

PACKAGING, WEIGHTS AND MEASURES

Packaging, Labelling and Design

There are general regulations in relation to fair trading which impact on the way products are packaged, labelled and presented. In addition there are specific rules that may apply to particular classes of product.

The obligations at common law and under the Unfair Trading Regulations provide that business must not be misled in relation to quantity or size, composition, method of manufacture or place or date of manufacture, fitness for purpose or endorsement by people or organisations.

There is no legal requirement in the UK for goods to have an indication of origin. This can be provided, but it must be accurate.

Special packaging applies in several sectors. For example, precious materials, gold, silver, platinum where hallmarking legislation applies to clothing, footwear, shoes, food and drink, toys.

A retailer must clearly display the price of goods and display the unit price of goods. It must use metric measure, price in sterling and include VAT and other taxes.

There are special packaging regulations which are designed to control waste. See our brief note in this regard.

Weights & Measures

Goods sold by weight or measure must normally be sold in metric amounts. There are certain limited exemptions e.g. for beer.

Where fixed weight package goods are sold, the average contents of packages must not be less than the normal quantity. The proportion that is short must be within a minimal error tolerance and no package should be short by more than twice the tolerance.

Businesses must use prescribed equipment to make sure the packages meet these criteria and must check sample packages. It is not necessary to keep records but if no records are kept each package must contain at least its stated minimum.

Businesses that check contents by sampling must use a system that ensures the package meets the rules. They must keep records of checks for at least one year or until the date of consumption of the product. The weight of any package must not include the weight of the packaging.

There are special rules for various businesses such as food businesses, pubs, restaurants and cafes. This includes bakers, butchers and greengrocers.

Prices

Generally, there is no regulation of prices. There were attempts at price controls many years ago in inflationary times. Prices controls are only found in a narrow range of regulated industries.

Prices legislation requires that the price of goods must include the value-added tax. The Prices legislation, which is now largely redundant, also contains provisions which require retailers correctly reflect price.

There are also regulations which require retailers to display notices about statutory requirements affecting goods they deal in. The correct price including unit price must be marked on goods.

This Guide is intended as an overview and broad outline of the matters covered in it. Its purpose is to inform and raise awareness. We are happy to offer specific legal advice on particular circumstances.

This Guide should not be relied on as a substitute for comprehensive legal advice with reference to the particular circumstances.

While we have taken due care in the preparation of this publication, we do not accept legal liability as a result of any reliance placed on anything in this Guide. The reader should rely only on specific legal or taxation advice.

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