

Serial Number 1951/104

**THE WEIGHTS AND MEASURES REGULATIONS 1926,
AMENDMENT NO. 8**

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 1st day of
May, 1951

Present :

THE HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

PURSUANT to the Weights and Measures Act, 1925, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Weights and Measures Regulations 1926, Amendment No. 8, and shall be read together with and deemed part of the Weights and Measures Regulations 1926* (hereinafter referred to as the principal regulations).

(2) The principal regulations, as amended by these regulations, may be cited as the Weights and Measures Regulations, 1926-1951.

(3) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. The principal regulations are hereby amended by adding the following new Part :—

“ PART VIII—BREAD

“ 1. This Part of these regulations shall apply to every loaf or part loaf of bread which weighs more than 8 oz.

“ 2. Subject to the provisions of this Part of these regulations, no person whose business or part of whose business is baking bread for sale or selling bread shall sell or keep for sale any loaf or part loaf of bread to which this Part applies unless it weighs 4 lb., 2 lb., or 1 lb., or, in the case of any loaf to which any provision of regulations 3 to 6 of this Part applies, it is of a weight specified by, and otherwise conforms to, that provision.

“ 3. For the purposes of this Part of these regulations,—

“ (a) A loaf commonly known as a split loaf, which is more than 9 in. long and is formed from two similar dough units baked together in a rectangular tin, and which can be readily broken by hand into two approximately equal parts, may weigh 1 lb. 12 oz. ; and half of such a loaf may weigh 14 oz. :

* *Gazette*, 13th January, 1927, Vol. I, p. 25.

Amendment No. 1 : *Gazette*, 26th July, 1928, Vol. II, p. 2270.

Amendment No. 2 : *Gazette*, 13th February, 1930, Vol. I, p. 402.

Amendment No. 3 : (*Revoked by Serial number 1943/12.*)

Amendment No. 4 : *Gazette*, 16th November, 1933, Vol. III, p. 2733.

Amendment No. 5 : (*Revoked by Serial number 1943/12.*)

Amendment No. 6 : Statutory Regulations 1943, Serial number 1943/12, page 17.

Amendment No. 7 : Statutory Regulations 1948, Serial number 1948/93, page 289.

“(b) In the Provincial District of Auckland, a loaf known as a Sydney flat loaf, which is more than 9 in. long and is formed in a rectangular tin by dividing a single dough unit, and which can be readily broken by hand into two approximately equal parts, may weigh 1 lb. 12 oz. ; and half of such a loaf may weigh 14 oz.

“4. (1) For the purposes of this Part of these regulations, a Vienna, milk, or wholemeal loaf, or a loaf of special or fancy bread, may weigh 1 lb. 8 oz. if it is baked as a single dough unit and if it is readily distinguishable by the general public, by means of its form or quality, from all kinds of bread weighing 1 lb., 1 lb. 12 oz., or 2 lb. usually sold or kept for sale by the seller.

“(2) Notwithstanding anything in subclause (1) of this regulation,—

“(a) A loaf of Vienna bread may weigh 11 oz. :

“(b) A loaf of diabetic bread may weigh 12 oz. or less if the seller sells diabetic bread at one weight only :

“(c) A loaf of special bread, when wrapped, may weigh 12 oz. if the package is marked with the nominal weight of the loaf in clearly legible bold faced type of not less than 12 points face measurement.

“5. Fruit bread containing not less than 10 per cent of fruit, not less than 10 per cent of sugar, and not less than 10 per cent of fat, based on the dry ingredients, may be sold at any weight if the bread sold is weighed at the time of sale and is sold at the net weight.

“6. Where under any contract for the supply of bread to any person or body of persons, otherwise than for the purposes of any resale to which this Part of these regulations applies, the bread is supplied in quantities of not less than 50 lb. at any one time, the loaves may, by agreement between the seller and the buyer, be of weights other than those specified in this Part if all the loaves of any one kind of bread so supplied at any one time are of the same weight.

“7. Notwithstanding anything in the foregoing provisions of this Part of these regulations, any person may, until the 31st day of December, 1951, sell bread baked in accordance with the terms of any approval granted, before the coming into force of this Part, by the Bread Approvals Committee under or by virtue of the Breadmaking Industry Control Order 1943.*

“8. In determining, for the purposes of any proceedings or intended proceedings in respect of any offence against this Part of these regulations, the weight of any loaf or part loaf of bread, the following provisions shall apply :—

“(a) There shall be allowed a deficiency not exceeding $\frac{1}{2}$ oz. for every $\frac{1}{2}$ lb. of the nominal weight specified or allowed by this Part in respect of bread of the kind to which the loaf or part loaf belongs, if when that loaf or part loaf and five others of the same kind taken at random from the same batch are weighed together there is no deficiency in the total weight :

“(b) There shall be allowed an excess weight not exceeding 1 oz., plus 1 oz. for every $\frac{1}{2}$ lb. of such nominal weight as aforesaid.

* Statutory Regulations 1943, Serial number 1943/33, page 59 (*expired*).

“ 9. If in any proceedings in respect of an offence against this Part of these regulations it is alleged that any bread is of a weight less than that specified or permitted by this Part in respect of bread of the kind to which the allegation relates, it shall be a good defence to that allegation if the defendant proves that the bread was baked more than twenty-four hours before the weighing at which the alleged deficiency was found.

“ 10. The fact that any bread is found in any building or place in which bread is baked or sold or kept for sale, or is found in any vehicle commonly used for carrying bread for sale, shall be *prima facie* evidence that the bread so found is kept for sale within the meaning of this Part of these regulations.

“ 11. Nothing in this Part of these regulations shall be construed to limit or affect in any way the provisions of any Act or any other regulations, except as expressly provided in that Act or those other regulations.”

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

[*This note is not part of the regulations, but is intended to indicate their general effect.*]

These regulations specify the weights at which loaves or part loaves of bread may be sold or kept for sale. The regulations apply only to loaves or part loaves which weigh more than 8 oz. Special provisions are made as to the weights of split loaves and Sydney flat loaves, Vienna, milk, wholemeal, special and fancy loaves, fruit bread, and bread sold in bulk for purposes other than resale (*e.g.*, to institutions). Bread baked in accordance with special approvals previously given by the Bread Approvals Committee under the Breadmaking Industry Control Order 1943 (which expired on the 31st December, 1949) may still be sold until the 31st December, 1951.

Allowances are to be made, for the purposes of any prosecution, for deficient or excess weight, subject to certain conditions.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 3rd day of May, 1951.

These regulations are administered in the Department of Labour.