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Labelling requirements for prepackages



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FOREWORD

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INTRODUCTION

Prepackaged foods and beverages have been increasing in importance in global trade. By definition, a prepackage has the measurement of its contents predetermined 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.

This publication – reference OIML R 79, edition XXXX (E) – was developed by the OIML technical committee TC 6 *Prepackaged products*. It was sanctioned by the International Conference of Legal Metrology in XXXX and supersedes the previous edition dated 1996.

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 statement of quantity.

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 food products, whether compulsory or not, are also not covered by this Recommendation.

Note 2: The metrological requirements for quantity of products in prepackages are covered in OIML R 87-*Quantity of product in prepackages*.

Note 3: Exemptions from required information on prepackaged labels might exist on the basis of national practice and prepackers are advised to consult national legislation for specific requirements when exporting to other countries.

2 Terminology

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 Misleading prepackage

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

2.3 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.

2.4 Nominal quantity

Quantity declared on the label by the packer.

2.5 Prepackage

Combination of a product and the packing material in which it is prepacked.

Note: For the purpose document prepackages includes packages marked with a constant nominal quantity or random nominal quantities.

[Secretariat comment: This definition will need to be changed once finality is reached with the definition in OIML R 87.]

2.6 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.

Secretariat comment: The heading of the reinstated Annex B uses the words "Consumer prepackage".

Previously this was defined as: "A package that is customarily produced or distributed for sale to final purchasers through retail sales agencies or other means". The secretariat suggests that this definition be reinstated.

3 Identity of the product

3.1 The prepackage shall bear the identity of the product on the principal display panel.

3.2 The identity of the product shall be in such type size 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 other than a surface clearly intended as a base in such type size 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.

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..." 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 Nominal quantity

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

5.1.1 Where a prepackage consists of two or more prepackages with full quantity declarations for individual sale and each package is separately packed in its own package and all of the packages are packed together in an outer package that is not intended to be removed before the goods are offered for sale, then the statement of quantity marked on the outer package shall state the number of the packages contained in the outer package and the quantity of each of those packages, provided that:

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

5.1.2 Where a prepackage consists of two or more individual packages on which the quantity is not marked for individual sale, the quantity shall be given by indicating the total quantity of all the individual packages within the outer container.

Note: Where the number of pieces can be adequately controlled then the number of pieces may be indicated as a supplementary statement of quantity. Any supplementary statement of quantity should comply with all applicable requirements of OIML R 87.

5.1.3 When a product is packed in a medium which is not intended to be used, for the purposes of indicating the quantity of the product, the term “product” applies to the solid contents intended to be used, excluding the medium. In the case of foodstuffs packed in a liquid medium not intended to be consumed, it will be acceptable for a packer to mark the total quantity of the solid contents and liquid medium in addition to the required quantity of the solid contents, especially in cases where the liquid medium is intended to be wholly or partially be consumed with the product. This additional supplementary indication shall be clearly indicated as including the liquid medium.

Note 1: The mass of the solid content is sometimes referred to as “drained mass” or “drained weight”.

Note 2: OIML R 87 contains a list of liquid mediums, used to protect foodstuffs, which are considered as packing material. OIML R 87 also prescribes that if the total quantity, including the liquid medium, is marked then this marking must comply with the relevant metrological requirements (See CODEX STAN 1, Clause 4.3.3).

Note 3: Savoury sauces such as tomato sauce or gravy are intended to be consumed and are therefore regarded as part of the product and included in the quantity declaration.

Note 4: The terms “drained mass” and “drained weight” should not be confused with the CODEX requirement for marking the “net content” which means the sum of the mass of the product and the medium (See CODEX STAN 1, Clause 4.3.3).

5.2 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 indication.

5.3 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;
- (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, 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 5.3 (b) does not apply and the nominal quantity may be less than a whole number, for example 0,988 kg.

5.4 The quantity statement shall generally be expressed as follows:

- (a) volume, if the product is liquid;
- (b) mass if the product is a solid, a gas or a liquefied gas;
- (c) mass or 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) statements of a quantity in terms of count shall be expressed in whole numbers and shall be clearly identifiable as the quantity statement;

Note: To clearly identify the quantity statement 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

Note: Some national legislation may specify another standard reference temperature or several standard reference temperatures.

(g) mass 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.

5.5 Presentation of information

5.5.1 Quantity statements shall appear in easily legible boldface type or print that contrasts conspicuously with the background and with other information on a package.

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

Note 2: Where the net content 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 instruments.

5.5.2 When the quantity indication is blown, embossed or molded on the surface of the package, then all other required label information shall be provided conspicuously elsewhere on the surface or on a label.

6 Misleading practices

6.1 General

The label on a prepackage shall not contain any information or ambiguous statements likely to mislead a purchaser.

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 consumer. 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 statement shall appear on each principal display panel in accordance with the requirements of this Recommendation.

6.5 Additional or free quantities

Prepackages that contain advertorial text to the effect that an additional or free quantity is included must be marked with the nominal quantity inclusive of the additional 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
litre ^(b)	L or l
centilitre	cl or cL
millilitre	mL or ml
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 "net", "net mass", "net contents" or "net quantity" may be used in connection with the quantity declaration. Such phrases may appear either before or after the nominal quantity declaration. In the case of products packed in a liquid medium not intended to be used (see clause 5.1.3) the words "net", "net mass", "net contents" or "net quantity" shall be used only in relation to the mass without the liquid medium .

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

A.1.4 The unit used depends on the type of measure and net quantity of product. Table A.2 indicates the correct unit to use for a variety of measures and quantities.

Table A.2 Choice of units

Type of measure	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 ^(a)	$q < 1 \text{ mm}$	μm or mm
	$1 \text{ mm} \leq q < 100 \text{ cm}$	mm or cm
	$100 \text{ cm} \leq q$	m
area	$q < 100 \text{ cm}^2$ (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 5.4 (e)

^(b) See 5.4 (b)

ANNEX B**TYPE SIZE OF LETTERS AND NUMERALS FOR STATEMENTS OF NET QUANTITY ON CONSUMER PACKAGES****(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 indication on prepackaged products. This Annex gives examples of some of these requirements.

B.2 USA requirements

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", 1996.

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 principle 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

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

Table B.2 - Minimum height of numbers and letters

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

B.4 (Other examples as submitted by TC 6 members).

