



YOUR RESPONSIBILITIES

If you are selling bread and bakery products by weight, you are responsible for the accuracy of your measuring instruments.

The instruments must:

- be of a type approved by the NMI and legal for trade use
- be verified as accurate by a servicing licensee before they are used
- register zero before they are used
- be properly installed and appropriate for the intended use
- be used correctly by staff who have had adequate training in their correct use.

For more on approved measuring instruments, verification and servicing licensees see the NMI website.

REGULATING THE SALE OF BREAD AND BAKERY PRODUCTS

The NMI employs inspectors throughout Australia. The role of inspectors is to:

- ensure that all measuring instruments used for trade are verified and used correctly
- monitor the verification activities of servicing licensees
- check prepackages for correct packer identification, measurement markings and accurate measure
- investigate complaints and resolve problems with trade measurement matters
- issue infringement notices or take prosecution action where there have been breaches of the laws.

HEALTH AND SAFETY ISSUES

If you are selling bread or bakery products, you should check the health and safety regulations in your state, territory or council area.



FOR MORE INFORMATION ...

See the NMI website

www.measurement.gov.au/trademeasurement

The main laws covering trade measurement in Australia are the *National Measurement Act 1960* and the *National Trade Measurement Regulations 2009*.

The following regulations refer to the sale of bread and bakery products:

- Regulation 4.4 (1)
- Regulation 4.13
- Schedule 4 Items 2.8, 2.9 and 5.1.

Trade Measurement – it all adds up!



GUIDE TO THE SALE OF BREAD AND BAKERY PRODUCTS



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The purpose of this publication is to provide you with general information only and should not be relied upon for any legal, business or personal purpose. Nothing in this publication shall be taken in any way to replace the provisions of the *National Measurement Act 1960* (Cth), the *National Trade Measurement Regulations 2009* (Cth) and any other legislative instruments made pursuant to the *National Measurement Act 1960*.

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TRADE MEASUREMENT

The National Measurement Institute (NMI) is Australia's peak measurement organisation, a division of the Department of Innovation, Industry, Science and Research in the Australian Government.

The NMI is responsible for maintaining the primary standards of measurement and providing the legal and technical framework for the dissemination of measurement standards.

The trade measurement laws administered by the NMI cover:

- the definition of the legal units of measurement
- the use of measuring instruments for trade
- testing and verification of measuring instruments for trade
- transactions by measurement
- pre-packed articles (or prepackages)
- licensing of the businesses that verify trade measuring instruments (these are known as servicing licensees)
- licensing of public weighbridges.



WHAT IS A BAKERY PRODUCT?

Bakery products include but are not limited to:

- biscuits and cookies
- bread rolls, croissants and fancy breads
- cakes
- slices (including rocky road)
- desserts and puddings
- donuts
- lamingtons
- meringues
- pies
- pikelets and crumpets
- rum balls
- taco shells
- tarts.

SELLING PRE-PACKED BREAD AND BAKERY PRODUCTS

Under trade measurement laws pre-packed bread and bakery products for sale must comply with the following:

- a measurement statement (either by weight or count) and the name and address of the packer (unless packed on the same premises where sold) must be marked on the wrapper or packaging
- pre-packed loaves of bread must be marked with a net weight statement
- allowance for any reduction in weight due to moisture loss must be taken into account when packing these products so that the weight is not less than that marked on the packaging at the time of sale.

Some items can be marked by count or sold individually. Weight marking for the following items is voluntary, although any statement of weight must be accurate:

- cakes (either single serve or less than 125 g), in packs of one or more, including lamingtons and cut cake pieces
- pikelets, muffins, donuts and bagels
- single-serve bread rolls, croissants and buns
- single-serve biscuits.

Items that **must** be marked by weight are:

- biscuits and cookies (in packs of more than one)
- pre-packed bread.

The trade measurement laws do not cover requirements for non-packaged bread and bakery products. There is no requirement to sell loaves of bread in prescribed weights.



EXCEPTIONS TO PACKAGING REQUIREMENTS

The following products are exempt from the need to include measurement statements and packer details:

- pies or pasties less than 250 g made for use as an individual serve
- cakes, puddings and sponges packed singly in a quantity less than 125 g
- articles ordinarily sold by number that are packed in a quantity of up to eight in a package that is made wholly or partly of transparent material so that a purchaser can readily see the number of articles in it.

'Ordinarily sold by number' means that most merchants selling the product in Australia sell it by number and the method is approved by the Department.