

Package Label Requirements

Information that must be on Product Labels

Chris Guay

Regulatory Fellow

Procter & Gamble Company

Background

- **P&G for 26 years**
- **Involved in W&Ms since 1989**
- **CWMA Executive Committee 2004-**
- **CWMA L&R Committee 1998-2004**
- **NCWM L&R Committee 1998-2004**
- **NCWM Board of Directors 2004-2008**
- **OIML US Delegation for R79 and R87**
- **OWMA Executive Committee 1998-**

Disclaimers

Here....On Behalf of CWMA & P&G

But...Comments are mine

**And...My views do not necessarily
reflect views of regulators or even
“industry” in general**

What is

**Weights
&
Measures?**



What is Weights and Measures???

MY ANSWER:

A Critical Marketplace Function!!!

That needs your full attention!

What is Weights and Measures???

- **It is ensuring a fair marketplace for consumers**
- **It is ensuring a fair marketplace for business**
- **It is ensuring a fair marketplace between businesses**

That needs your full attention!

What is Weights and Measures???

- **It is more than checking gas pumps**
- **It is more than checking scales**
- **It is more than checking scanners**
- **It is all about marketplace integrity**

That needs your full attention!

Foundation of all Packaging and Labeling Regulations

- Fair Packaging and Labeling Act (FPLA)
(15 U.S.C. 1451-1461)
 - The Food and Drug Administration (FDA - Food, Drugs, Cosmetics, Medical Devices)
 - The Federal Trade Commission (FTC – Non-FDA consumer products) See 16 C.F.R. 503.2(b) for the products they believe fall under their jurisdiction (also in back of NIST HB 130).
- Avoid the pitfall of thinking any product is exempt from labeling.

Principal Package Requirements

Provide consumers information that informs them of the:

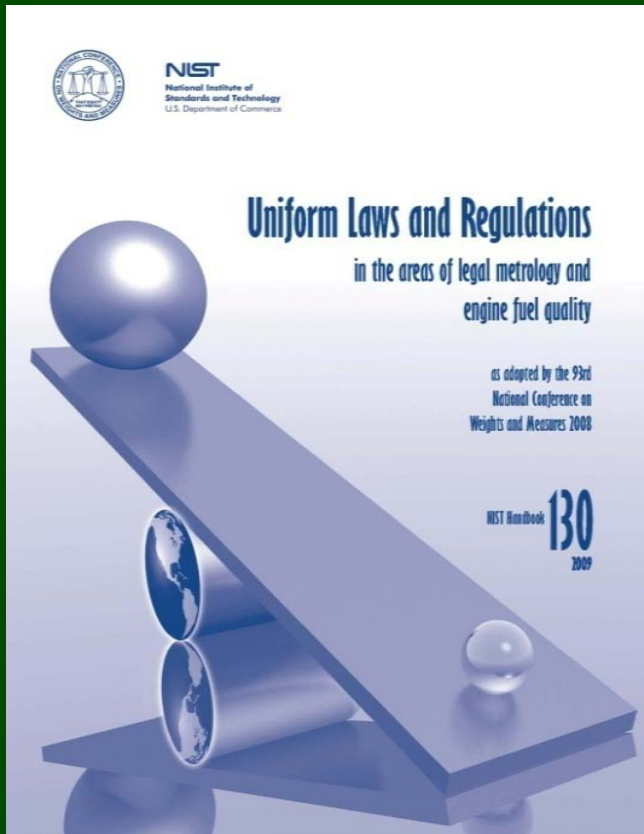
- Intity...what they are buying
- Responsibility...who is the responsible party
- Quantity...how much they are buying

The “IRQ” information

- facilitates **value comparison** (best value wins!)
- ensures **equity** and **fair competition**

NIST Handbook 130

"Uniform Laws and Regulations in the Areas of Legal Metrology and Engine Fuels"



Packaging and Labeling
Requirements

Method of Sale of
Commodities

Engine Fuel Regulation

Uniform Packaging and Labeling Regulation

- ◎ A **model regulation** based on FPLA.
 - When adopted by a state it controls labeling on all packages including those outside the scope of the FPLA.

Developed by the NCWM (industry members working with regulatory officials).

- ◎ Published in NIST Handbook 130 at:
 - <http://www.nist.gov/owm>

Placement of Information

- ◎ The Identity and Quantity must appear on the Principal Display Panel (PDP) which is that part of a label designed to most likely be displayed, presented, shown, or examined under normal and customary conditions of display and purchase.
- ◎ Quantity must appear in the lower 30% of the PDP.
- ◎ Must be "generally" parallel to the base of the package (e.g., 21%).



Declaration
of Identity

Declaration of Quantity
in lower 30% of
Principal Display Panel

Declaration of Identity

- ◉ Shall be an Accurate name specified by any Federal or State regulation; or the common or usual name; or the generic name or appropriate description.
- ◉ Sometimes measurements are part of the identity (e.g., when dimensions are crucial to purchaser).

Declaration of Identity

- ◎ Beads



- ◎ Material

- ◎ Dimensions (11 mm, 13 x 5 mm)

- ◎ Number and Size of Holes

- ◎ \$.50, \$3.99, \$13.99 & \$1267 lb

Identity/Location



Location of Quantity



Identity

Responsibility/Placement

- ◉ Declaration of responsibility may appear anywhere on the package.
 - It may be the manufacturer, distributor or retailer.
 - It must include address,* city, state and zip code.
- ◉ May include telephone, email or URL
 - But telephone, URL, or email alone is NOT permitted.

*The street address may be omitted if it is listed in a current city or telephone directory

Declaration of Quantity

- ◎ FPLA products must be in metric and inch/pound units. Non FPLA products may be metric only.

453 g (1 lb)

3 fl oz (100 mL)

1 square meter (10.76 sq ft)

- ◎ Free area. Prominent and conspicuous.
- ◎ Contrasting colors (500 g) not (500 g)

Prominence and Placement

- ◎ All information must be in English
 - other languages permitted.
- ◎ The declaration of quantity shall be proportional in size and meet minimum height requirements.
- ◎ The type size is based on the area of the PDP.

◎ The minimum type is 1/16 inch.

Minimum Height of Numbers and Letters in Printed Labels

Area of Principal Display Panel	Minimum Height
$\leq 5 \text{ in}^2$ (32 cm^2)	1/16 inch (1.6 mm)
$> 5 \text{ in}^2$ (32 cm^2) and $\leq 25 \text{ in}^2$ (161 cm^2)	1/8 inch (3.2 mm)
$> 25 \text{ in}^2$ (161 cm^2) and $\leq 100 \text{ in}^2$ (645 cm^2)	3/16 inch (4.8 mm)
$> 100 \text{ in}^2$ (645 cm^2) and $\leq 400 \text{ in}^2$ (2581 cm^2)	1/4 inch (6.4 mm)
$> 400 \text{ in}^2$ (2581 cm^2)	1/2 inch (12.7 mm)

Missing Quantity Declarations



Other Requirements

- A quantity declaration may:
 - stand alone or include the terms “net weight,” “net mass,” “net quantity,” or “net.”
 - be supplemented by one or more additional declarations of weight, measure, or count, but they must appear somewhere other than on the principal display panel.
- A quantity declaration shall not include words or phrases that qualify the quantity (e.g., approx, about, not-less-than, when-packed etc.).
- Sales by "Net Weight" not "Gross Weight"

Massive Microfiber
DRYING TOWEL

Over **6** sq.ft.



OVER 36 PCS

GENUINE PRESERVED

Ready to use

Easy to hook



MEAL WORMS

GREAT FOR PANFISH, TROUT AND ICE FISHING!

RESEALABLE BAG

Conversions

- Conversions, the proper use of significant digits, and rounding must be based on the packers knowledge of the accuracy of the original measurement.

Net Wt. 16 oz (453.59237 g)

- Converted quantities may be rounded up or down.

WARNING

Official verification will be against the largest quantity declared on the label.

RINSES COMPLETELY, LEAVES NOTHING IN YOUR CLOTHING, ABSOLUTELY NO RESIDUE, NO UV GLOW, NO ENZYMES, NO ODORS TO ALERT GAME OR INTERFERE WITH WICKING, BREATHABILITY, WATER REPELLENCY OR INSULATION. USE ON WOOL, DOWN, GORE-TEX[®] FABRIC, COTTON, SILK CARBON SUITS AND ALL SYNTHETICS.

HIGH TECH FABRICS LOOK & WORK LIKE NEW
NET 18 fl.oz (1 liter) 18 WASH LOADS

**NO GLOW
NO SCENT**



Net Wt. 18.33 fl. oz.
Made in U.S.A.
Atsko, Inc.
100 Russell St.
Greenville, SC 29115
Phone (803) 531-1820
www.atsko.com

1 L is equal to 33.3 fl. oz. so this package may be 15.3 fl. oz short!!!

Tire Sealer



Correct use of abbreviations for inch-pound units and symbols for the metric units is very important. The packer should have stated 710 mL for 710 milliliters. The error? (The uppercase M means million)

This error says the bottle contains 710 million liters (187 million gallons) when in fact it only contains about 0.7 L or less than 1 quart of liquid.

Pointers

- ◎ Full disclosure/detailed Label information is best approach.
 - **Transparent packaging materials and pictures are no substitute for required declarations.**
- ◎ The easier it is for consumers and officials to contact manufacturers, the quicker problems can be avoided or resolved.
- ◎ Evaluate labels from competitive products to ensure correct info and consumer comparisons.
- ◎ Recognize the benefits and risks of multiple quantity declarations.
- ◎ Use correct symbols and abbreviations: " is not the symbol for inches (12") only 12 in or 12 inches are accepted.
 - **"M" is not the symbol for milliliters ML = Megaliters**
 - **"l" is not the symbol for liters**

Method of Sale of Commodities

This is in the Uniform Packaging and Labeling Regulation

- ◎ 6.4. Terms: Weight, Liquid Measure, Dry Measure, or Count. - The declaration of the quantity of a particular commodity shall be expressed in terms of:
 - By weight** if the commodity is solid, semisolid, viscous, or a mixture of solid and liquid, or
 - By liquid measure** if the commodity is liquid, or dry measure if the commodity is dry, or numerical count.
- ◎ However, if there exists a firmly established general consumer usage and trade custom with respect to the terms used in expressing a declaration of quantity of a particular commodity, such a declaration of quantity may be expressed in its traditional terms, provided it gives accurate and adequate information as to the quantity of the commodity.
- ◎ **ANY NET CONTENT STATEMENT THAT DOES NOT PERMIT PRICE AND QUANTITY COMPARISONS IS FORBIDDEN.**

Know the Marketplace

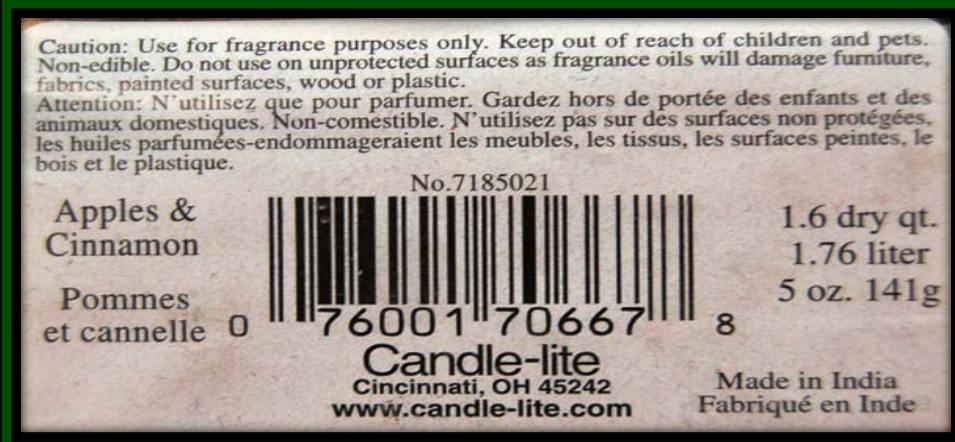
How should the product be labeled?

Area? Volume? Length? Count? Thickness?

Which products are exempt from Metric declarations?

- Random Weight Packages
- Foods Packaged at the Retail Store Level
- Products subject to the Federal Meat and Poultry Products Inspection Acts
- Tobacco products
- Beverages subject to Federal Alcohol Administration Act

Which products have “non-standard” declarations?



Method of Sale of Commodities

2.26. Potpourri. - Potpourri shall be sold as follows:

(a) Potpourri packaged in advance of sale shall be sold by weight, except when sold in a decorative container or sachet, which may be sold by count.

(b) Potpourri sold from bulk shall be sold by weight or by dry volume.
(1992)

And some products we simply do not know --- Yet!!

◎ Pelletized Ice Cream

- Method of Sale
Net Wt or Volume

- Test Procedure

- FDA is
considering



Thank You!

¿Questions?