

Sale of Fresh Fruit and Vegetables

This advisory fact sheet concerns the sale of fresh fruit and vegetables at retail level in a small shop. Larger retailers, such as supermarkets, are subject to further controls for which separate advice should be sought.

Relevant legislation includes:

- The Weights and Measures (Cheese, Fish, Fresh Fruits and Vegetables, Meat and Poultry) Order 1984
- The Price Marking Order 2004
- The Weights and Measures (Specified Quantities)(Pre-packed Products) Regulations 2009

Sale by Weight

- Most fruit and vegetables must be sold by either net (product alone) or by gross (product plus packaging) weight. If selling by gross weight the weight of the packaging is strictly controlled. Therefore most small retailers may find it easier to sell by net weight.
- Soft fruits can also be sold by the 'punnet'. However the weight must still be made known to the customer before they purchase. In some instances you may have brought pre-packed punnets which have already been weighed but if you pack them yourselves or there is no identification on the packaging the best method is to weigh each punnet before sale to ensure that it contains the specified weight. Types of soft fruit that may be sold by the punnet are:

Bilberries	Brambles	Loganberries	Strawberries
Blackberries	Cherries	Mulberries	Tayberries
Blackcurrants	Cranberries	Raspberries	Whitecurrants
Boysenberries	Gooseberries	Redcurrants	

Units of Quantity

- All fruit and vegetables, pre-packed and loose from bulk, must be weighed and priced in **METRIC** quantities. It is no longer legal to solely price and weigh in imperial quantities.

- You may however use an equivalent imperial indication to help your customers make an informed decision about their purchase. This supplementary indication shall be less prominent than the metric indication.

Sale by bunch or number

- There are some exemptions from the requirement to sell fresh fruit and vegetables by weight.
- Those that may be sold by the bunch are:

Asparagus	Endives	Onions	Turnips
Beetroots	Garlic	Parsley	Watercress
Carrots	Mint	Radishes	
Chives	Mustard & Cress	Salad cress	

- Those that may be sold by number (also referred to as countable produce) are:

Apples	Capsicum	Guavas	Nectarines	Pomegranates
Apricots	Celery	Kiwi fruit	Onions (not spring)	Pomelo
Artichokes (globe)	Coconuts	Kohlrabi	Oranges	Pumpkins
Aubergines	Corn-on-the-cob	Lemons	Passion Fruit	Radishes
Avocados	Cucumber	Lettuces	Pawpaw	Shaddock
Bananas	Fennel	Limes	Peaches	Soft citrus fruits
Beetroots (inc cooked)	Fresh Figs	Mangoes	Pears	Tomatoes
Cabbage	Garlic	Marrows	Pineapple	Ugli
Cauliflower	Grapefruit	Melons	Plums	

Pricing

- Pre-packed fruit and vegetables must display the selling price and the price per kilogram (along with the weight of the produce)
- Fruit and vegetables sold loose from bulk are required:
 - When sold by weight, to show the price per kilogram. Again a less prominent supplementary imperial indication may be displayed.
 - In the case of countable produce or that sold by the bunch the price per item or bunch must be shown.
 - When goods are sold in a specific or fixed quantity the selling price in addition to the price per quantity must be shown, i.e. £1 for 5, 20p each or £1.50 for 3kg, 50p per kg.

- All prices must be clear and legible. The indication can be given directly on the goods or by means of a price list near to the goods which clearly identifies them.

Bag and Box Schemes

- In general this term covers all selling methods where you select a range of fresh fruit and vegetables and place them in a container for sale. The scheme may take the form of regular 'standing deliveries' or simple sales from trade premises or vehicles
- You may **only**, however sell by the box if one or more of the following conditions apply:
 - The box contains **MORE** than 5kg **or**,
 - The box contains three or more different types of fresh fruit or vegetables.
- This scheme does not affect the sale other of fruit and vegetables. The guidance mentioned above still applies.

For further information and advice contact your local area Trading Standards Officer

Telephone 01546 605519

Email tradingstandards@argyll-bute.gov.uk

Bute and Cowal - 22 Hill Street, Dunoon, PA23 7AP

Helensburgh and Lomond - Blairvadach, Shandon, Helensburgh, G84 8ND

Mid Argyll, Kintyre and Islands - Area Office, Manse Brae, Lochgilphead, PA31 8QU

Oban, Lorn and the Isles - Municipal Buildings, Albany Street, Oban, PA34 4AW

Office Hours: 9.00am-5.00pm Monday-Friday