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Labelling requirements for prepackages

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FOREWORD

[**Secretariat comment:** This foreword must be updated by the BIML before publication – see 4.3 of “Directives for OIML technical work, Part 2”]

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INTRODUCTION

Prepackaged products have been increasing in importance in global trade. By definition, a prepackage has the measurement of its contents determined prior to being placed on the market and accordingly the quantity declaration marked on a prepackage is an essential part of any trade transaction of the prepackage.

This document provides requirements to facilitate access to the quantity declaration and other relevant information declared on prepackages containing any type of product, in order to minimise the information asymmetry between vendors and consumers.

The presentation of the result of a measurement is an integral part of a measurement process. Accordingly, the labelling of a prepackage, including the declaration of quantity, is important for metrological control and to inform consumers.

LABELLING REQUIREMENTS FOR PREPACKAGES

1 Scope

1.1 This Recommendation covers requirements for the labelling of prepackages with respect to:

- a) the identity of the product;
- b) the name and address of the manufacturer, packer, distributor, importer, exporter or vendor; and
- c) the quantity of product in the prepackage.

1.2 This recommendation applies to prepackages with constant nominal quantity as defined in OIML R87 and to products with random nominal quantities which are prepackaged and bear a quantity declaration.

Note 1: This Recommendation does not cover labeling requirements for reasons of health, safety or tax, or for other purposes such as date limit for sale or use, storage temperature, etc. Declarations of ingredients on labels or nutritional information on the labels of food products, whether compulsory or not, are also not covered by this Recommendation.

Note 2: National requirements may prescribe in which cases prepackages may be exempted from bearing a quantity declaration.

Note 3: The metrological requirements for quantity of products in prepackages are covered in OIML R 87-*Quantity of product in prepackages*.

2 Terms and definitions

2.1 Label

Any written, printed, or graphic matter affixed to, applied to, attached to, blown into, formed or molded into, embossed on, appearing upon, included in, belonging to, or accompanying a package containing any product for purposes of branding, identifying, or giving any information with respect to the product or to the contents of the package.

2.2 Medium

A fluid that is put in the prepackage together with the product, either separated from, in or surrounding the product, and that is intended to be left over after use of the product, except for items naturally in the product. A fluid includes:

- a) either liquid, semi-liquid or frozen liquids, or
- b) a gas or a mixture of gasses, whether under positive, negative or atmospheric pressure, or
- c) a combination of both a) and b).

Note 1: The term “use” would include consumption.

Note 2: A medium is sometimes also referred to as “liquid packing medium”.

Note 3: A medium can be separated from the product and other solid items that were put in the prepackage by measuring procedures in OIML R 87.

Note 4: A medium also includes:

- a) the liquid mediums as specified in Clause 4.3.3 of the CODEX STAN 1-1985 “Labelling of prepackaged foods” which covers foods on which the “drained weight” must be marked¹, and
- b) the ice-glaze as specified in CODEX standards on ice-glazed foods.

2.3 Misleading prepackage

Prepackage that is made, formed, presented, marked or filled in any way that may mislead a consumer about the quantity of product that it contains.

2.4 Net quantity

The quantity of the identified product in the prepackage exclusive of packing material (wrappers and any other material packed with such product).

Note: This term relates to specifications on a package and does not account for the actual quantity in an individual package. The procedures for determining whether an inspection lot meets regulatory requirements are provided in OIML R 87.

2.5 Nominal quantity

Quantity of product in a prepackage declared on the label.

Note: In some national legislation the nominal quantity of the product is referred to as “net quantity”, “net contents”, “net mass” or “net volume”.

2.6 Packing material

Everything of the prepackage that is intended to be left over after use of the product, except for items naturally in the product.

Note 1: The term “use” would include consumption.

Note 2: Packing material is generally used to contain, protect, handle (e.g. lollipop stick), deliver, preserve (e.g. ice or glazing), transport, inform about and serve as an aid (e.g. food serving tray) while using the product it contains.

Note 3: Packing material also includes: the container, ice (not naturally in the product e.g. glazing), solid items that were put in the prepackage together with the product such as wrappers, sticks of lollipops, wax around cheese, and a medium that was put in the prepackage together with the product and that is intended to be left over after use of the product.

Note 4: Packing material is sometimes referred to as individual package, tare, packaging, packaging material.

2.7 Prepackage

Single item for presentation as such to a consumer, consisting of a product and its packing material, made up before being offered for sale and in which the quantity of the product has a predetermined value, whether the packing material encloses the product completely or only partially, but in any case in such a way that the actual quantity of product cannot be altered without the packing material either being opened or undergoing a perceptible modification.

Note: For the purpose of this document prepackages include packages marked with a constant nominal quantity or random nominal quantities. The term “predetermined value” refers to the value determined prior to the prepackage being offered for sale.

¹ CODEX STAN 1-1985 Clause 4.3.3: “In addition to the declaration of net contents, a food packed in a liquid medium shall carry a declaration in the metric system of the drained weight of the food. For the purposes of this requirement, liquid medium means water, aqueous solutions of sugar and salt, fruit and vegetable juices in canned fruits and vegetables only, or vinegar, either singly or in combination.”

2.8 Principal display panel

The part of a package that is designed to be visible under normal conditions of display for sale.

Note: This is normally the main or front panel of the prepackage and there could be more than one.

2.9 Product

All of the prepackage that is not packing material.

Note 1: Product includes liquids or gasses that were put in the prepackage together with the product and that are not intended to be left over after use of the product (e.g. air in chocolate mousse).

Note 2: Product includes liquids or gasses that were not put in the prepackage with the product and that are intended to be left over after use of the product (e.g. liquid in mozzarella cheese, air in hair gel).

Note 3: Product includes liquids or gasses that were not put in the prepackage with the product and that are not intended to be left over after use of the product (e.g. curdling of yoghurt or honey).

3 Identity of the product

3.1 The prepackage shall bear the identity of the product on the principal display panel in one of the official languages of the country in which it is offered for sale.

Note: Some countries may require more than one official language.

3.2 The identity of the product shall be in such type size, font, colour, contrast with the background and so positioned as to make it conspicuous, easy to read and understand.

3.3 The identity of the product shall be in terms of at least one of the following designations in the order of the priority listed:

a) the name specified in or required by any applicable national law or regulation, or

b) if there are no legal requirements for the name, the common or usual name by which the product is known, or

c) if the name is not commonly known, the generic name or any other appropriately descriptive term such as a statement of function.

4 Name and address

4.1 The name and complete physical address of the manufacturer, packer, distributor, importer, exporter or vendor responsible for the prepackage shall be declared on any surface in such type size, font, colour, contrast with the background and so positioned as to make it conspicuous, easy to read and understand in one of the official languages of the country in which it is sold.

Note: Some countries may require more than one official language.

4.2 When the product is not manufactured or packaged by the person who takes responsibility for the product, the name may be qualified by a phrase that reveals the connection such person has with the product, e.g.: "manufactured for...", "imported by...", or "packed for..." and the person responsible for supplying the name and address of the packer to a regulator requiring this information for official purposes.

4.3 The name and address of the manufacturer or packer may be indicated as a code if permitted by national regulations.

5 Quantity declarations

5.1 A prepackage shall bear a declaration of the nominal quantity of the product on the principal display panel.

Note: Annex C gives suggested methods of applying quantity declarations where it may not be appropriate or sufficient to declare the total quantity of the product.

5.2 If required to comply with the requirements of CODEX STAN 1-1985 the total mass of the contents of a prepackage containing a food product packed in a liquid medium shall also be declared on the prepackage provided that the nominal mass of the solid content is supplemented with the words “drained weight”.

Note 1: CODEX Standards concern foodstuffs and, when these foodstuffs are packed in a liquid medium, “food” is considered as the total of the solids as well as the liquid medium, as defined in CODEX STAN 1 – 1985. The quantity of ‘product’ is equivalent to:

- a) the “drained weight of the food”, for food packed in a liquid medium as specified in Clause 4.3.3 of the CODEX STAN 1-1985 “Labelling of prepackaged foods” which covers foods on which the drained weight must be marked, and
- b) the “net contents of the food ... exclusive of the glaze” as specified in CODEX standards on ice-glazed foods.

Note 2: OIML R 87 provides information on test procedures for determining the “drained weight”.

5.3 Prepackages not intended for sale, for example free samples or sachets of condiments provided with food or drink or free toiletries provided by accommodation establishments, need not bear a quantity declaration. If a product intended as a free sample bears a declaration of its quantity it shall comply with the requirements for prepackages.

5.4 The nominal quantity shall:

a) be expressed in terms of the largest whole unit of mass, volume, length, area, or a combination of these units in the decimal system in accordance with Annex A;

Note: Length includes all linear measurements such as width, height, thickness and diameter.

b) not have more than three significant figures irrespective of where a decimal indicator is placed, provided that the declaration complies with Table A.2 and unless the requirements of 5.4 c) apply, for example 5.55 kg and not 5.555 kg;

c) where indicated by means of a label printed by a measuring instrument the rule in 5.4 b) does not apply and the quantity declaration may be less than a whole number, for example 0.988 kg; and

d) when in terms of count, be expressed in whole numbers.

5.5 The quantity declaration shall generally be expressed as follows:

Note: See also Table A.2 for a choice of units.

a) volume, if the product is liquid;

b) mass if the product is a solid, a gas or a liquefied gas;

c) mass, volume or both mass and volume, if the product is semi-solid or viscous;

d) quantities based firmly on established general consumer usage and trade custom, if such quantities provide accurate and adequate information to the purchaser. For example, the declaration of contents of a liquid by mass, or of a solid, semi-solid, or viscous product by volume, or numerical count, may be used;

e) quantity declarations in terms of count shall be clearly identifiable as the quantity declaration;

Note: To clearly identify the quantity declaration the following could be used: “50 matches”; “20 cigarettes”; “3 pieces”.

f) for all measurement units excluding mass and products sold by number, the quantity of the product shall be expressed at the standard reference temperature of 20 °C. However, the quantity of frozen products shall be the quantity at the temperature required or specified by the manufacturer to maintain their composition or consistency in which they are normally used. Normally, the reference temperature would not appear on the label; or

g) mass or volume according to national requirements, if in the form of an aerosol provided that if expelled with the product, the propellant in aerosol containers is included as part of the product.

5.6 Presentation of information

5.6.1 Quantity declarations shall appear in easily legible boldface type or print that:

- a) contrasts conspicuously with the background and with other information on a package, and
- b) are so positioned on the principal display panel as to make them conspicuous and easy to read and understand.

Note 1: Annex B gives examples of possible legislative requirements to determine minimum heights to be used in quantity declarations to ensure legibility.

Note 2: Where the quantity declaration appears on a stick-on label printed by a measuring instrument legal for use in trade, the height of the indication should be that approved at the time of type approval of the instrument.

Note 3: In cases where more than one quantity declaration appears on a prepackage each quantity declaration should comply with relevant requirements in the country concerned.

5.6.2 When the quantity declaration is blown, embossed or molded on the surface of the package, then all other required label information shall be provided elsewhere on the surface or on a label so as to be conspicuous and easy to read and understand.

6 Misleading practices

6.1 General

The label on a prepackage shall not contain any information or ambiguous statements likely to mislead a purchaser. This includes the ambiguous expressions prohibited in Annex A, clause A.1.3.

6.2 Fill level

Prepackages shall be filled in such a manner that a purchaser may not reasonably be misled with respect to the quantity of the product it contains, taking into consideration any recognized and accepted production practices that may be necessary for the manufacturer or packer.

Note: See OIML R 87 for cases where slack fill is acceptable.

6.3 Design and display of packing material

Prepackages shall be manufactured, constructed or displayed in such a manner to reasonably prevent a purchaser from being misled with respect to the quantity or identity of product contained therein. A prepackage shall not have a false bottom, sidewalls, lid or covering, or be otherwise so constructed or filled, wholly or partially that may deceive the purchaser. Concave bottoms may be justified for safety reasons.

6.4 Duplication of information

If a prepackage has more than one principal display panel the product identity and the quantity declaration shall appear on each principal display panel in accordance with the requirements of this Recommendation.

6.5 Additional or free quantities

Any free/ extra quantity must be additional to the nominal quantity, unless the packer makes it clear that the free quantity is included in the nominal quantity.

ANNEX A

UNITS OF MEASUREMENT AND SYMBOLS

(Mandatory)

A.1 Units of measurement shall be expressed in either words or symbols. Table A.1 provides the unit and the appropriate symbol for measurements.

Table A.1 - Units of measurement

Unit	Symbol ^(a)
milligram	mg
gram	g
kilogram	kg
tonne	t
millilitre	mL or ml
centilitre	cL or cl
litre ^(b)	L or l
micrometre	µm
millimetre	mm
centimetre	cm
decimetre	dm
metre	m
square millimetre	mm ²
square centimetre	cm ²
square metre	m ²
cubic centimetre	cm ³
cubic decimetre	dm ³
cubic metre	m ³
^(a) Neither a period nor the letter “s” should be used after any of the symbols. ^(b) The alternative symbol for the litre, L, was adopted by the General Conference of Weights and Measures (CGPM) in order to avoid the risk of confusion of the letter l and the number 1.	

A.1.1 A single space shall be used to separate the number from the unit of measurement.

A.1.2 Appropriate phrases such as “content”, “contents”, “quantity”, “mass”, “weight”, “net”, “net mass”, “net weight”, “net contents” or “net quantity” may be used in connection with the quantity declaration. Such phrases may appear either before or after the quantity declaration. The words “drained” or “drained weight” shall only be used as contemplated in clause 5.2.

A.1.3 Ambiguous expressions such as “approximately” or “standard” or “when packed” shall not be used as part of the quantity declaration.

A.1.4 The unit used depends on the type of measurement and nominal quantity of product. Table A.2 indicates the correct unit to use for a variety of measures and quantities (see 5.4).

Table A.2 Choice of units

Type of measurement	Quantity of product (q)	Units
volume ^(a) (liquids)	$q < 1000 \text{ mL}$	mL (ml) or cL (cl)
	$1000 \text{ mL} \leq q$	L (l)
volume - cubic (solids)	$q \leq 1000 \text{ cm}^3$ (1 dm^3)	cm^3 , mL (ml)
	$1 \text{ dm}^3 < q < 1000 \text{ dm}^3$	dm^3 , L (l)
	$1000 \text{ dm}^3 \leq q$	m^3
mass ^(b)	$q < 1 \text{ g}$	mg
	$1 \text{ g} \leq q < 1000 \text{ g}$	g
	$1000 \text{ g} \leq q$	kg
length ^(c)	$q < 1 \text{ mm}$	μm or mm
	$1 \text{ mm} \leq q < 100 \text{ cm}$	mm or cm
	$100 \text{ cm} \leq q$	m
Area ^(a)	$q < 100 \text{ cm}^2$ (1 dm^2)	mm^2 or cm^2
	$1 \text{ dm}^2 \leq q < 100 \text{ dm}^2$ (1 m^2)	dm^2
	$1 \text{ m}^2 \leq q$	m^2

^(a) See 5.5 a), c) and f)

^(b) See 5.5 b), c) and g)

^(c) See 5.5 f)

ANNEX B

**TYPE SIZE OF LETTERS AND NUMERALS FOR QUANTITY DECLARATIONS ON
PREPACKAGES**

(Informative)

B.1 Various models are used by different countries or trading blocks to prescribe the minimum type size for the lettering required for the quantity declaration on prepackaged products. This Annex gives examples of some of these requirements.

B.2 USA requirements for consumer prepackages

B.2.1 In the United States the minimum height requirements of numbers and letters in relation to the area of the principal display panel of the package is as shown in Table B.1. These requirements have been adopted by the National Conference on Weights and Measures and published in the National Institute of Standards and Technology Handbook 130, "Uniform Laws and Regulations".

B.2.2 Area of principal display panel of the package

The area (not including the tops, bottoms, flanges at tops and bottoms of cans, and shoulders and necks of bottles and jars) shall be determined as follows:

B.2.2.1 In the case of a rectangular package, where one entire side can properly be considered to be the principal display panel side, the product of the height $\times$ the width of that side.

B.2.2.2 In the case of a cylindrical or nearly cylindrical package, 40 % of the product of the height of the package $\times$ the circumference.

B.2.2.3 In the case of any other shaped package, 40 % of the total surface of the package, or an area considered to be a principal display panel of the package.

Table B.1 - Minimum height of numbers and letters

Area of principal display panel in square centimetres (A)	Minimum height of numbers and letters in millimetres	Minimum height: label information blown, formed or molded on surface of container in millimetres
$A \leq 32$	1.6	3.2
$32 < A \leq 161$	3.2	4.8
$161 < A \leq 645$	4.8	6.4
$645 < A \leq 2581$	6.4	7.9
$2581 < A$	12.7	14.3

B.3 European Union requirements

B.3.1 In the European Union the Council Directive 76/211/EEC prescribes the minimum type size in relation to the quantity declarations for products sold in units of mass or volume, as shown in Table B.2.

Table B.2 - Minimum height of numbers and letters

Nominal quantity (C)	Minimum height of numbers and letters in millimetres
$C \leq 50 \text{ g (or mL)}$	2
$50 \text{ g (or mL)} < C \leq 200 \text{ g (or mL)}$	3
$200 \text{ g (or mL)} < C \leq 1 \text{ kg (or L)}$	4
$1 \text{ kg (or L)} < C$	6

The type sizes for items sold by length, area or by number (pieces) are not harmonized and national laws are applicable.

B.3.2 Information which refers to name of the food, net quantity of the food, name and business name and address of the food business operator, country of origin, etc. should be labelled with characters using a font size where the x-height as defined in Annex IV of Regulation (EU) No. 1169/2011, is equal or greater than 1,2 mm.

B.4 Southern African Development Community (SADC) requirements

B.4.1 The requirements for the SADC Region are prescribed in the SADC Cooperation in Legal Metrology (SADC MEL) Document 1. These requirements are as given in B.4.2 to B.4.5.

B.4.2 For prepackaged products bearing a net quantity indication in units of mass, volume or volume in cubic measure, letters and numerals used in the net quantity indication shall have a minimum height as prescribed in Table B.3 except if Clause B.4.3 is applicable.

Table B.3 Minimum height of numbers and letters

Net contents (C)	Minimum height of numbers and letters in millimetres
$C \leq 50 \text{ g or mL}$	2
$50 \text{ g or mL} < C \leq 200 \text{ g or mL}$	3
$200 \text{ g or mL} < C \leq 1 \text{ kg or L}$	4
$1 \text{ kg or L} < C$	6

B.4.3 Where the net content appears on a stick on label printed by a measuring instrument approved for use in trade, the height of the indication shall be not less than or need exceed 2 mm irrespective of the quantity of the contents. If the label also bears a price description such description shall not exceed twice the height of the net quantity indication.

B.4.4 For prepackaged products bearing a net quantity indication in units other than those in B.4.2, the minimum height of the letters and numerals used in the net quantity indication shall be based on the longest dimension of the prepackage, either diameter, height, length or width, according to Table B.4, except if Clause B.4.5 applies.

Table B.4 Minimum height of numbers and letters

Maximum package dimension (D) in millimetres	Minimum height of numbers and letters in millimetres
$D \leq 200$	3
$200 < D \leq 300$	5
$300 < D \leq 500$	10
$500 < D$	20

B.4.5 Where the net content appears on a stick on label printed by a measuring instrument approved for use in trade the height of the indication shall be not less than or need exceed 2 mm irrespective of the size of the package. If the label also bears a price description such description shall not exceed twice the height of the net quantity indication.

B.5 (Other examples as submitted by TC 6 members)

[**Secretariat comment:** This will be deleted if no other countries or economies request requirements to be added]

ANNEX C

SUGGESTED METHODS OF INDICATING THE QUANTITY ON PREPACKAGES

(Informative)

C.1 Where declaring the total quantity is not appropriate or sufficient the following could be used as alternative quantity declarations.

C.1.1 Where the number of items in a prepackage and the quantity of each item can be adequately controlled then the number of items and the quantity of each item may be indicated as a supplementary quantity declaration [e.g. net mass 100 g (10 x 10g tea bags)].

C.1.2 Where a prepackage consists of two or more separate prepackages each marked in compliance with this document for individual sale and packed together in an outer package that is not intended to be removed before the goods are offered for sale, the quantity declaration marked on the outer package should state the number of packages contained in the outer prepackage and the quantity of each of those prepackages. However,

- a) the total quantity of all the packages in the outer prepackage may also be marked; and
- b) the quantity declaration required on the outer container should not be compulsory where the total number of individual prepackages can be clearly seen and easily counted from the outside and where the indication of the quantity contained in each individual prepackage can be clearly seen from the outside.

C.1.3 Where a prepackage consists of two or more individual prepackages on which the quantity is not marked for individual sale:

- a) the total quantity of all the individual prepackages should be declared on the outer container, or
- b) the product should be identified and the quantity declared for each individual prepackage in cases where the outer container contains products of different identities e.g. a hair dying kit containing two different types of paste or a paste and a liquid.