign-off For SELECT STAGE Impact Assessments:

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister:

Lord Drayson

..... Date: 22/01/2010

Summary: Analysis & Evidence

Policy Option: 1	Description: **Maintain fixed sizes (with some amendments) for non-pre-packed alcoholic drinks but deregulate them for unwrapped bread.**

COSTS

ANNUAL COSTS		Description and scale of **key monetised costs** by 'main affected groups' As the implementing legislation either reflects current trade practice or is deregulatory the costs arising will be zero. Enforcement costs are expected to be minimal as they will be absorbed into trading standards' existing enforcement activities.
One-off (Transition)	**Yrs**	
£ 0	0	
Average Annual Cost (excluding one-off)		
£ 0		**Total Cost** (PV) **£ 0**

Other **key non-monetised costs** by 'main affected groups' Businesses in the baking sector would incur costs only where they made a commercial decision to make up bread in sizes other than the traditional 400/800 g size. The same commercial consideration applies to the 2/3 pint measure.

BENEFITS

ANNUAL BENEFITS		Description and scale of **key monetised benefits** by 'main affected groups' There may be some benefits but there is no reliable data to support their quantification.
One-off	**Yrs**	
£ 0	0	
Average Annual Benefit		
£		**Total Benefit** (PV) **£**

Other **key non-monetised benefits** by 'main affected groups' The changes will allow businesses more freedom to choose what sizes they offer. Allowing the 2/3 pint size offers greater consumer choice and potential health benefits for consumers wishing to consume less than 1 pint but more than 1/2 pint.

Key Assumptions/Sensitivities/Risks We have as yet been unable to obtain financial data on costs or benefits from industry.

Price Base Year 2010	Time Period Years 10	**Net Benefit Range** (NPV) **£ Not quantified**	**NET BENEFIT** (NPV Best estimate) **£ Not quantified**

What is the geographic coverage of the policy/option?	UK
On what date will the policy be implemented?	06/04/2010
Which organisation(s) will enforce the policy?	Trading Standards
What is the total annual cost of enforcement for these	£ minimal
Does enforcement comply with Hampton principles?	Yes
Will implementation go beyond minimum EU requirements?	Yes
What is the value of the proposed offsetting measure per year?	£ n/a
What is the value of changes in greenhouse gas emissions?	£ n/a
Will the proposal have a significant impact on competition?	No

Annual cost (£-£) per organisation (excluding one-off)	Micro **£0**	Small **£0**	Medium **£0**	Large **£0**
Are any of these organisations exempt?	No	No	N/A	N/A

Impact on Admin Burdens Baseline (2005 Prices)			(Increase - Decrease)
Increase £ 0	Decrease £ 0	**Net**	**£** 0

Key: **Annual costs and benefits: Constant Prices** **(Net) Present Value**

Evidence Base (for summary

[Use this space (with a recommended maximum of 30 pages) to set out the evidence, analysis and detailed narrative from which you have generated your policy options or proposal. Ensure that the information is organised in such a way as to explain clearly the summary information on the preceding pages of this form.]

1 Introduction

1.1 This Impact Assessment accompanies proposals to amend weights and measures legislation governing 'specified quantities' for non-pre-packaged intoxicating liquor and unwrapped bread. Consultees were invited to comment on the treatment of costs and benefits.

2 Overview

2.1 The UK currently regulates the quantities in which intoxicating liquor (beer, cider, wines, gin, rum, vodka and whisky) and unwrapped bread may be sold. The principal aim of specified quantities (which have been in use in the UK since the 1960s) is to make it easier for consumers to compare prices between similar products. Between October 2008 and January 2009 the National Weights and Measures Laboratory (now the National Measurement Office) held a public consultation to seek views on whether:

(a) specified quantities should be retained for non-pre-packaged alcoholic drinks consumed on licensed premises;

(b) a new quantity should be introduced for non-pre-packed beer and cider, that is the 2/3 pint;

(c) wine (other than fortified wine)served in quantities below 75 ml should be exempt from specified quantities;

(d) specified quantities should for unwrapped bread should be removed;

(e) specified quantities should be extended to spirits other than gin, rum, vodka and whisky sold on licensed premises;

(f) which specified quantities should apply to fortified wines.

3 Objectives of intervention

3.1 The proposals are aimed at further freeing up the market as regards the sizes in which certain alcoholic drinks can be sold and excluding smaller servings of wine (other than fortified wine) from the requirement to use specified quantities, having regard in each case to overarching consumer protection and public health objectives. Unwrapped bread would also be brought into line with pre-packed bread by, again, removing the specified quantities which apply to it. Overall, these measures would serve the interests of consistency but also enable businesses to innovate.

3.2 The other aspect of reform in this area of the law concerns the simplification and consolidation of existing UK weights and measures food law. Reform in this area will be taken forward as part of the negotiation and implementation of the European Commission's draft regulation on the provision of food information to consumers published on 30th January 2008. UK weights and measures regulation has, in the past, been identified as being too complex by the Better Regulation Task Force, the National Audit Office (NAO) and, most recently, the Committee of Public Accounts. The NAO report cited the complexities of the law as a hindrance to consumer protection and identified the risk of incorrect information being given to consumers

as a result of confusion over legislative requirements. It is therefore important that the UK is well placed to contribute fully to the negotiation of this new European regulation, particularly those parts concerned with quantity labelling. The views of stakeholders will play an important part in this process.

4 Options identified

4.1 Option 1: maintain specified (but with certain amendments) for non-pre-packed alcoholic drinks but remove them for unwrapped bread.

Option 2: Do nothing

The arguments for and against extending regulation to spirits other than those already regulated are quite finely balanced. Doing so would introduce consistency by encompassing the ever-increasing range of alcoholic drinks on offer in licensed premises. It could also be argued that the introduction of greater certainty as regards the quantities of drink being consumed would contribute towards the aim of encouraging healthier, more responsible drinking habits.

Against this, any attempt to encompass all of the different types of spirits of widely varying alcoholic strengths now on the market could become over-prescriptive and, therefore, counter-productive by confusing rather than clarifying the position as regards spirit measures. The exception would appear to be brandy which can be sold in specialised glassware making the measure being served unclear. The most compelling argument, however, in confining the extension of specified quantities to brandy is that most licensed premises already serve brandy in the specified quantities which apply to gin, rum, vodka and whisky (25 ml or 35 ml).

It is clear that confusion surrounds the measures in which fortified wines should be served on licensed premises. Currently the law requires that they be sold in the same sizes as table wines, that is, 125 ml or 175 ml sizes. Nonetheless, trade practice is to sell fortified wines in 50 ml and 70 ml sizes. It would be the Government's preference to maintain specified quantities for fortified wines but to bring them into line with current trade practice to ensure that there is consistency and that consumers can be assured of the measure they are receiving.

The removal of specified quantities for unwrapped bread would require adequate safeguards to be in place to ensure that consumers are provided with sufficient information about the quantity of the bread they are purchasing. These would take the form of prominently displayed labelling or signage for any loaves sold in non traditional sizes (i.e. sizes other than 400g or a multiple).

Costs and benefits of options

Benefits

4 .2 Option 1

4.2.1 Maintain specified quantities (with some amendments as detailed below) for non-pre-packed alcoholic drinks, but remove them for unwrapped bread. Some of the options explored to amend the specified quantities for alcoholic drinks may lead to cost savings for some businesses and new costs for others.

4.2.2 The addition of the 2/3 pint specified quantity for draught beer and cider may have some health benefits if consumers choose to scale down to 2/3 pint rather than a full pint. The advantage of making the 2/3 pint size available is that drinkers would be offered more choice and, crucially, those preferring the smaller size of beer would be afforded the option of buying beer in a quantity previously unavailable. Licensees would be at liberty to cater for demand for this optional size if they so wished but they would not be compelled to do so. We understand that at least one major brewer thinks they could increase sales of beer to female drinkers if the 2/3 pint measure was allowed. We have no financial figures to back this up.

4.2.3 Exempting from specified quantity requirements wine served in quantities below 75 ml would not only be in tune with widespread demand from wine aficionados for smaller servings of wine (for example, in the form of wine flights, wine tasting events and samples) but would also encourage sensible drinking. It would also free up the industry to be more innovative, something which the current restrictions stifle.

4.2.4 There are potential advantages in removing fixed sizes for unwrapped bread. Most notably, this would be a logical step in that its treatment would be consistent with that of wrapped bread. Also, manufacturers would still be free to market in existing sizes should they choose to do so, for example, in response to demand for traditional loaf sizes.

4.2.5 Amending the law so as to require fortified wines to be sold in 50 ml and 70 ml sizes would have the benefit of promoting the consumption of healthier measures of alcoholic drinks which are usually of a higher alcoholic strength than table wines.

4. 3 Option 2 (No change)

4.3.1 If the proposed changes to the law in relation to non-pre-packaged goods were not to be implemented then consumers could not benefit either from the potential increased choice nor any potential health benefits to be gained from the proposed changes referred to above.

Businesses may benefit by not having to offer brandy in 25 ml or 35 ml measures (although the long lead-in time and the fact that the proposed specified quantities for brandy reflect existing trade practice should negate any costs). However, the opportunity to innovate would be lost.

4.3.2 Deregulating the market for pre-packaged bread while regulating quantity for non- pre-packaged bread could confuse consumers by making it more difficult to make comparisons between the two.

5. Costs

5.1 Option 1

5.1.1 Maintaining the existing regime of specified quantities for most non-pre-packed alcoholic drinks would be cost-neutral for businesses in that they would not be required to incur any costs associated with changes in glass sizes, familiarisation of staff with the new ranges and so on. Introduction of a 2/3 pint size will remain optional leaving it free for the licensed premises to decide whether to offer this size. Industry figures suggest that the licensed trade would be unlikely to incur extra costs should they opt to introduce the two third pint measure as glasses are supplied by the brewers. A potential cost would arise if a new mould needed to be developed. However, as this measure is already used in some parts of Europe moulds for the new glass sizes already exist and so this is unlikely to happen. Trading standards may incur some small additional enforcement costs associated with the inspection of an increased number of beer glass sizes but these would vary according to the frequency of inspections, which we understand is very low due to the inherently stable nature of ‘stamped’ measures.

The extension of specified quantities to brandy is proposed because of the lack of clarity which sometimes surrounds the precise quantity in which brandy is sold on licensed premises. There are unlikely to be any costs resulting from this proposal as regular inspections by trading standards have shown that brandy is already sold in the same quantities as gin, whisky, vodka and rum.

5.1.2 As regards unwrapped bread, those manufacturers who chose to market in a greater range of bread sizes may incur initial costs in adapting their processes to the production of a wider range of sizes. However, any business would be free to continue to use its existing sizes should they want to do so. Costs arising from the requirement that unwrapped bread sold otherwise than in traditional sizes should be quantity marked should result in only minimal costs and even then only where businesses chose to make up bread in non-standard sizes (that is, other than in 400 g or 800 g sizes).

5.2 Option 2

There would be no financial cost to either businesses or consumers. However, as detailed under “Benefits” there would be a cost in terms of missed opportunities to innovate and offer increased consumer choice.

Net benefits

5.3 It is not currently possible to quantify sensibly particularly in the almost total absence of financial data on costs or benefits from industry. The **proposals impose no requirement on businesses to incur costs.** (See “Equity and Fairness” below).

6. Equity and Fairness

6.1 The benefits are hard to quantify but overall we expect the proposals to have a neutral cost impact on businesses. However, it seems highly probable that innovation by businesses (e.g. two thirds pint, unwrapped bread in non-traditional sizes) will be driven by opportunities to benefit commercially and so there is likely to be an overall net benefit. Any one-off costs incurred by businesses should therefore be more than offset. Consumers will continue to enjoy the same levels of protection.

7. Statutory Specific Impact Tests

7.1 Initial screening shows there to be no impact upon any of the specific impact tests, including sustainable development, race, gender or disability equality nor upon the Convention Rights of any person or class of persons.

8. Small Firms Impact Test

8.1 The vast majority of firms involved in the manufacture, retail and packaging of foodstuffs in the UK are small businesses (well over ninety per cent). Of these, packers comprise only some one per cent. In addition, there are some 167,000 licensed premises, pubs and bars in the UK. Transitional costs to businesses of introducing new ranges of product, and new packaging lines, will depend partly on the extent to which the market demands change in order to meet customer need. Because of the relative size of their operations, small firms are liable to be more vulnerable to change in market conditions. However, the potential cost of responding to market demand following the removal of the specified quantities restrictions in which certain products must be packed should be more than offset by the longer term gain in being able to innovate and the ability to respond to changing consumer needs. Any costs associated with offering two third pint measures or a wider range of sizes of unwrapped bread would be voluntarily incurred by licensees and the baking sector respectively since there is no legal compulsion to do so. In any case, they should be transitional only and therefore not impact disproportionately on smaller businesses.

9. Competition Assessment

9.1 We would expect the proposals to have only minimal (but, in any case, a positive) impact on competition between businesses. There are several reasons for this: (a) there is no disproportionate effect on any part of the market so there should be no resultant distortion of competition; deregulation of unwrapped bread brings it in line with pre-packed bread thus removing any potential competitive disadvantage between the markets for each (c) the market may be further stimulated by the entry into the market of new enterprises wishing to innovate in a bread sector unfettered by specified quantities

10. Rural Proofing

10.1 No aspect of the proposed Regulations has been identified as having an impact upon rural communities or areas.

11. Enforcement and Sanctions

11.1 Weights and measures controls will continue to be enforced by trading standards officers who are located in some two hundred local authorities across Britain. Enforcement will remain as at present, that is, by means of a combination of risk-based checks on pre-packaged foods and alcoholic drinks offered for retail sale and by reactive policing of the market. Sanctions for failing to comply with the duties under Part IV of the Weights and Measures Act 1985 will remain the same.

12. Monitoring and Review

12.1 The legislation will be monitored to ensure it is operating effectively. It will be discussed at one of the regular bi-annual meetings between the Department, the metrological representatives of the Local Authority Co-ordinators of Regulatory Services (LACORS) and the Trading Standards Institute on the working of the Act and its subordinate legislation.

13 Background

13.1 Following a consultation in 2004 on proposals to reform specified quantities and quantity labelling of foods it was agreed with stakeholders that progress on domestic reform be delayed so that the UK could proceed in step with the European Commission's work to deregulate specified quantities. That work has now culminated in the implementation of Directive 2007/45/EC on specified quantities for pre-packaged products, which removes mandatory and optional specified quantities for all pre-packed foodstuffs except for wines and spirits with effect from 11 April 2009. This deregulation will allow packers of pre-packed foods to pack in any size they choose, including the sizes that are currently in use.

13.2 This Impact Assessment focuses on the extent to which reform is needed of specified quantities as they relate to non-pre-packaged goods (alcoholic drinks (spirits, wine, beer and cider) and unwrapped bread). Failure to address questions such as these would mean that an opportunity to achieve significant deregulation and simplification would be missed.

13.3 Further reform of the law in this area is dependent on negotiation of the Commission's proposal for a regulation on food information (published 30th January 2008) and, in order to inform our input to this process, we are inviting views on those aspects of the proposal which apply to quantity marking.

13.4 Various current EC requirements in relation to the labelling of foodstuffs are implemented by orders under Part IV of the Weights and Measures Act 1985. These Orders prescribe the manner in which pre-packaged foods and intoxicating liquors must be marked with an indication of quantity. They have been drafted in a piecemeal fashion for over twenty years in order to implement ever changing EC legislation. This has resulted in highly complex and fragmented law, an issue which will be addressed by a new European regulation on food information.

14. Business Sectors Affected

14.1 Those affected will primarily be pubs, bars and other licensed premises serving alcohol as well as businesses involved in the manufacture, packaging, importing and retailing of unwrapped bread, which would be likely to include major retail chains with in-store bakeries, and also the many small craft bakeries. Some 167,000 pubs, bars and other licensed premises may be affected by changes to specified quantities for alcoholic drinks.

NMO - January 2010

Specific Impact Tests: Checklist

Use the table below to demonstrate how broadly you have considered the potential impacts of your policy options.

Ensure that the results of any tests that impact on the cost-benefit analysis are contained within the main evidence base; other results may be annexed.

Type of testing undertaken	***Results in Evidence Base?***	***Results annexed?***
Competition Assessment	Yes	No
Small Firms Impact Test	Yes	No
Legal Aid	Yes	No
Sustainable Development	Yes	No
Carbon Assessment	Yes	No
Other Environment	Yes	No
Health Impact Assessment	Yes	No
Race Equality	Yes	No
Disability Equality	Yes	No
Gender Equality	Yes	No
Human Rights	Yes	No
Rural Proofing	Yes	No

Annexes

The following Specific Impact Tests have been considered: **Competition Assessment, Small Firms Impact Test, Legal Aid, Sustainable Development, Carbon Assessment, Other Environment, Race Equality, Disability Equality, Gender Equality, Human Rights and Rural Proofing.** After a screening of each Impact Test, it has been deemed that no significant impact is anticipated in any case.

Health Impact Assessment

Potential health benefits may arise from the introduction of two of the proposals. The serving of two third pint measures of draught beer and cider may encourage some consumers to opt for the smaller serving of two thirds of a pint as opposed to a full pint, thereby reducing their alcohol intake. In addition, the replacement of the existing specified quantities for fortified wines (125 ml or 175 ml or a multiple) with the smaller 50 ml and 70 ml sizes also has the potential to benefit the health of consumers of fortified wines.