

businesscompanion

trading standards law explained

Weights & measures for butchers

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This guidance is for England, Scotland & Wales

There are a number of legal requirements that butchers need to be aware of when selling products by weight (whether at the request of customers or prepacked ready for sale), which include weighing equipment construction and quantity price marking. For example, using a 'government stamped' scale (as they are known), pricing and selling in metric quantities, and marking prepacked goods with the weight of the product.

Customers must be informed of the weight before paying for and receiving their goods. In general, all foods, whether sold loose from bulk or prepacked, must be priced in a manner that can be seen by customers without them having to ask.

Weights & measures requirements

In relation to the butchery trade, weights and measures legislation applies to the sale of fresh, chilled, frozen, salted, cooked or processed meat of cattle, sheep or swine, and to uncooked poultry. It also applies to food that consists substantially of such meat or poultry.

In general, meat and poultry **MUST** be sold by the kilogram.

Prepacked items must be marked with the net weight of the product in metric units. This is not required on packs of pies, puddings, flans, sausage rolls, etc where the pack is marked with the number of items or if the number of items can be seen without opening the pack. Very small packs containing less than 5g of product do not have to have the net weight marked on them.

Non-prepacked items, including products cut or selected from a larger bulk item as requested by the customer, must be sold either by net weight or by gross weight if the weight of the bag, wrapper or container used to serve the product in is not greater than that allowed for in the table below.

Again, this requirement does not apply to pies, puddings, flans, sausage rolls, etc or to single cooked

sausages or sausage meat products weighing less than 500g.

Your local trading standards service will also be able to give you more detailed advice regarding which products the above exemptions apply to.

Note:

- **net weight** means the weight of the goods alone without the bag, wrapper or container
- **gross weight** means the weight of the goods plus the weight of any bag, wrapper or container

Table of container weights

Weights for meat sold gross in a container:

| Gross weight | Permitted weight of container |
|----------------|--|
| up to 500g | 5g |
| more than 500g | a weight at the rate of 10g per kg of the gross weight |

Weighing

Scales that are used must be accurate, of an approved construction for retail sale use, and have certain required markings and stamps on them - see 'Weighing equipment for legal use'.

The customer must be informed of the weight before paying for and receiving the goods. This can be done by any of the following methods:

- weighing the goods in front of the customer, so that he has a clear view of the weight indication on the scales
- telling the customer what the weight of the product is if the scales are out of his sight
- marking the weight on the bag, wrapper or container
- marking the weight on a separate ticket or till receipt

In the case of customer requests for trimmed or boned meat and for dressed poultry the customer should be advised whether the weight to be charged for will be before or after the product is prepared for them.

Average quantity

This guidance is intended as advice for traditional butchery businesses supplying products at the request of customers.

If your business also prepares large quantities of prepacked products in set quantities - for example, 500g packs of sausages - you may wish to take advantage of packing them using the average-quantity system, which makes allowances for small variations in package weights.

For more information on this system please see 'Packaged goods - average quantity'. You may also wish to

seek specific advice from your local trading standards service.

Price marking requirements

In general all foods must have their price displayed and include VAT where applicable. The price must be displayed on or near the product, be unambiguous and easily read by customers without them having to ask for assistance.

For most non-prepacked items or for products where the customer requests a particular quantity, the unit price per kilogram must be indicated on or near the goods, or on a price list. You may also display a price per pound but this must not be more prominent than the metric kilogram price. For more expensive products you may also assist customers with an additional price per 100g where this might give a more meaningful indication of the price the customer will have to pay.

Some products are required have the unit price indicated per 100g. These are:

- cooked and ready-to-eat meat including game and poultry
- pies, pasties, sausage rolls, puddings and flans that are sold by weight - for example, pie slices from a deli counter

For butchery counters in shops with a sales area of more than 280 square metres the unit price of prepacked products must also be displayed on or near the goods - for example, on a shelf edge ticket or a price list.

However, there are exceptions. The main ones are as follows:

- products near their expiry date and sold at a reduced price
- products that are not required to be sold by weight - for example, non-prepacked pheasants, rabbits, etc and cooked poultry
- an assortment of different items sold as a single pack - for example, 'steak and kidney pack', 'barbecue selection', etc
- any product where the unit price is identical to the selling price

The unit price must be in metric, generally the price per kilogram. The unit price per pound may also be given in addition to the metric marking but must be given less prominence.

Key legislation

Weights and Measures Act 1963 (Cheese, Fish, Fresh Fruits and Vegetables, Meat and Poultry) Order 1984
Price Marking Order 2004

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Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links may only show the original version of the legislation, although some amending legislation is linked to separately where it is directly related to the content of a guide. Information on amendments to UK legislation can be found on each link's 'More Resources' tab; amendments to EU

legislation are usually incorporated into the text.

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