



GUERNSEY STATUTORY INSTRUMENT

2019 No. 100

**The Weights and Measures (Intoxicating Liquor)
(Amendment) Regulations, 2019**

<i>Made</i>	30 th September, 2019
<i>Coming into operation</i>	30 th September, 2019
<i>Laid before the States</i>	, 2019

THE COMMITTEE FOR HOME AFFAIRS, in exercise of the powers conferred on it by sections 18(1) and (2) and 61(1) of the Weights and Measures (Guernsey and Alderney) Law, 1991^a and all other powers enabling it in that behalf, hereby makes the following Regulations:-

Amendment of 1999 Regulations.

1. The Weights and Measures (Intoxicating Liquor) Regulations, 1999^b ("the 1999 Regulations") are amended as follows.

2. In regulation 1(2) of the 1999 Regulations, insert the following additional definitions in the appropriate places –

^a Ordres en Conseil Vol. XXXIII, p. 251; amended by Recueil d'Ordonnances Tome XXVII, p. 139; Ordinance No. XXXIII of 2003; No. IX of 2016; G.S.I. No., 57 of 1991; No. 23 of 1999.

^b G.S.I. No. 23 of 1999.

""CN Code" means a code comprised in the Combined Nomenclature,"

""the Combined Nomenclature" means the Combined Nomenclature of the European Union,"

and at the end of regulation 1(2), insert "and references to a subheading are to a subheading of the Combined Nomenclature".

3. For regulation 5 of the 1999 Regulations, substitute –

"5. (1) The intoxicating liquor specified in column 1 of Schedule 1 to these Regulations shall be pre-packed only if they are made up in one of the quantities specified in column 3, subject to the exceptions specified in column 4.

(2) Paragraph (1) does not apply to the intoxicating liquors specified in column 1 of the said Schedule 1 when they are sold duty-free for consumption outside the Bailiwick.

(3) Where two or more pre-packages make up a multi-pack, the quantities specified in column 1 of the said Schedule 1 apply to each pre-package.

(4) For the purposes of this regulation –

(a) "**pre-package**" means a combination of a product and the individual package in which it is pre-packed, and

(b) "**pre-packed**" means made up in advance ready

for retail sale or wholesale in a securely closed container."

4. In regulation 6(2)(b) of the 1999 Regulations, before the words "is sold in the glass", insert "subject to regulation 7".

5. In regulation 7(1) of the 1999 Regulations, for "the Schedule" substitute "Schedule 2".

6. In regulation 8(1) of the 1999 Regulations, for "column 4 of the Schedule" substitute "column 2 of Schedule 2".

7. The Schedule to the 1999 Regulations is repealed and the two Schedules set out in the Schedule to these Regulations are substituted.

Citation and commencement.

8. These Regulations may be cited as the Weights and Measures (Intoxicating Liquor) (Amendment) Regulations, 2019 and shall come into force on the 30th September, 2019.

Dated this 30th day of September, 2019



M. M. LOWE

President of the Committee for Home Affairs

For and on behalf of the Committee

SCHEDULE

Regulation 7

"SCHEDULE 1

Regulation 5

(1) <i>Product</i>	(2) <i>Product definition</i>	(3) <i>Specified quantities</i>	(4) <i>Exceptions</i>
Still wine	Wine as defined in point (1) of Part II of Annex VII to the Regulation of the European Parliament and of the Council adopted on 16 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No. 1037/2001 and (EC) No. 1234/2007, as amended from time to time.	Only the following specified quantities: 100 ml 187 ml 250 ml 375 ml 500 ml 750 ml 1000 ml 1500 ml	Containers of a capacity of less than 100 ml or more than 1500 ml
Yellow wine	Wine using the traditional term "vin jaune" listed and defined in the "E-Bacchus" database in accordance with Article 40(1) of Commission Regulation (EC) No 607/2009 laying down certain detailed rules for the implementation of Council Regulation (EC) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products.	Only the following specified quantity: 620 ml	Containers of a capacity of less than 100 ml or more than 1500 ml
Sparkling wine, quality sparkling wine, quality aromatic	As those wines are defined (respectively) in points (4) to (9) of Part II of Annex VII to the Regulation of the European Parliament and of the Council	Only the following specified quantities:	Containers of a capacity of less than 125 ml or more than 1500 ml

sparkling wine, aerated sparkling wine, semi-sparkling wine and aerated semi-sparkling wine	adopted on 16 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, as amended from time to time.	125 ml 200 ml 375 ml 750 ml 1500 ml	
Liqueur wine	Liqueur wine as defined in point (3) of Part II of Annex VII to the Regulation of the European Parliament and of the Council adopted on 16 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, as amended from time to time.	Only the following specified quantities: 100 ml 200 ml 375 ml 500 ml 750 ml 1000 ml 1500 ml	Containers of a capacity of less than 100 ml or more than 1500 ml
Aromatised wine	Aromatised wine as defined in Article 2(1)(a) of Council Regulation (EEC) No 1601/91 of 10 June 1991 laying down general rules on the definition, description and presentation of aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktails (OJ L 149, 14.6. 1991. p 1) as last amended by the Treaty concerning the accession of the Republic of Bulgaria and Romania to the European Union (OJ L 157, 21.6.2005, p 1) (CN Code 2205).	Only the following specified quantities: 100 ml 200 ml 375 ml 500 ml 750 ml 1000 ml 1500 ml	Containers of a capacity of less than 100 ml or more than 1500 ml
Spirit drinks	Spirit drinks as defined in Article 1(2) of Council Regulation (EEC) No 1576/89 of 29 May 1989 laying down general rules on the definition, description and presentation	Only the following specified quantities: 100 ml 200 ml	Containers of a capacity of less than 100 ml or more than 2000 ml

	of spirit drinks (OJ L 160, 12.6 1989, p 1) as last amended by the Treaty concerning the accession of the Republic of Bulgaria and Romania to the European Union (OJ L 157, 21.6.2005, p 1) (CN Code 2208).	350 ml 500 ml 700 ml 1000 ml 1500 ml 1750 ml 2000 ml	
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SCHEDULE 2

Regulations

Part I

(1) <i>Description and subheading</i>	(2) <i>Exemptions from quantity marking</i>
<p>Wine of fresh grapes; grape must with fermentation prevented or arrested by the addition of alcohol, including wine made of unfermented grape juice blended with alcohol, grape must in fermentation or with fermentation arrested otherwise than by the addition of alcohol, of subheadings 2204 21 21 to 2204 21 39 inclusive, 2204 29 21 to 2204 29 39 inclusive and 2204 30 10</p> <p>"Yellow" wines entitled to use the following designations of origin: "Côtes du Jura", "Arbois", L'Etoile" and "Château-Chalon"</p>	<p>Less than 5 ml More than 10 L</p>

Part II

<i>(1)</i> <i>Description and subheading</i>	<i>(2)</i> <i>Exemptions from quantity marking</i>
Sparkling wine and wine in bottles with "mushroom" stoppers held in place by ties or fastenings, and wine otherwise made up with an excess pressure of not less than one bar but less than three bar, measured at a temperature of 20C, of subheadings 2204 10 11, 2204 10 90, 2204 21 10 and 2204 29 10	Less than 5 ml More than 10 L.

Part III

<i>(1)</i> <i>Description and subheading</i>	<i>(2)</i> <i>Exemptions from quantity markings</i>
Spirits, liqueurs and other spirituous beverages and compound alcoholic preparations of a kind used for the manufacture of beverages, of subheadings 2208 1010 to 2208 90 79 inclusive	Less than 5 ml More than 10 L.

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Weights and Measures (Intoxicating Liquor) Regulations, 1999 so as to amend those provisions which require liquors to be pre-packed only in prescribed quantities and to make the regulations more consistent with the equivalent provisions in the UK.

These Regulations come into force on the 30th day of September, 2019.

