STATUTORY INSTRUMENTS

1977 No. 2059

WEIGHTS AND MEASURES

The Weights and Measures Act 1963 (Bread) Order 1977

Laid before Parliament in draft

Made - - - - *8th December* 1977

Coming into Operation *2nd May* 1978

Whereas the Secretary of State pursuant to section 54(2) of the Weights and Measures Act 1963(**a**) (hereinafter referred to as "the Act") 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 54(3) of the Act:

Now, therefore, the Secretary of State, in exercise of powers conferred by sections 21(2), (3) and (5), and 54(1) and (4) of the Act and now vested in him(**b**) and of all other powers enabling him in that behalf, hereby makes the following Order:—

1.—(1) This Order may be cited as the Weights and Measures Act 1963 (Bread) Order 1977 and shall come into operation on 2nd May 1978.

(2) Part IV of Schedule 4 to the Act, as amended(**c**), shall cease to have effect.

(3) The Weights and Measures Act 1963 (Bread) Order 1976(**c**) is hereby revoked.

(4) The Interpretation Act 1889(**d**) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament, and as if this Order and the Order hereby revoked were Acts of Parliament.

2. In this Order—

"bread" means bread in any form other than breadcrumbs and includes the following, and any part of any of the following, that is to say, fancy loaves and milk loaves; and

"loaf" includes a roll and a bap;

and for the purposes of this Order any pre-packed sliced bread shall be deemed to be a whole loaf of bread and the pre-packing of sliced bread in any quantity by net weight shall be deemed to be the making for sale of a whole loaf of bread of that net weight.

3. Bread of any description other than a whole loaf shall be sold only by net weight:

Provided that there shall be exempted from the requirements of this Article any bread in a quantity of 300g or less.

4. A whole loaf of bread of a net weight exceeding 300g shall be made for sale only if it is of a net weight of 400g or a multiple of 400g:

(**a**) 1963 c. 31.
(**b**) S.I. 1970/1537 (1970 III, p. 5293).
(**c**) S.I. 1976/1297 (1976 II, p. 3675).
(**d**) 1889 c. 63.

Provided that there shall be exempted from the requirements of this Article any sale in pursuance of a contract for the supply of bread for consumption on the premises of the buyer if the contract provides for each delivery of bread thereunder to be of a specified aggregate quantity of not less than 25kg and for the weighing of the bread on delivery.

5.—(1) The application of section 22(2) of the Act as it applies for the purposes of section 21(2)(*c*) in relation to bread made for sale of a net weight of 14oz or a multiple of 14oz, shall be excluded—

(*a*) in the case of bread made before 2nd May 1978 for sale, in relation to all persons;

(*b*) in the case of bread made on or after that date for sale, in relation to any person other than the person who made the bread for sale and, if he made the bread for sale on behalf of another person, that other person.

(2) Paragraph (1) of this Article shall cease to have effect after 8th May 1978.

6. For paragraph 3(2) of Part XI of Schedule 4 to the Act there shall be substituted the following—

"(2) Bread within the meaning of the Weights and Measures Act 1963 (Bread) Order 1977;".

John Fraser,

Minister of State,
Department of Prices and Consumer Protection.

8th December 1977.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order supersedes Part IV of Schedule 4 to the Weights and Measures Act 1963 (as amended by the Weights and Measures Act 1963 (Bread) Order 1976), relating to bread.

It withdraws on and after 2nd May 1978 the prescribed imperial quantities in which whole loaves of bread weighing over 300g may be made for sale. Such loaves may on or after that date be made for sale only in a net weight of 400g or a multiple of 400g, instead of 14oz (approximately 397g) or a multiple thereof.

During the period 2nd May 1978 to 8th May 1978 exclusion is provided for all persons from the offences related to selling, agreeing to sell, or being in possession for sale of, bread made for sale in imperial quantities on or before the 1st May 1978.

Furthermore, these same offences when related to bread made for sale after the 1st May 1978, are restricted until the 8th May 1978 to bakers and those on whose behalf the bread was made for sale.

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