

Small Bakers and the Average Weight System

1 What Is A Small Baker?

A small baker is any baker who does not have a fully automated baking process and who sells the majority of his output from his own premises, stalls or vehicles.

2 Which Products Are Controlled?

It depends on whether the bread is pre-packed, i.e. sealed in a securely closed container or non pre-packed, i.e. loose.

3 Pre-Packed Bread – What Does the Law Say?

Pre-packed bread must be sold by quantity, however there are no controls over specified quantities. You are free to produce loaves in any size.

4 Non Pre-Packed Bread – What does the Law Say?

The Law was changed in 2011 to allow non-prepacked bread to be sold in any quantities. The old 'prescribed quantities' of 400g or 800g are no longer obligatory

However, most small bakers will continue to produce 400g and 800g loaves as their tins and other equipment are set up for these quantities.

5 If you decide to bake bread in quantities other than 400g or 800g -

You must make the weight clear to the customer by marking the shelf, basket etc where the bread is displayed with the actual weight of the bread.

6 Rules That Apply to Both Pre-Packed and Non Pre-Packed Bread

As a baker you are required to satisfy the three packers rules. For the purposes of a small bakery these mean:

- **RULE 1:** The average weight of a batch of loaves must not be less than the set weight.

- defective loaf is allowed to be short by is specified in the tolerable negative error (TNE) table.

	Tolerable negative error	
Nominal quantity in grams or millilitres	As a percentage of nominal quantity	g or ml
5 - 50	9	-
50 - 100	-	4.5
100 - 200	4.5	-
200 - 300	-	9
300 - 500	3	-
500 - 1000	-	15
1000 - 10000	1.5	-
10000 - 15000	-	150
Above 15000	1	-

For example for a loaf of bread weighing 400g a 'defective' loaf is one that weighs between 376-388g and for a loaf weighing 800g a 'defective' loaf is one that weighs between 770-785g.

If you decide to bake loaves in other quantities you can calculate the TNE from the table.

For batches of 100 loaves or less no more than 5% (1 in 20) loaves may be 'defective'.

For batches of 100-500 loaves no more than 4 may be 'defective'.

A 'batch' is all of the loaves of the same type baked at the same time.

- **RULE 3:** No loaves may have an error of twice the TNE.

It is a criminal offence to fail to satisfy the three packers rules.

7 Other Issues

You should also consider the weight of dough pieces and the weight loss in cooling and drying out. Examples for these issues are given below using loaves of bread that weigh 400g and 800g.

8 Do Dough Pieces Have To Be Check Weighed?

There is no legal requirement to weigh dough pieces, but if the dough weights are too light the finished bread weights will also be too light.

If you wish to continue to produce 400g or 800g loaves you will need to ensure that your dough weight is sufficient to produce loaves of these weights. For an 800g loaf a dough weight of 950g is generally sufficient and for a 400g loaf a dough weight of 480g should be sufficient. But remember that the dough weight should be determined by you taking into account your processes and ovens.

Loaves that are not baked in tins, e.g. batch loaves, will lose more weight during baking than those baked in tins.

If you wish to produce loaves in quantities other than 400g or 800g you will need to determine a dough weight that is sufficient to produce loaves of the required weight

9 What About Weight Loss In Cooling And Drying Out?

You will need to make sure that you allow enough weight for the bread to dry out during storage, display and delivery, and still be greater than the declared weight when sold.

If you weigh your loaves when they are still warm, large (800g) loaves should weigh at least 840g and small (400g) loaves 430g to allow for drying out. Once again you will need to make sure that this allowance is enough for your bread, and your storage and delivery conditions.

10 What Checks Should I Do?

You should weigh a sample of loaves from every batch you bake.

For batches of 1 – 49 loaves	Weigh 3
For batches of 50 – 99 loaves	Weigh 5
For batches of 100 – 199 loaves	Weigh 7

The example below is based on standard 400g or 800g loaves

● To test for the average weight

Record the 'middle' weight.

If this loaf weighs MORE than 400g/800g you need not do any more.

If it is LESS than 400g/800g you will need to weigh the complete batch. All loaves over 400g/800g must be placed to one side. Of the remaining loaves all those that weigh more than 388g or 784g

may also be placed with the heavy loaves. This process should ensure that the average weight of the batch is above 400g/800g.

The remainder of the loaves should be removed from sale and used for sandwiches etc or re-labelled as being of a lower weight.

● To test for 'defectives'.

Discard any loaves less than 376g or 770g as it is illegal to sell, or have in your possession for sale, loaves below these weights. They may be used for sandwiches, bread pudding or re-labelled as being of a lower weight.

If any 'defective' loaves are found in the sample (376-388g or 770-784g) you should take a second sample and check again. If any 'defectives' are found in this second sample you must weigh all of the loaves in the batch and make sure that the finished batch that is offered for sale does not contain more 'defective' loaves than is permitted (see Rule 2 above).

11 What Records Should I Keep?

You must keep written records of the checks you carry out UNLESS you have been granted an exemption from doing so by your local Weights & Measures authority.

You will be granted an exemption certificate in the following circumstances:

- You weigh every dough piece individually.
- You sell the majority of your output from your own premise, van or stall.
- The inspector is satisfied as a result of their visit and any previous visits that your processes are sufficiently rigorous to ensure that your bread weights will satisfy the inspector's tests.

Even if you are granted an exemption certificate it is a good idea to keep records. If you do not keep any records you would not be able to prove a defence if you were prosecuted for short weight bread.

EVEN IF YOU HAVE AN EXEMPTION CERTIFICATE YOU MUST CARRY OUT CHECKS ON YOUR FINISHED LOAVES.

12 What Equipment Should I Use For Checking Finished Loaves?

The regulations now specify that the equipment that you use to check your finished loaves should be 'suitable'. You should ensure that the scale interval is no greater than 2g, the capacity is no greater than 3kg and the scale is regularly maintained . New equipment brought into use after April 2006 must be either 'stamped' or stickered'

13 Where Can I Get More Information?

Our leaflets Average and Minimum Quantity Systems and Weighing and Measuring Equipment may be useful to read in conjunction with this leaflet.

Your local Trading Standards Officer will be happy to discuss all aspects of your operation with you and offer advice on how you can comply with the law .

The National Association of Master Bakers has produced a Code of Practice for Small Bakers. Copies may be obtained from NAMB, 21 Baldock Street, Ware, Hertfordshire, SG12 9DH
Tel: 01920 468061

How to contact Worcestershire Regulatory Services

Consumer Advice - regarding issues relating to 'Consumer goods or Services' contact Citizens Advice Consumer Service on 08454 040506, alternatively research your consumer rights on the HM Government, DirectGov website www.direct.gov.uk

Business Advice only - telephone 0845 330

3313, or email wrsenquiries@worcsregservices.gov.uk

General Customer Enquiries - contact the Worcestershire Hub on 01905 822799 (Mon – Fri 8am-8pm, Sat 9am-5pm) or visit your local Customer Service Centre. Opening times and locations can be found at www.whub.org.uk

Postal address – Worcestershire Regulatory Services, PO Box 866, Worcester, WR1 9DP



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