

## **Business Advice for Small Bakers**

**These notes are intended as a guide to the provisions of the Weights and Measures (Packaged Goods) Regulations 2006 and The Weights and Measures Act 1985 as they apply to small bakers.**

### **Prescribed quantities for Loaves**

The Weights and Measures (Specified Quantities) (Pre-packed Products) Regulations 2009 came into force on the 11<sup>th</sup> of April 2009. This legislation had the effect of de-regulating the previous prescribed quantities for pre-packed loaves of 400g or multiples of 400g for loaves over 300g.

It is important to note that the removal of the requirements to pack in specified quantities does not preclude the continued use of those sizes in which products have traditionally been packed. Although the deregulation of the market means that goods may now be packed to any size, packers and manufacturers are at liberty to continue packing their goods in existing pack sizes if they wish to do so. As such, there is no requirement for business to adopt any new size or incur any additional costs unless they determine that it is in their commercial interests to do so.

### **What loaves are controlled by the Weights and Measures (Packaged goods) Regulations?**

Loaves weighing less than 300g are not caught by the requirements.

### **What am I required to do?**

If you make such loaves of bread or complete the baking of part baked loaves you have a duty to ensure that they are made up in such a way as to satisfy the following rules—

- a) the loaves shall be not less, on average, than the nominal quantity
- b) the proportion of defective loaves weighing less than the nominal quantity by more than the tolerable negative error shall be less than the specified amount for batches of packages;
- c) no loaf shall weigh less than the nominal quantity by more than an amount equivalent to twice the tolerable negative error (i.e. for a 400g loaf no less than 376g)

### **How can I do this?**

You will need to carry out checks on the weights of finished loaves from each batch baked using suitable weighing equipment and make and keep a record of these checks, including a record of what you do if any loaves fail the checks.

### **What is a batch?**

Generally this is all bread of the same type and nominal weight baked at the same time. The temperature, humidity, tin type and length of time in the oven can all affect the final weight.

### **How many loaves should I check?**

There is no fixed number. A good starting point is 10-20%. However for smaller batches it is recommended that at least 3 loaves (or all the loaves baked) are checked. This should include a visual check as loaves which appear smaller or are slightly over baked are more likely to be underweight and should be targeted for checking.

If any of the loaves checked are underweight then you will need to check more loaves or even the whole batch to eliminate underweight loaves.

### **What weight should I expect when I check the bread?**

Using 400g loaves as an example most bakers find that the target weight for hot bread should be 420-430g, hot bread will weigh more than cooled bread and will continue to lose weight over time with progressive moisture loss. If you check bread when it is warm a smaller allowance may be appropriate. Your records should indicate if you checked the bread hot or cold. If you slice the bread at the request of the customer no further allowance is required. However if you slice and bag the bread in advance then you will also need to allow for loss in weight through slicing. Loaves weighing less than 376g must not be sold.

When carrying out a full check on batches of 100 loaves or less up to 5% of loaves may be between 376 & 388g. However you will need to ensure that the average weight of all the loaves in the batch is at least 400g. If you are making batches of more than 100 loaves this percentage will change. Please contact this Trading Standards for further details.

### **What is suitable equipment?**

This will be a weighing machine which is either UK 'stamped' or EC 'verified'.

For checking 400g loaves of bread a digital indicating scale should ideally have 2g divisions. Similarly other types of weighing machines should be capable of determining the weight to within 2g. If you're weighing equipment can only weigh to within 5g, this can still be used. However you will have to adjust your target loaf weight upwards by 5g to allow for the different scale indication.

### **How long do I need to keep the records?**

The minimum period for keeping records is the shelf life of the product. However, we would advise you keep the records for at least 6 months in order to be able to demonstrate 'due diligence' in the event of any problems occurring.

### **Do I have to make records?**

If you are a 'small/craft baker' then the Regulations provide that you may apply to the local Chief Inspector of Weights and Measures for an exemption from making and keeping records. You will however still have to carry out checks on finished bread using suitable equipment.

Generally to be eligible for an exemption you will have to be making bread by a predominantly non-automated process in small batches and to be selling most of your bread from your own premises. You will also need to be able to demonstrate that you do carry out checks and that your checks ensure that the bread you sell is the correct weight.

This advice is designed to provide basic guidance to traders. It is **not** a complete or authoritative statement of the law. For further advice or assistance on this or any other Trading Standards legislation, please contact your nearest office. We will be pleased to offer this information in larger print or translated into any language on request.

#### **For further information and advice contact your local area Trading Standards Office**

**Telephone**                      **01546 605519**

**Email**                              **[tradingstandards@argyll-bute.gov.uk](mailto: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**