

Fresh fruit & vegetables weighing and pricing

Trading Standards Information

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1. Main legal requirements

The requirements that apply depend upon the type of food and whether it is 'pre-packed' or not. Pre-packed means that the food has been placed in a wrapper, packet or other container before any retail sales take place.

Non pre-packed means the food is sold loose from bulk, for example where customers can select or choose a quantity of loose vegetables from a display.

▪ *For non pre-packed fruit & vegetables;*

The sale **must** be by weight. In such cases it is easiest for retailers to sell by the net weight. Alternatively, 'countable produce', as listed in section 4, may be sold by number.

All measurements of weight **must** be given in metric units although imperial ones can be shown in addition to these. There are also special price marking requirements which are detailed in section 6.

Gross weight sales are permitted providing the container or bag used is not too heavy. Contact us for details of the prescribed container weight limits for sales by gross weight.

▪ *For pre-packed fruit & vegetables;*

Either the 'net weight' **must** be marked on the container or, in the case of 'countable produce' the number of items in the pack must be marked. Countable produce is any of those foods listed in section 4 of this leaflet. Net weight means the weight of the food only - without the container.

The number of items need only be marked if the container cannot be seen through or if the pack contains more than 8 of the items.

2. What is a sale by weight?

A sale by weight may be achieved by informing the customer of the weight of the food **before** they pay for, or receive it. This is best done by weighing the food in front of the customer and any such weighing must be carried out so that the customer can see the scales and its indications. Alternatively the weight may be marked on a wrapper, or on a notice close to the food.

3. What are the main exceptions?

The following do not have to be sold by weight, or have weight markings if pre-packed, **provided** they are sold by the bunch;

Asparagus	Beetroots	Carrots	Chives	Endives	Garlic	Mint	Mustard and cress
Onions (inc. spring)	Parsley	Radishes	Salad cress	Turnips	Watercress		

Pre-packed mushrooms and 'soft fruits', for example a punnet of strawberries, do not have to have weight markings but they still must be sold by net weight. The quantity should be made known to the buyer before payment is made. 'Soft fruits' means any of the following;

bilberries	blackberries	blackcurrants	boysenberries	brambles
cherries	cranberries	gooseberries	loganberries	mulberries
raspberries	redcurrants	strawberries	tayberries	whitecurrants

4. Countable produce

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

5. Special price marking requirements for non pre-packed fruit & vegetables

When fruit and vegetables are being sold loose from bulk the unit price per kilogram **must** be written down, for example '70p per kg' or, for countable produce, '25p each'. This may be accompanied by a supplementary imperial unit price indication, in this example 32p per lb.

If you offer for sale a specific quantity, for example half a kilogram or over 1 in number, then the selling price must be shown, for example '3 oranges 50 pence'. If the same produce is also sold by weight or number then the unit price, or individual price, must also be shown.

These price indications should be shown as described in our leaflet 'Price Indications for goods'

6. What happens if I don't comply with these selling requirements?

These requirements exist to enable fair competition between businesses and to help consumers. They are detailed in Regulations and Orders made under the Weights and Measures Act 1985 and the Prices Act 1974. Failure to comply could result in goods and scales being forfeited and prosecution. On conviction the courts may impose a fine. It is also a criminal offence to give short weight and to use inaccurate or un-approved scales.

7. Further information

If you require further assistance on the selling requirements please contact us at the address given.

PLEASE NOTE only the Courts can interpret statutory legislation with authority. This leaflet is subject to change without notice. (Ref: FFV/1.7)