



CONNECTICUT DEPARTMENT OF  
**CONSUMER PROTECTION**

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*Securing a Safe & Fair Marketplace.*

**Packaging & Labeling  
Inspection for  
Food & Weights & Measures**

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**Frank Greene**

# Agenda

- Classroom lecture & discussions
- Laws and regulation on packaging and labeling and the Method of Sale of Commodities Regulation (MOSR) in NIST HB 130.
- The requirements for Consumer Packages with emphasis on FDA requirements under the USFD&C along with application to CT's Uniform Food and Drug Act.



# Today's Goals

- Packaging and the required label elements of a package
- Location and format of those elements
- General knowledge of relevant laws and regulations
- General knowledge about method of sale



# Order of Presentation

- History
- Packages and Packaging Systems
- Common label elements
  - Declaration of Identity
  - Declaration of Net Quantity of Contents
  - Declaration of Ingredients
  - Declaration of Responsibility
- Principal Display Panel (PDP) and Information Panels & Conversions
- Specific Commodities - Examples
- Method of Sale of Commodities
- Other Information as time permits, Non-Consumer Packages, NIST HB 133, Interpretations and Guidelines including FDA/USDA, Law Label, Garment Labels





# History - Asise of bread and ale

- One of the first “labeling/disclosure laws
- Enacted in 13th Century that dictated the weight and cost of bread and ale
- Need for regulations controlling quality and pricing, and checking weights, to avoid fraudulent activity by food providers.
- One of the first food laws adopted by Connecticut



Metric System legalized 1866

Pure Food and Drug Act 1906

Federal Meat Inspection Act 1906

Food Drug and Cosmetic Act 1938

Fair Packaging and Labeling Act 1966  
1974

Metric Conversion Act of 1975

Rath Supreme Court Decision 1977

Metric Conversion Act Revisions of 1988

Nutritional Labeling and Education Act 1990  
1991

Fair Packaging and Labeling Act –  
Metric Amendment 1992

FTC Final Regulations following FPLA  
Amendment go into effect - 1994

NCWM Metric Only UPLR - 1999

FDA publishes but later withdraws its proposed  
regulations on net contents and metric  
labeling – 1997 to 2000

USDA adopts NIST HB 44 & HB 133 – 1990s  
to 2008

Instructors - NIST Packaging & Labeling  
School - 2009

Three - Inspector - NIST Packaging &  
Labeling Schools - 2010

## Packaging and Labeling, Metric, & Net Contents - 1866 to 2010

Changing viewpoints, loss of institutional memory, preemption, confusion, & the press of other priorities

Metric System legalized 1866

Pure Food and Drug Act 1906

Federal Meat Inspection Act 1907

Food Drug and Cosmetic Act 1938

Fair Packaging and Labeling Act 1966

Metric Conversion Act of 1975

Rath Supreme Court Decision 1977

Metric Conversion Act Revisions of 1988

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Fair Packaging and Labeling Act – Metric Amendment 1992

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regulations on net contents and metric labeling  
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# Packaging

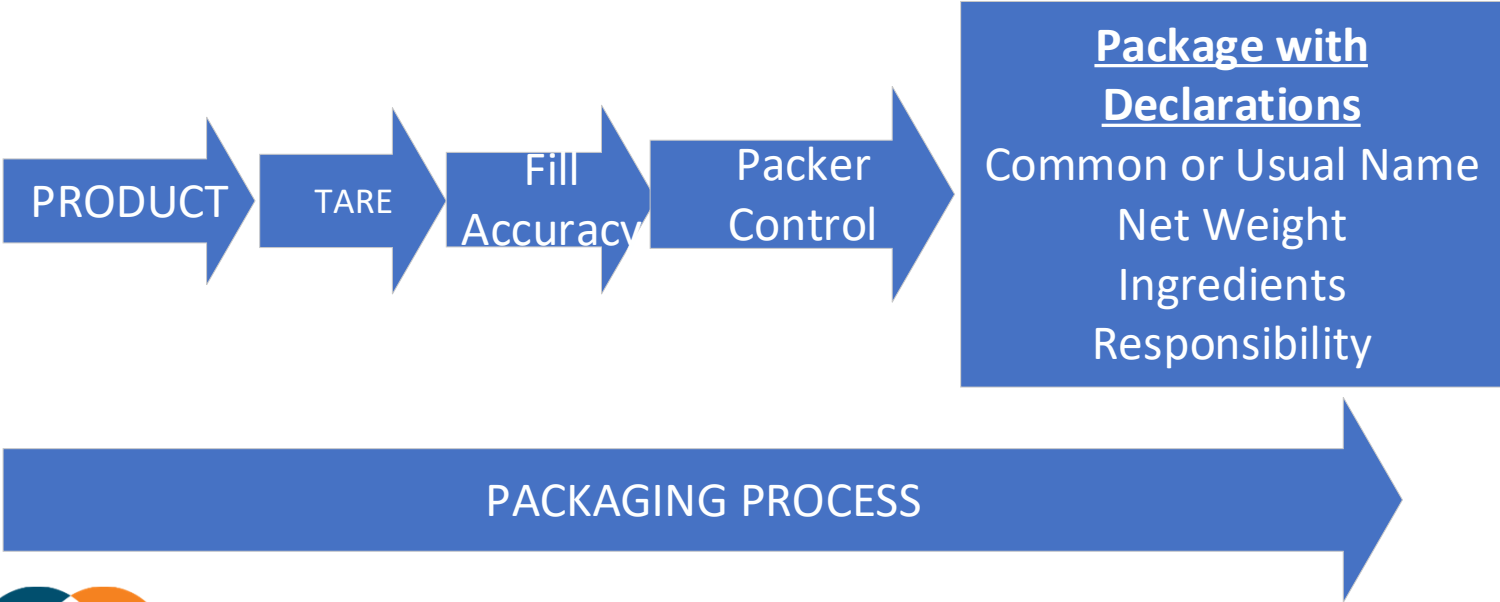


# Food Grade Packaging and the Process of Packaging

- A food grade container is one that will not transfer noxious or toxic substances to the food.
- Contact the manufacturer if you have questions -
  - Is it safe for food use – e.g., FDA approved
  - Suitable for the characteristics of the food you are storing; wet, dry, acidic or alkaline, salt, high fat content...
  - Appropriate – other issues, e.g., BPA
- Protect contents from the environment - moisture, oxygen, heat or cold, light, insects, rodents
- Prevent damage during handling, e.g., fragile products - chips
- Establish and/or maintain microbiological stability.
- Withstand the temperatures and pressures it will be exposed to.



# Illustration of a Simple Packaging System



# Illustration of a Simple Packaging System



Package with  
Declarations  
Common  
Net Weight  
Ingredients  
Responsibility

Intent – Fill Policy  
over fill, moisture loss

Economics

Weighing/Measuring  
System

Labeling

Feedback

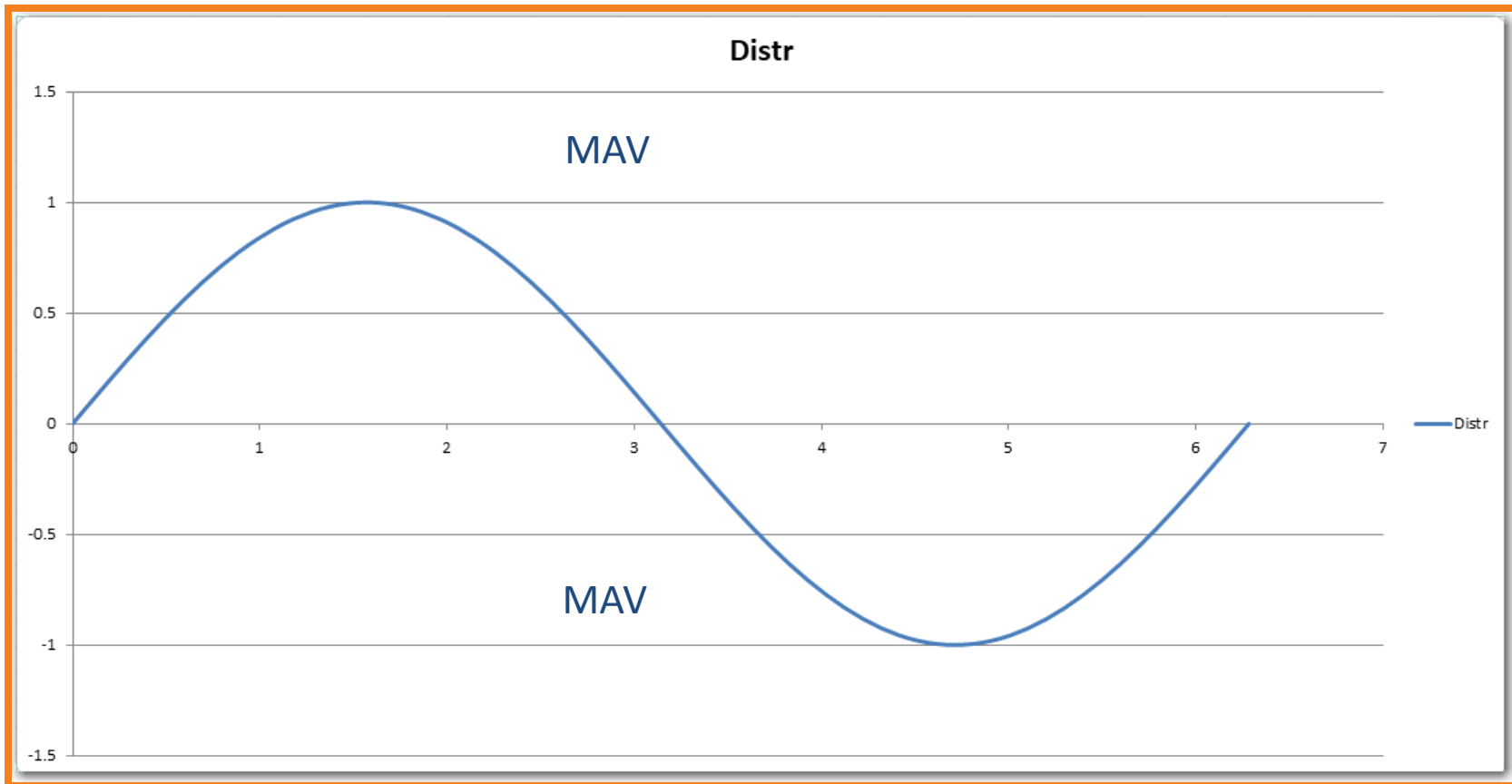
Training

Data – QA/QC

Supervision, checks  
and balances



# Package Weighing Distribution Example



- Packages should follow a distribution around zero

# Packaging Cost Point

- High End Chocolates

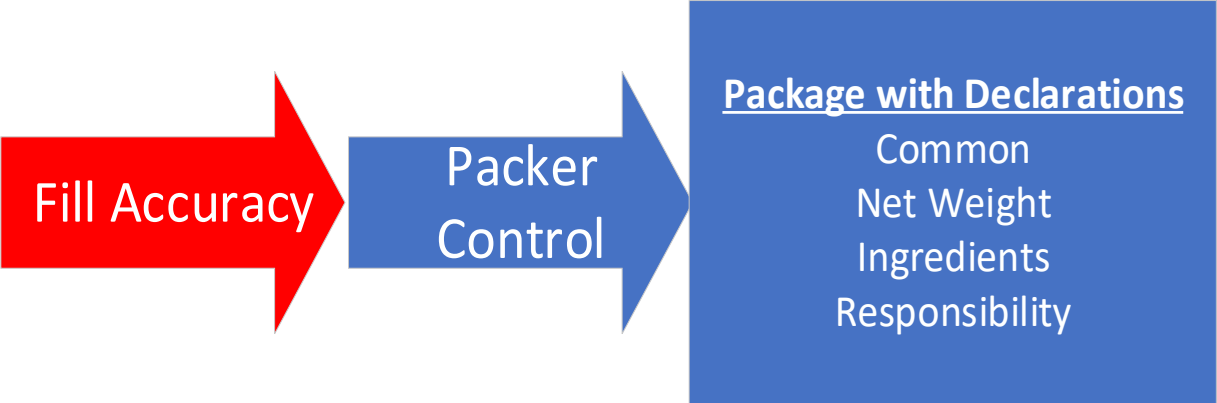


- Mid to Low End Chocolates





# Illustration of a Simple Packaging System



Device Suitability

Accuracy and Maintenance

Traceability

Static/Dynamic Weighing

Tolerances

Rounding

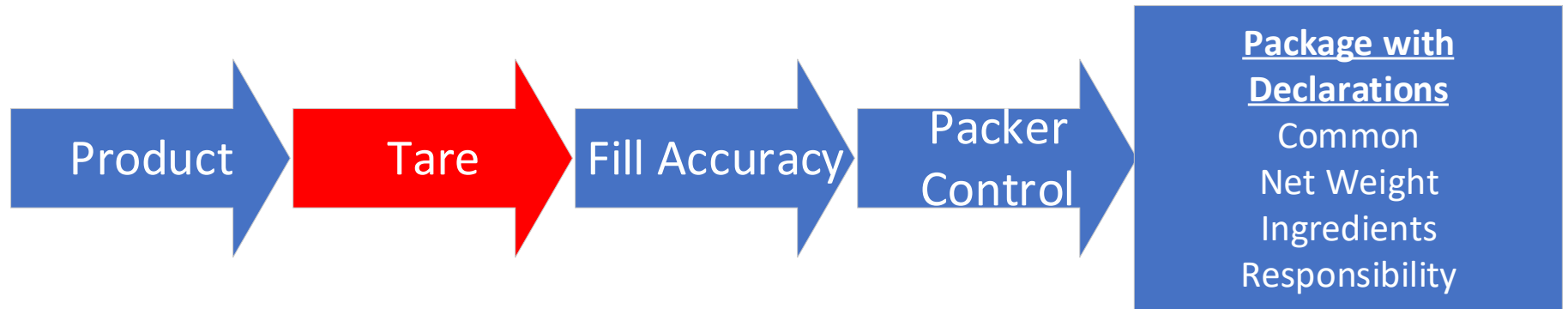
Shift

Repeatability

Sensitivity Drift



# Illustration of a Simple Packaging System



Variations in wrapping

Unused or used dry tare

Soakers

Label size and # of labels

% Tare (glaze or individually wrapped)

Store or supplier determinations

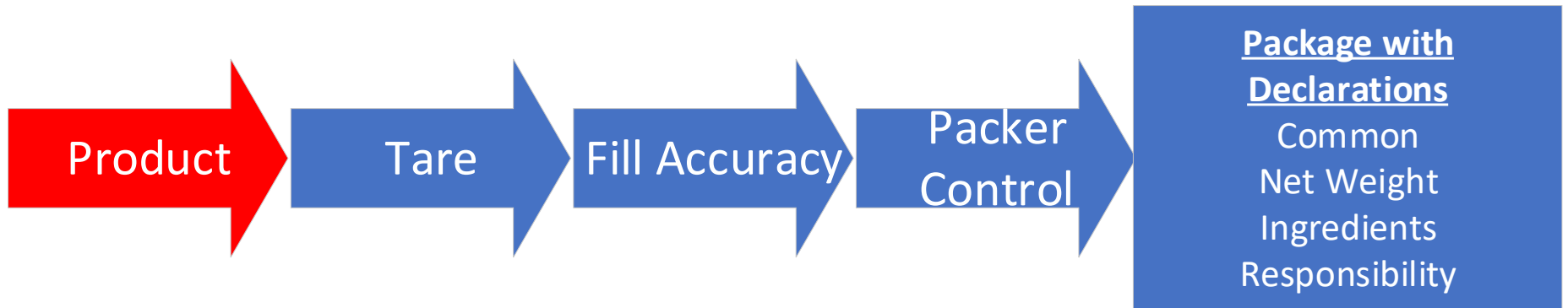
Sample size/minimum load

Supplier specs/changes

Material density/adhesives



## Illustration of a Simple Packaging System



Density/volume

Distribution

Moisture content

Environment

Shelf life

Handling

# Laws and Regulations



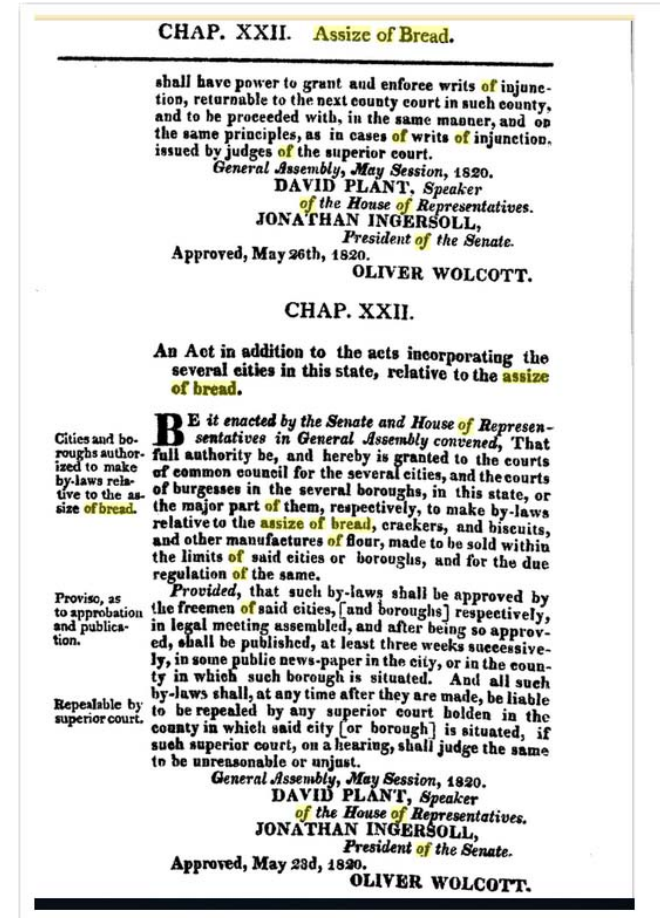
# Takeaway Point

- All labels have to have on the Principle Display Panel:
  - Common or usual name
  - Declaration of quantity by weight, volume or count
- Information Panel
  - Declaration of ingredients by order of predominance by weight
  - Declaration of responsibility with name and address



# Purpose of Packaging and Labeling Laws

- Promote accurate and honest declarations about the product
- Ensure packages and their labels facilitate value comparisons and are not false or misleading.
- Enable consumers to make informed purchasing decisions that contribute to the efficient functioning of a market economy



# Purpose of Package and Labeling Inspections

- Anti-fraud - Protect Consumers and businesses in the marketplace by discouraging duplicitous practices - intentional, accidental or through ignorance or apathy
- Promoting fair competition, prevents loss of confidence in business, by providing a “level playing field” in the marketplace



# Modern Laws

- Fair Packaging and Labeling Act of 1967
- Uniform Weights and Measures Model Law, NIST HB 130 Uniform Packaging and Labeling Regulation (UPLR) (model regulation adopted by CT through Sec. 43-3b. Method of packaging and labeling.)
- Food Drug and Cosmetic Act (FD & C)
- Adopted by CT under the Connecticut Uniform Food, Drug and Cosmetic Acts
- Alcohol Administration Act
- Federal Seed Act





# Laws that Control Packaging and Labeling

- FD&C Act and Amendments, NLEA, Shell Egg Labeling, FALCPA
- Meat & Poultry Inspection Acts
- Federal Insecticide, Fungicide and Rodenticide Act
- The Egg Products Inspection Act
- Federal Trade Commission Act – Controls advertising of food sold between states
- The Federal Tariff Act – Country of Origin in English
- Organic
- COOL



## Other Packaging and Labeling Laws

- Country of Origin (COOL - USDA, CBP & FDA)
- Serving Sizes (NLEA - FDA)
- Nutritional Information (NLEA - FDA)
- Health, allergy, ingredients (FALCPA - FDA) (NIST HB130)
- Made in U.S.A. labeling (FTC)
- Hazardous Substances Act (CPSC)
- California Proposition 65 (health hazards)
- “Law Label” - Bedding, Stuffed Toys & Upholstery (States)



# Other Packaging and Labeling Laws

- The Textile Fiber Products Identification Act, passed in 1960;
- The Wool Products Labeling Act, passed in 1939; and
- The Fur Products Labeling Act, passed in 1952
  
- Labels for textile products in the U.S. must meet general requirements for textile, apparel footwear and travel goods, which include clothing labeling - Fiber content of the clothing, Country of origin, Manufacturer/dealer identity, and Care instructions
  
- Federal Flammability for Mattresses and Mattress Pads and Law Labeling (States)



# Other Relevant Sources

- Department of Treasury (Treasury) - Federal Alcohol Administration Act provision 27 U.S.C., Chap 8, Subchapter I, 205 Labeling ( Regs at 27 CFR).
- Environmental Protection Agency (EPA) - Federal Insecticide, Fungicide, and Rodenticide Act - 7 U.S.C. 136 et seq. - (Regs. at 40 CFR 156.10 (d))
- Other Federal laws and rules but these are the primary controls

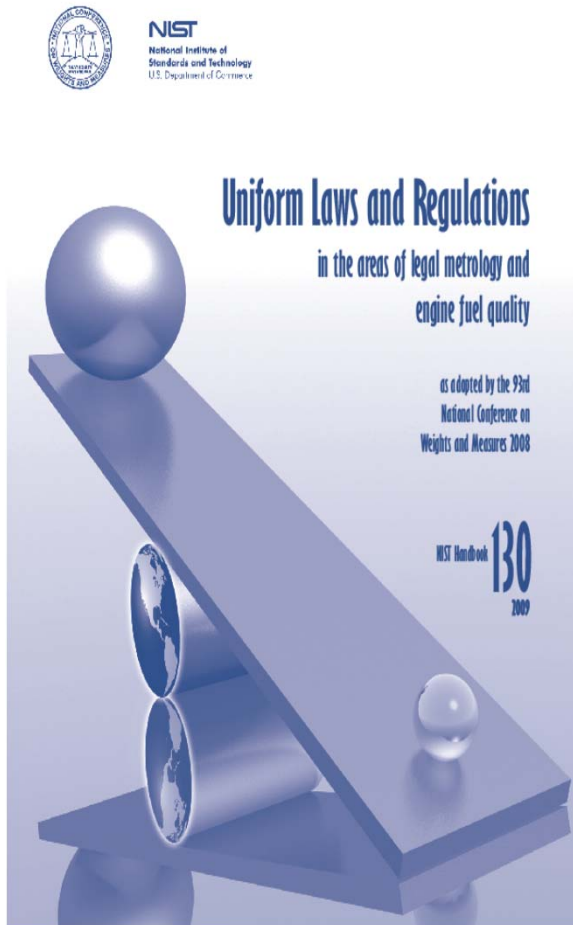


# FPLA and the UPLR (Universal Packaging and Labeling Regulation)

- Fair Packaging & Labeling Act (FPLA) (15 U.S.C. 1451-1461) - 1966 and regulations issued under its provisions
- The Federal Trade Commission (FTC) - Nonfood consumer products, 16 CFR. See 16 CFR 503.2(b) for the products under or not under FTC jurisdiction (also in NIST HB 130).
- The Food and Drug Administration (FDA) (Food, Drugs, Cosmetics, Devices), 21 CFR 101.105 for food, 200 & 300 for Drugs, 500 Animal Foods, 700 Cosmetics & 800 Medical Devices.
- Department of Agriculture (USDA) - Meat & Poultry Acts: 21 U.S.C. 601 et seq. for meat and 21 U.S.C. 451 et seq. for poultry, 9 CFR. "Food Standards Labeling and Policy Book," 2002



# NIST Handbook - 2019



## Uniformity of Laws

- Weights and Measures
- Weighmaster
- Engine Fuels and Automotive Lubricants Inspection

## Uniform Regulations

- Packaging and Labeling\*
- Method of Sale of Commodities\*
- Unit Pricing+
- Registration of Device Service Persons and Agencies.+
- Open Dating\*
- National Type Evaluation\*
- Engine Fuel and Lubricants+
- Price Verification\*+
- Interpretations and Guidelines

# Internet Resources

- FTC
- NIST
- FDA
- ATF
- STATES



# Uniform Packaging & Labeling Regulation



NIST  
National Institute of  
Standards and Technology  
U.S. Department of Commerce

## Uniform Laws and Regulations in the areas of legal metrology and engine fuel quality

as adopted by the 93rd  
National Conference on  
Weights and Measures 2008

NIST Handbook  
**130**  
2009

- NIST HB 130 -- 2011
- “In packaging and labeling enforcement it is usually the exemptions not the requirements that are most often overlooked or misunderstood”



# Section 1. Application

This regulation shall apply to packages, but shall not apply to:

- inner wrappings not intended to be individually sold to the customer;
- shipping containers or wrapping used solely for the transportation of any commodities in bulk or in quantity to manufacturers, packers, or processors, or to wholesale or retail distributors, but in no event shall this exclusion apply to packages of consumer or non-consumer commodities as defined herein;
- auxiliary containers or outer wrappings used to deliver packages of such commodities to retail customers if such containers or wrappings bear no printed matter pertaining to any particular commodity;
- containers used for retail tray pack displays when the container itself is not intended to be sold (e.g., the tray that is used to display individual envelopes of seasonings, gravies, etc., and the tray itself is not intended to be sold);
- open carriers and transparent wrappers or carriers for containers when the wrappers or carriers do not bear any written, printed, or graphic matter obscuring the label information required by this regulation; or
- packages intended for export to foreign countries.



## a. Inner Wrapper

- Does not apply to an inner wrapper not intended for individual sale to consumers.



## b. Shipping container or wrapping

- The UPLR does not apply to shipping containers and wrapping used in transportation.



## d. Tray Used for Retail Display

- The UPLR does not apply to a tray used for retail display of packages (other statutes and reg.s may apply)



# Other Exemptions from UPLR Requirements

- 11.6. Reusable (Returnable) Glass Containers. – Nothing in this Regulation shall be deemed to preclude the continued use of returnable glass containers, provided containers ordered after the effective date of this regulation shall conform to all its requirements.
- 11.8. Packaged Commodities with Labeling Requirements Specified in Federal Law. – Packages of meat and meat products, poultry products, tobacco and tobacco products, pesticides, and alcoholic beverages shall be exempt from those portions of these regulations specifying location and minimum type size of the net quantity declaration, provided quantity labeling requirements for such products are specified in federal law so as to follow reasonably sound principles of providing consumer information. (See also 11.32. SI Units, Exemptions - Consumer Commodities).
- 11.21. Prescription and Insulin Containing Drugs. – Prescription and insulin containing drugs subject to the provisions of 503(b) (1) or 506 of the Federal Food, Drug, and Cosmetic Act shall be exempt from the provisions of this regulation.



# Exemptions for packages 15 g - 1/2 oz or 15 mL- 1/2 fl oz or less and tobacco products IF shipping/display box meets the UPLR

- 11.2. Small Confections. – Individually wrapped pieces of “penny candy” and other confectionery of less than 15 g or 1/2 oz net weight per individual piece shall be exempt from the labeling requirements of this regulation when the container in which such confectionery is shipped is in conformance with the labeling requirements of this regulation. Similarly, when such confectionery items are sold in bags or boxes, such items shall be exempt from the labeling requirements of this regulation, including the required declaration of net quantity of contents, when the declaration of the bag or box meets the requirements of this regulation.





## Exemptions for packages 15 g - 1/2 oz or 15 mL- 1/2 fl oz or less and tobacco products IF shipping/display box meets the UPLR

- 11.3. Small Packages of Meat or Meat Products. – Individually wrapped and labeled packages of meat or meat products of less than 15 g or 1/2 oz net weight, which are in a shipping container, need not bear a statement of the net quantity of contents when the statement of the net quantity of contents on the shipping container is in conformance with the labeling requirements of this regulation



**Exemptions for packages 15 g - 1/2 oz or 15 mL- 1/2 fl oz or less and tobacco products IF shipping/display box meets the UPLR**

- 11.4. Individual Servings. – Individual serving size packages of foods containing less than 15 g or 1/2 oz or less than 15 mL or 1/2 fl oz for use in restaurants, institutions, and passenger carriers, and not intended for sale at retail, shall be exempt from the required declaration of net quantity of contents specified in this regulation







# 1.12. Ready-to-Eat Food

## 1.12.1. Definition

- Restaurant style food offered or exposed for sale, whether in restaurants, supermarkets, or similar food service establishments, that is ready for consumption, though not necessarily on the premises where sold. BUT, Ready-to-Eat Food does not include sliced luncheon products, such as meat, poultry, or cheese when sold separately.



**RTE**



**Not  
RTE**

## 1.12.2. Methods of Sale

Ready-to-Eat Food sold from bulk or in single servings packed on the premises may be sold by weight, measure, or count (count includes servings).



*This exemption is in the Method of Sale not UPLR*

**NOTE:** The sale of an individual piece of fresh fruit (like an apple, banana, or orange) is allowed by count.







# Section 2. Definitions

## 2.1. Package

- Except as modified by Sec. 1. Application, the term “package,” whether standard package or random package, means any commodity:
  - (a) enclosed in a container or wrapped in any manner in advance of wholesale or retail sale, or
  - (b) whose weight or measure has been determined in advance of wholesale or retail sale. An individual item or lot of any commodity on which there is marked a selling price based on an established price per unit of weight or of measure shall be considered a package or packages.



b. “selling price based on a established unit price or measure”





## *Side Note*

- **Connecticut specific - Sec. 42-115l.**  
**Label to show price per unit.** In addition to the declarations required by section 42-115k, any commodity in package form, the package being one of a lot containing random weights, measures or counts of the same commodity and bearing the total selling price of the package, shall bear on the outside of the package a plain and conspicuous declaration of the price per single unit of weight, measure or count.



## 2.2. Consumer Package of Consumer Commodity

- A package that is customarily produced or distributed for sale through retail sales agencies or instrumentalities for consumption or use by individuals for the purposes of personal care or in the performance of services ordinarily rendered in or about the household or in connection with personal possessions.
- FTC Regulations -- 16 CFR 500.2 Terms: As used in this part, unless the context otherwise specifically requires:
- (c) The term consumer commodity or commodity means any article, product, or commodity of any kind or class which is customarily produced or distributed for sale through retail sales agencies or instrumentalities for consumption by individuals, or use by individuals for purposes of personal care or in the performance of services ordinarily rendered within the household, and which usually is consumed or expended in the course of such consumption or use.



## 2.2. Consumer Package of Consumer Commodity

- Connecticut Specific - Sec. 42-115k. Labeling of commodity package. Except as otherwise provided in sections 42-115g to 42-115q, inclusive, any commodity in package form introduced or delivered for introduction into or received in intrastate commerce, kept for the purpose of sale, or offered or exposed for sale in intrastate commerce shall bear on the outside of the package such definite, plain and conspicuous declarations of (1) the identity of the commodity in the package unless the same can easily be identified through the wrapper or containers, (2) the net quantity of the contents in terms of weight, measure or count and (3), in the case of any package kept, offered or exposed for sale, or sold any place other than on the premises where packed, the name or a registered trademark of the manufacturer, packer, or distributor as may be prescribed by regulation by the commissioner;





## 2.2. Consumer Package of Consumer Commodity

- Connecticut Specific - Sec. 42-115k. Labeling of commodity package. Except as otherwise provided in sections 42-115g to 42-115q, inclusive, any commodity in package form introduced or delivered for introduction into or received in intrastate commerce, kept for the purpose of sale, or offered or exposed for sale in intrastate commerce shall bear on the outside of the package such definite, plain and conspicuous declarations of (1) the identity of the commodity in the package unless the same can easily be identified through the wrapper or containers, (2) the net quantity of the contents in terms of weight, measure or count and (3), in the case of any package kept, offered or exposed for sale, or sold any place other than on the premises where packed, the name or a registered trademark of the manufacturer, packer, or distributor as may be prescribed by regulation by the commissioner;

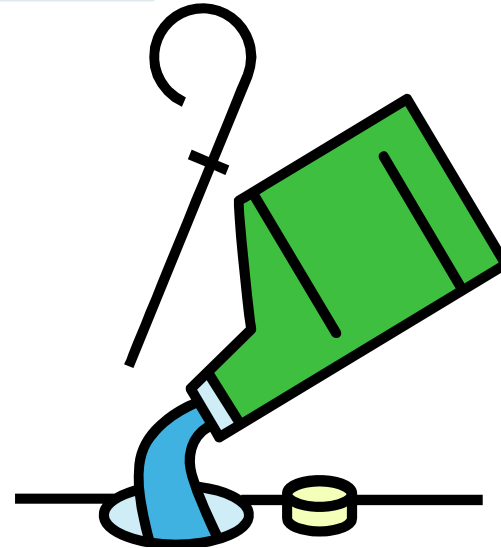


- What about packages that are not “consumer commodities” but which have quantity measurements on them?
- Recommendation: apply the packaging requirements in your weights and measures law and the use the UPLR as appropriate.



# Example: Motor Oil

- FTC interprets FPLA to mean that motor oil and other automotive chemicals are not subject to the act or regulations issued under the act.



## 2.3. Non-Consumer Package: Package of Non-consumer Commodity

- Any package, other than a consumer package, and particularly a package intended solely for industrial or institutional use or for wholesale distribution.
- e.g., business to business
- e.g., business to government



# 2.3. Non-Consumer Packages



## 2.3. Non-Consumer Package

- What if a non-consumer package is
- sold to a retail consumer... is it
- exempt from the UPLR requirements
- for consumer packages?
- It depends...“the fact that there may be occasional, isolated, minimal, sporadic sales of such commodities at retail to household consumers would not remove such commodities from the exception, Provided, the sales at retail were unintended by the manufacturer and were in fact beyond the manufacturer’s control.”  
Bulletin No. 6 1970 FTC.





## 2.4. Random Package

A package that is one of a lot, shipment, or delivery of packages of the same consumer commodity with no fixed pattern of net contents.

- 11.1. Random Packages. – A random package bearing a label conspicuously declaring the net weight, unit price, and the total price.
- Shall be exempt from the SI units, type size, location, and free area requirements of this regulation. In the case of a random package packed at one place for subsequent sale at another, neither the price per unit of weight nor the total selling price need appear on the package, provided the package label includes both such prices at the time it is offered or exposed for sale at retail
- This section shall also apply to uniform (standard) weight packages of fresh fruit or vegetables labeled by count, in the same manner and by the same type of equipment as random packages exempted by this section, and cheese and cheese products labeled in the same manner and by the same type of equipment as random packages exempted by this section.



# 11.1 "Exemptions" Random Package

- A random package bearing a label conspicuously declaring the net weight, unit price, and the total price shall be exempt from:
  - The SI units,
  - Type size,
  - Location, and
  - Free area requirements
- In the case of a package packed at one place for subsequent sale at another, neither the price per unit of weight nor the total selling price need appear on the package, provided the package label includes both such prices at the time it is offered or exposed for sale at retail.
- Connecticut specific - Sec. 42-115l. Label to show price per unit. In addition to the declarations required by section 42-115k, any commodity in package form, the package being one of a lot containing random weights, measures or counts of the same commodity and bearing the total selling price of the package, shall bear on the outside of the package a plain and conspicuous declaration of the price per single unit of weight, measure or count.





# 11.1 "Exemptions" Random Package

- Exemption based on Equipment: this section shall also apply to uniform (standard) weight packages of fresh fruit or vegetables labeled by count, in the same manner and by the same type of equipment as random packages exempted by this section, and cheese and cheese products labeled in the same manner and by the same type of equipment as random packages exempted by this section.
- A random package bearing a label conspicuously declaring the net weight, unit price, and the total price shall be exempt from:
  - The SI units,
  - Type size,
  - Location, and
  - Free area requirements



# ROAST BEEF THANK YOU!

## SAFE HANDLING INSTRUCTIONS

THIS PRODUCT WAS PREPARED FROM INSPECTED AND PASSED MEAT AND/OR POULTRY. SOME FOOD PRODUCTS MAY CONTAIN BACTERIA THAT COULD CAUSE ILLNESS IF THE PRODUCT IS MIS-HANDLED OR COOKED IMPROPERLY. FOR YOUR PROTECTION, FOLLOW THESE SAFE HANDLING INSTRUCTIONS.



KEEP REFRIGERATED OR FROZEN. THAW IN REFRIGERATOR OR MICROWAVE.



KEEP RAW MEAT AND POULTRY SEPARATE FROM OTHER FOODS. WASH WORKING SURFACES (INCLUDING CUTTING BOARDS), UTENSILS, AND HANDS AFTER TOUCHING RAW MEAT OR POULTRY.



COOK THOROUGHLY. KEEP HOT FOODS HOT, REFRIGERATE LEFT-OVERS IMMEDIATELY OR DISCARD.

NET WT <sup>105</sup> 0.93 PRICE/lb <sup>159</sup> 6.25 SELL BY MAR.05.03 FEB.28.03



0 200002 405814

GLOBE FOOD EQUIPMENT  
2268 N MORaine DR DAYTON, OH 45439

0.10  
TOTAL PRICE **\$5.81**

# ROAST BEEF THANK YOU

SELL BY AUG.22.02 AUG.19.02 \$/lb 6.25 WEIGHT(lb) 0.56



0 200125 303509

GLOBE FOOD EQUIPMENT  
2268 N MORaine DR DAYTON OH 45439

0.10  
TOTAL PRICE <sup>125</sup> **\$3.50**

# SHRIMP TRAY WITH COCKTAIL SAUCE #18730

## \*\*\*\*INGREDIENTS\*\*\*\*

SHRIMP, LEMON WEDGES, LEAF LETTUCE, WATER, HIGH FRUCTOSE CORN SYRUP, TOMATO PASTE, DISTILLED VINEGAR, HORSE RADISH CABBAGE, WATER, VINEGAR, SOYBEAN OIL, SALT, ARTIFICIAL FLAVORS, SALT. CONTAINS LESS THAN 2% OF THE FOLLOWING: MODIFIED FOOD STARCH, DEHYDRATED ONION, POTASSIUM SORBATE AND SODIUM BENZOATE (PRESERVATIVES) NATURAL & ARTIFICIAL FLAVORS, SPICE, PECTINASE

## \*\*\*\*ALLERGEN INFORMATION\*\*\*\*

ALLERGENS: SHELLFISH, SOY  
\*\*\*\*SHRIMP PREVIOUSLY FROZEN\*\*\*\*

PRODUCED ON EQUIPMENT THAT ALSO PROCESSES PEANUTS & TREE NUTS.

PERISHABLE, KEEP REFRIGERATED UNTIL READY TO SERVE

NET WT 16 oz (1.00lb)

PACK DATE: 02/12/09 SELL BY: 02/14/09

CRT/DTY 1 UNIT PRICE \$9.99

TOTAL PRICE **\$9.99**



0 96619 18730 0



DISTRIBUTED BY  
COSTCO WHOLESALE CORP  
P.O. BOX 34535  
SEATTLE, WA 98124  
(800) 774-2678 U.S.

COSTCO #241 1 INDUSTRIAL LANE  
NEW ROCHELLE, NY 10805

THIS PRODUCT WAS PREPARED FROM INSPECTED AND PASSED MEAT AND/OR POULTRY. SOME FOOD PRODUCTS MAY CONTAIN BACTERIA THAT COULD CAUSE ILLNESS IF THE PRODUCT IS MIS-HANDLED OR COOKED IMPROPERLY. FOR YOUR PROTECTION, FOLLOW THESE SAFE HANDLING INSTRUCTIONS.  
KEEP REFRIGERATED OR FROZEN. THAW IN REFRIGERATOR OR MICROWAVE.  
KEEP RAW MEAT AND POULTRY SEPARATE FROM OTHER FOODS. WASH WORKING SURFACES (INCLUDING CUTTING BOARDS), UTENSILS, AND HANDS AFTER TOUCHING RAW MEAT OR POULTRY.  
COOK THOROUGHLY. KEEP HOT FOODS HOT, REFRIGERATE LEFT-OVERS IMMEDIATELY OR DISCARD.



## 2.14. Standard Package

- A package that is one of a lot, shipment, or delivery of packages of the same commodity with identical net contents declarations.
  - 2 liter bottles of cola
  - 5 lb bags of flour



## 2.5. Label

- Any written, printed, or graphic matter affixed to, applied to, attached to, blown into, formed, molded into, embossed on, or appearing upon or ...
- ... adjacent to a consumer commodity or a package containing any consumer commodity, for purposes of branding, identifying, or giving any information with respect to the commodity or to the contents of the package,...
- ... except that an inspector's tag or other non-promotional matter affixed to or appearing upon a consumer commodity shall not be considered a label requiring the repetition of label information required by this regulation.





# Seed Inspector's Tag



## PASTURE MASTER PERFECTA MID-ATLANTIC MIXTURE

LOT# PVA - 041808 - 02

PURE SEED	VARIETY	KIND	GERMINATION	ORIGIN
42.31%	HALLMARK ORCHARDGRASS		90%	OR
29.60%	FAWN TALL FESCUE		90%	OR
09.99%	DAIRYLAND MAGNAGRAZE ALFALFA		90%	CAN
09.96%	CLIMAX TIMOTHY		90%	CAN
04.98%	WHITE CLOVEER*		90%	NZ
00.03%	OTHER CROP SEED			
03.12%	INERT MATTER			
00.01%	WEED SEED			

AMS#4593

NOXIOUS WEED SEED: NONE FOUND

TEST DATE :

NET. WEIGHT: 25 POUNDS

\* variety not stated

IN ( CA, MN, NH, NY, PA, OH, NJ, DE) SELL BY FEBRUARY 2010

PENNINGTON SEED , 9327 WASHINGTON BLVD. SUITE J. LAUREL . MD 20723



## Part 1:

### Sec. 3.1 Declaration of Identity: Consumer Package & Sec. 4. ...Non-Consumer Packages

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Common or usual name –

Intended to ensure that the product description accurately informs a consumer of the products' identity.

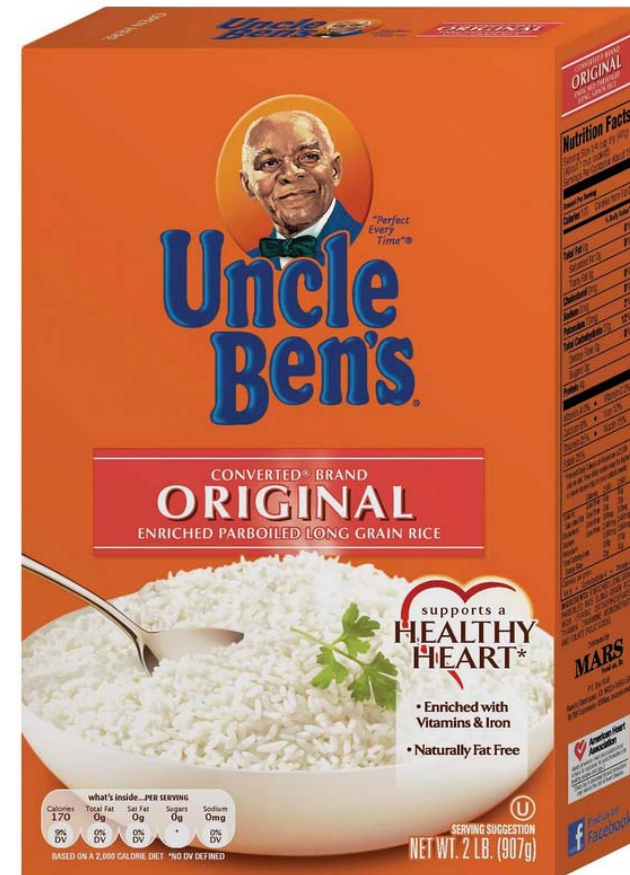
Does a standard of identity apply?

What is included in the net quantity of contents?

Placement: Consumer: PDP

Non-consumer: Anywhere

- PDP or Principle Display Panel - According to 15 USCS § 1459 (f), [Title 15. Commerce and Trade; Chapter 39. Fair Packaging and Labeling Program] the term principal display panel means “that part of a label that is most likely to be displayed, presented, shown, or examined under normal and customary conditions of display for retail sale.”
- Many containers are designed with two or more different surfaces that are suitable for display as the PDP. These are alternate principal display panels.



# 3.1 Declaration of Identity

A separate declaration of identity on a consumer package (or for Sec. 4 non-consumer package) shall appear on the principal display panel and shall not be misleading or deceptive.

The identity shall be in terms of:

- (a) the name specified in or required by any applicable federal or state law\* or regulation or, in the absence of this,
- (b) the common or usual name or, in the absence of this,
- (c) the generic name or other appropriate description, including a statement of function (e.g., “cleaning powder.”)

*\*Connecticut specific – adopt standards of a identity for food pursuant to 21a-100 CGS. Food labeling is dealt with pursuant to 21a-102 CGS.*





# 3. Declaration of Identity

- **NOTE 2:** Section 19.(a) of the Uniform Weights and Measures Law (and 21 CFR 101.100 (b) (3) for non meat and non poultry foods) specifically exempts food packages from identity statements if the commodity is a food, other than meat or poultry, that was repackaged in a retail establishment and the food is displayed to the purchaser under either of the following circumstances:
  - “(1) its interstate labeling is clearly in view or with a counter card, sign or other appropriate device bearing prominently and conspicuously the common or usual name of the food, or
  - (2) the common or usual name of the food is clearly revealed by its appearance.”



Granny Smith  
Apples



Blueberries



Apples  
Red Delicious



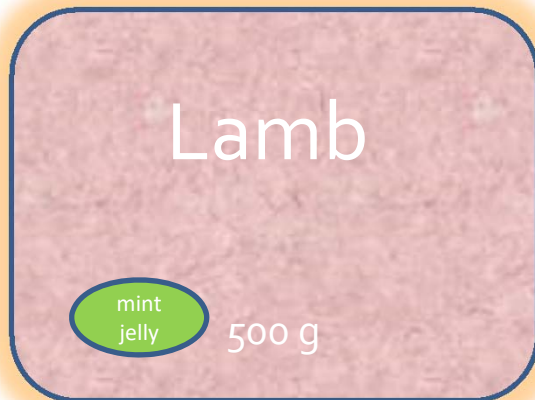
"the common or usual name of the food is clearly revealed by its appearance."



- *“the nature of the product is obvious”*

### 3. The Declaration of Identity is a Critical Factor in Net Quantity Verification

- It tells the consumer what product is in the package and defines what is included in the declaration of net quantity.
  - For example: if the identity on a package containing lamb and a package of mint jelly says only "Lamb" the package of jelly will be considered tare weight under NIST Handbook 133 "Checking the Net Quantity of Contents."



Example A: mint jelly is included in tare



Example B: mint jelly is included in net quantity





# Shrimp Tray with Cocktail Sauce

- Package labeled - Net Wt 16 oz (1.00 lb)
- Is cocktail sauce included in the net weight?
- Are the lemon wedges and lettuce net wt or tare?
- What would your state require?

Code of Federal Regulations- current as of September 14, 2009

Title 21: Food and Drugs  
PART 102—COMMON OR USUAL NAME FOR NONSTANDARDIZED FOODS  
Subpart B—Requirements for Specific Nonstandardized Foods

102.54 Seafood cocktails.

The common or usual name of a seafood cocktail in package form fabricated with one or more seafood ingredients shall be:

(a) When the cocktail contains only one seafood ingredient, the name of the seafood ingredient followed by the word “cocktail” (e.g., shrimp cocktail, crabmeat cocktail) and a statement of the percentage by weight of that seafood ingredient in the product in the manner set forth in §102.5(b).

(b) When the cocktail contains more than one seafood ingredient, the term “seafood cocktail” and a statement of the percentage by weight of each seafood ingredient in the product in the manner set forth in §102.5(b).



# 1.5. Meat, Poultry, Fish, and Seafood

- HB 130 – Uniform Method of Sale of Commodities Regulation
- Meat, poultry, fish and seafood shall be sold by weight, except that whole shellfish in the shell may be sold by weight, measure, and/or count. Shellfish are aquatic animals having a shell, such as mollusks (for example, scallops) or crustaceans (for example, lobster or shrimp).
- 1.5.1. In Combination with Other Foods. – When meat, poultry, fish or seafood is combined with some other food element to form a distinctive food product, the quantity representation may be in terms of the total weight of the product or combination, and a quantity representation need not be made for each element PROVIDED, a statement listing the ingredients in order of their predominance by weight must also appear on the label.



# Standards of Identity

- Both FDA and USDA have standards of identity for foods. Only foods that conform to the standard may be called by the specified name.
- Under the Federal Meat Inspection Act (FMIA), a product is misbranded "if it purports to be or is represented as a food for which a definition and standard of identity or composition has been prescribed unless it conforms to such definition and standards" (21 U.S.C. 601(n)(7)).
- The old standard for "Pizza with Meat" required that the product consist of a bread base with tomato sauce, cheese, and meat topping. The product had to contain cooked meat made from not less than 15 % raw meat. The old standard for "Pizza with Sausage" required that the product consist of a bread base with tomato sauce, cheese, and not less than 12 % cooked sausage or 10 % dry sausage. Thus, if a product failed to contain any of these components, its labeling was not allowed to bear the term "PIZZA."



# Standard of Identity Example

TITLE 21--FOOD AND DRUGS  
CHAPTER I--FOOD AND DRUG ADMINISTRATION  
DEPARTMENT OF HEALTH AND HUMAN SERVICES

- SUBCHAPTER B--FOOD FOR HUMAN CONSUMPTION
- PART 169 -- FOOD DRESSINGS AND FLAVORINGS
  - Subpart B--Requirements for Specific Standardized Food Dressings and Flavorings
  - Sec. 169.140 Mayonnaise.





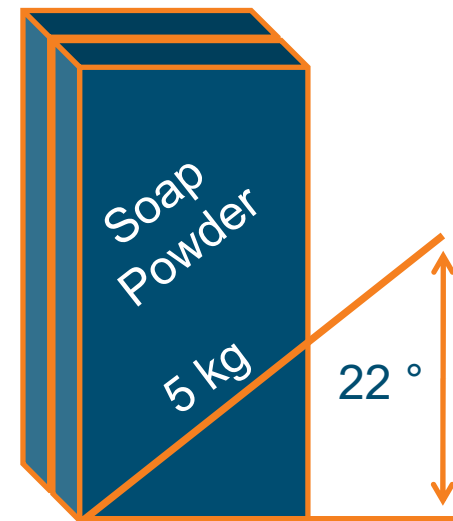
## 3.1.1. Parallel Identity Declaration

- A declaration of the identity on a consumer package shall appear generally parallel to the base on which the package rests as it is designed to be displayed.
- FTC - Whether or not a statement or declaration is "generally parallel" is a judgment factor based upon the label design utilized. As a general rule the maximum angle from the base should not exceed 22 degrees.



## 8.1.5. Parallel Quantity Declaration

- The quantity declaration shall be presented in such a manner as to be generally parallel to declaration of identity and to the base on which the package rests as it is designed to be displayed
- FTC - Whether or not a quantity declaration is "generally parallel" is a judgment factor based upon the label design utilized. As a general rule the maximum angle from the base should not exceed 22 degrees.



# Generally Parallel - Circular Label

- Circular lid labels - Statement of identity is "generally parallel" to the declaration of the quantity of contents, the label will be acceptable provided, the statement meets all other requirements and the curvature is not so extreme as to render the statement inconspicuous.
- The statement of identity should be readable without rotating the package.



# Declaration of Identity

- Beads



- Material
- Dimensions (11 mm, 13 x 5 mm)
- Number and Size of Holes



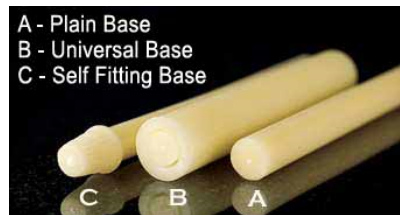
# Candles



- Uniform Width or Diameter:
  - length and diameter or width.
- The diameter of handcrafted candles varies slightly in diameter - measure at base.



- Tapered or Irregularly Shaped Candles
  - count and length
- Color of candle if in opaque packaging.



*Note: Scented candles in jars or vases by net weight*

# Federal Trade Commission

## Title 16: Commercial Practices

### PART 501—EXEMPTIONS FROM REQUIREMENTS AND PROHIBITIONS UNDER PART 500

- Sec. 501.7 Candles. - Tapered candles and irregularly shaped decorative candles which are either hand dipped or molded are exempt from the requirements of 500.7 of this chapter which specifies that the net quantity of contents shall be expressed in terms of count and measure (e.g., length and diameter), to the extent that diameter of such candles need not be expressed. The requirements of 500.7 of this chapter for these candles will be met by an expression of count and length or height in inches.
- [36 FR 5690, Mar. 26, 1971]

(FTC 1994 regulations also require SI units)



# Viscosity is a critical identity factor for motor oil

## 11.24. Motor Oil in Cans

- Motor oils when packed in cans bearing the PDP on the body of the container are exempt from the requirements of Section 3. Declaration of Identity ... to the extent that the Society of Automotive Engineers (SAE) viscosity number is required to appear on the PDP, provided the SAE viscosity number appears on the can lid and is expressed in letters and numerals in type size of at least 6 mm or 1/4 in.
- *Connecticut specific - Sec. 14-342. Sale of motor oil regulated. (a) No person, firm or corporation shall sell or offer or expose for sale any motor lubricating oils used in motor vehicles in such manner as to deceive the purchaser as to the nature, quality and identity of such product.*

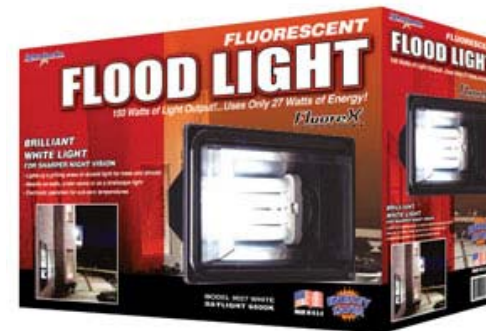
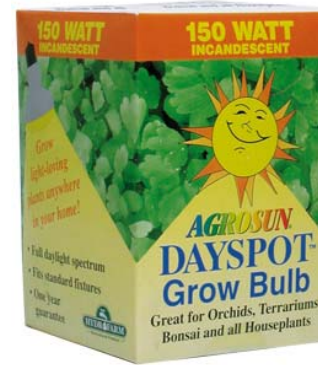




# Count - Exemption based on Identity

When a consumer commodity is properly measured in terms of count the regulations (both FTC's & the UPLR) are interpreted NOT to require the declaration of "one" PROVIDED, the statement of identity clearly expresses the fact that only one unit is contained in the package.

CFR 16-503.4



# Single Count Items

Title 16: Commercial Practices  
PART 503—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

Sec. 503.4 Net quantity of contents, numerical count.

To clarify the requirement for declaration of net quantity in terms of count for the purpose of Secs. 500.6 and 500.7 of this chapter, the following interpretation is rendered.

(a) When a consumer commodity is properly measured in terms of count only, or in terms of count and weight, volume, area, or dimension, the regulations are interpreted not to require the declaration of the net content as "one," provided the statement of identity clearly expresses the fact that only one unit is contained in the package.

Thus the unit synthetic sponge, the unit light bulb, and the unit dry cell battery do not require a net quantity statement of "one sponge," "one light bulb," or "one dry cell battery." However, there still exists the necessity to provide a net quantity statement to specify weight, volume, area, or dimensions when such are required. e.g., the synthetic sponge which is packaged, requires dimensions such as "5 in. × 3 in. × 1 in." A multi-component package or a package containing two or more units of the same commodity shall bear the net quantity statement in terms of count, and weight, volume, area, or dimensions as required. This interpretation does not preclude the option to enumerate a unit count on a single packaged commodity if so desired. [34 FR 18087, Nov. 8, 1969]



# Other FTC Factors on Identity

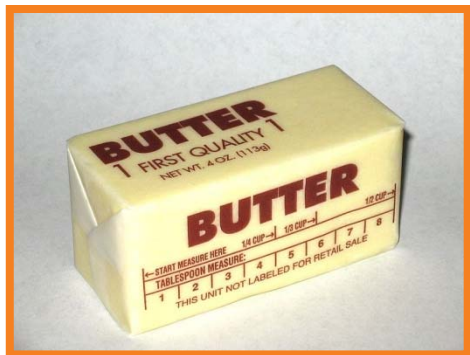
- Batteries should indicate voltage and where appropriate the standard size designation (e.g., "C", "D", "AA", or "AAA").
- The color of a commodity can be pertinent to its proper identity and in appropriate cases, should be included in the statement of identity (e.g., candles, food wrap, arts and craft materials and light bulbs).
- If a commodity is a "reject", "second", "irregular", or an "imitation" that fact should be included in the identity.
- Many materials are used to make a single product (e.g., "Food Wrap" -- "wax paper", "aluminum foil", or "plastic wrap") – in these cases if the material is not identified consumers may be misled.
- Except for "Unit Identification;" elements of the identity should not be included in the separate net quantity statement:



50 - Napkins (100 mm x 100 mm)

~~50 - Soft White Paper Napkins  
(100 mm x 100 mm)~~

# Another UPLR Exemption



- 11.13. Butter. – When packaged in 4 oz, 8 oz, and 1 lb packages with continuous label copy wrapping, butter is exempt from the requirements that the statement of identity (3.1.1. Parallel Identity Declaration: Consumer Package) and the net quantity declaration ( 8.1.5. Parallel Quantity Declaration) be generally parallel to the base of the package. When packaged in 8 oz and 1 lb units, butter is exempt from the requirement for location (8.1.1.) of net quantity declaration.



# Usual or Customary Measurement

- Weight is expressed for solid items and fluid volume for liquid but there are exceptions



# Ingredient Declaration

- Ingredients are listed:
- Below the Nutrition Facts panel (*if required*)
- By common name in descending order by weight





# Ingredient Statement & Allergen Labeling

Eight allergens must be identified:

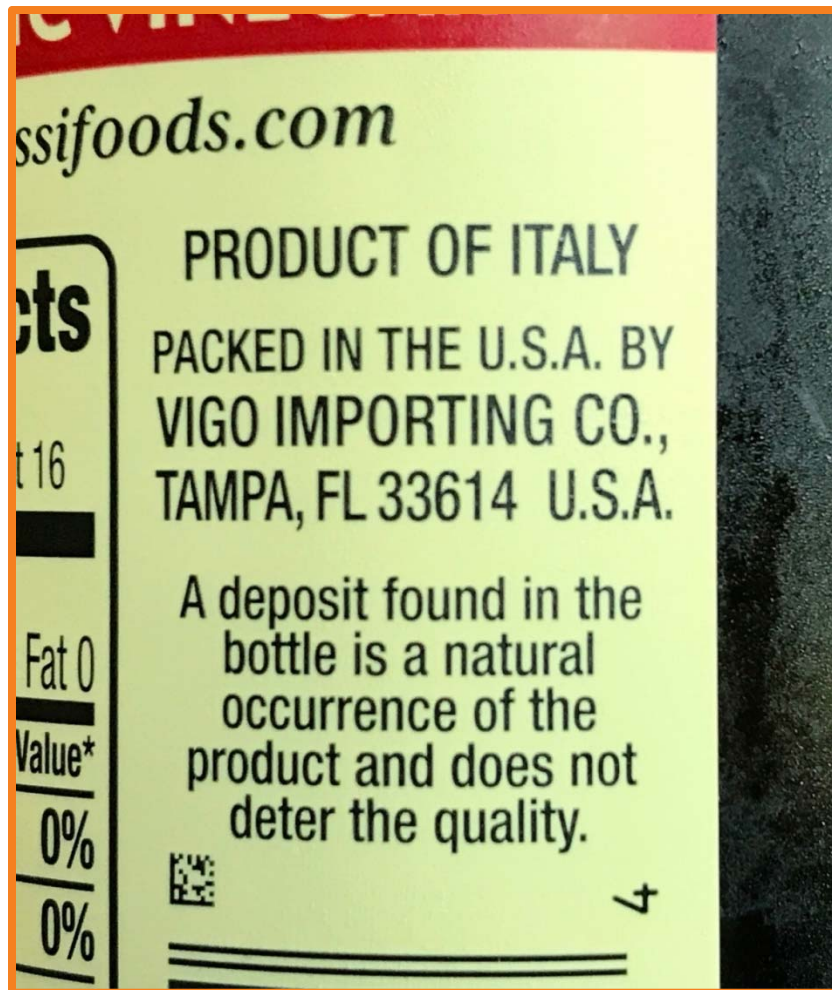
- Eggs
- Milk
- Wheat
- Soy
- Peanuts
- Type of Tree nuts
- Type of Fish
- Type of Shellfish



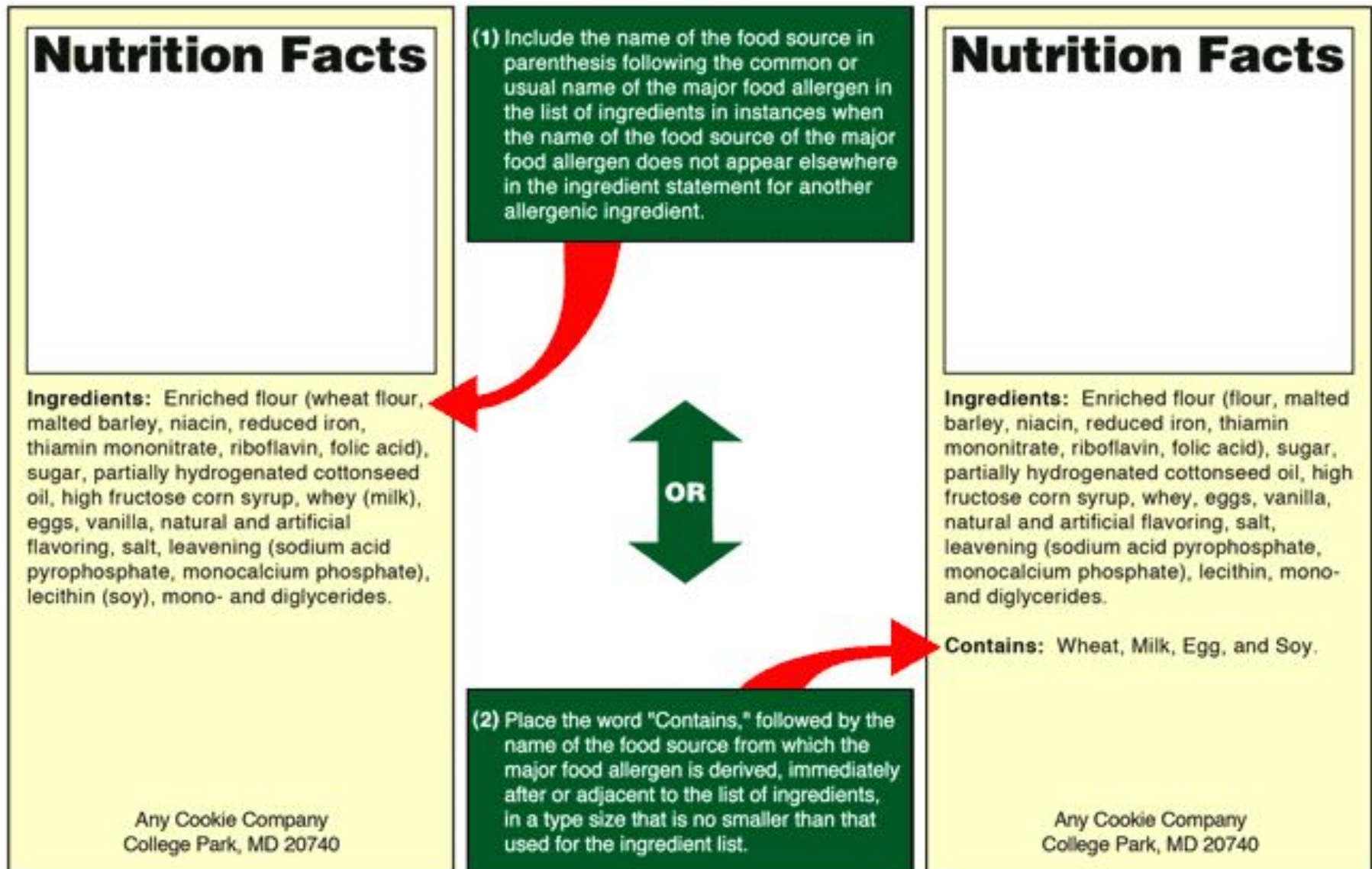


# Country of Origin

- Required by U.S. Customs and Border Protection for imported foods



# Two Ways of Labeling Allergens



# What is the country of origin on this label?

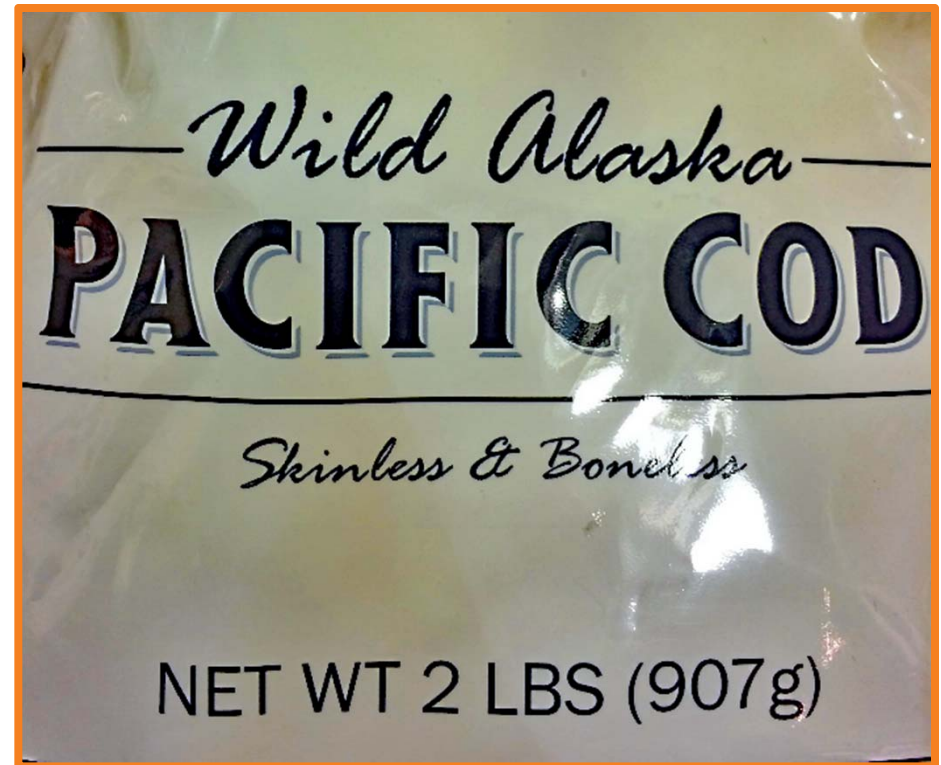


Image source: USDA, CC license CC BY 2.0



# Nutrition Facts Label

## Original Label

<b>Nutrition Facts</b>			
Serving Size 2/3 cup (55g)			
Servings Per Container About 8			
Amount Per Serving			
<b>Calories</b> 230	Calories from Fat 72		
		% Daily Value*	
<b>Total Fat</b> 8g			<b>12%</b>
Saturated Fat 1g			<b>5%</b>
Trans Fat 0g			
<b>Cholesterol</b> 0mg			<b>0%</b>
<b>Sodium</b> 160mg			<b>7%</b>
<b>Total Carbohydrate</b> 37g			<b>12%</b>
Dietary Fiber 4g			<b>16%</b>
Sugars 1g			
<b>Protein</b> 3g			
Vitamin A			10%
Vitamin C			8%
Calcium			20%
Iron			45%
* Percent Daily Values are based on a 2,000 calorie diet. Your daily value may be higher or lower depending on your calorie needs.			
	Calories:	2,000	2,500
Total Fat	Less than	65g	80g
Sat Fat	Less than	20g	25g
Cholesterol	Less than	300mg	300mg
Sodium	Less than	2,400mg	2,400mg
Total Carbohydrate		300g	375g
Dietary Fiber		25g	30g

## New Label

<b>Nutrition Facts</b>	
8 servings per container	
<b>Serving size</b>	<b>2/3 cup (55g)</b>
Amount per serving	
<b>Calories</b>	<b>230</b>
% Daily Value*	
<b>Total Fat</b> 8g	<b>10%</b>
Saturated Fat 1g	<b>5%</b>
Trans Fat 0g	
<b>Cholesterol</b> 0mg	<b>0%</b>
<b>Sodium</b> 160mg	<b>7%</b>
<b>Total Carbohydrate</b> 37g	<b>13%</b>
Dietary Fiber 4g	<b>14%</b>
Total Sugars 12g	
Includes 10g Added Sugars	<b>20%</b>
<b>Protein</b> 3g	
Vitamin D 2mcg	10%
Calcium 260mg	20%
Iron 8mg	45%
Potassium 235mg	6%
* The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.	



# WHY the changes?

- New science is available to help consumers make decisions about food
- Daily values updated to the 2015-2020 Dietary Guidelines
- Serving size based on what people actually eat
- Added sugars are listed – Americans are consuming too much sugar
- Vitamin D and Potassium are added – many do not get enough



# Nutrition Facts Label Changes

**Servings: larger, bolder type**

**Serving sizes updated**

**Calories: larger type**

**Updated daily values**

**Actual amounts declared**

**New footnote**

**New: added sugars**

**Change in nutrients required**

<b>Nutrition Facts</b>	
8 servings per container	
<b>Serving size</b>	<b>2/3 cup (55g)</b>
<b>Amount per serving</b>	
<b>Calories</b>	<b>230</b>
<b>% Daily Value*</b>	
<b>Total Fat</b> 8g	<b>10%</b>
Saturated Fat 1g	5%
Trans Fat 0g	
<b>Cholesterol</b> 0mg	<b>0%</b>
<b>Sodium</b> 160mg	<b>7%</b>
<b>Total Carbohydrate</b> 37g	<b>13%</b>
Dietary Fiber 4g	14%
Total Sugars 12g	
Includes 10g Added Sugars	20%
<b>Protein</b> 3g	
Vitamin D 2mcg	10%
Calcium 260mg	20%
Iron 8mg	45%
Potassium 235mg	6%

\* The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.



# Serving Size Changes

What's considered a single serving has changed in the decades since the original nutrition label was created. So now serving sizes will be more realistic to reflect how much people typically eat at one time.

## CURRENT SERVING SIZE



## NEW SERVING SIZE





# Labeling Single-Serving Packages



# Nutrient Content Claims

- Terms are used to describe nutrients in foods.
- On labels, these terms have approved definitions.



# Nutrient Content Claims

- **Calorie free**  
less than 5 calories per serving
- **Reduced calorie**  
at least 25% fewer calories than regular version
- **Low calorie**  
40 calories or less per serving
- **Fat free**  
less than 0.5 grams fat per serving (trans or saturated)
- **Reduced fat**  
at least 25% less fat than regular version
- **Low fat**  
3 grams or less of fat per serving



# Nutrient Content Claims

- **Sugar Free:** Less than 5 calories
- **Reduced sugar**  
at least 25% less sugar than regular version
- **No added sugar**  
no sugars added during processing or packing, including ingredients that contain sugar such as juice or dry fruit
- **Sodium free**  
less than 5 mg of sodium per serving
- **Reduced sodium**  
at least 25% less sodium than regular version
- **Low sodium** 140 mg or less sodium per serving
- **Light/Lite** 1/3 fewer calories or 50% less fat than regular version



# Nutrient Descriptor Terms

- **High, rich in, excellent source of:**
  - 20% or more of Daily Value
- **Good source of, contains, provides:**
  - 10% to 19% of Daily Value
- **More, enriched, fortified, added:**
  - 10% or more of Daily Value



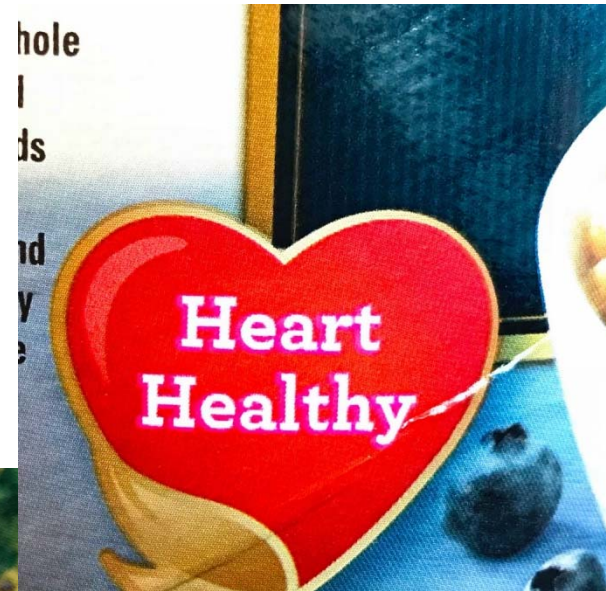
# New Terms

- Gluten Free, Without Gluten, Free of Gluten, or No Gluten: Foods cannot contain wheat, rye, barley or cross breeds of these grains (2014)
- Gluten Free, Without Gluten, Free of Gluten, or No Gluten: Foods cannot contain wheat, rye, barley or cross breeds of these grains (2014)
- *Natural: Currently no definition*





# Label examples: Natural, Healthy, Gluten Free





Which label does NOT have an approved “definition”?



Which label does NOT have an approved “definition”?



# Health Claims

- 1
  - A Health Claim describes a relationship between a food, food component or dietary supplement AND a reduced risk for a specific disease or health condition.
- 2
  - Health Claims are based on extensive research.



# Example of Approved Health Claims

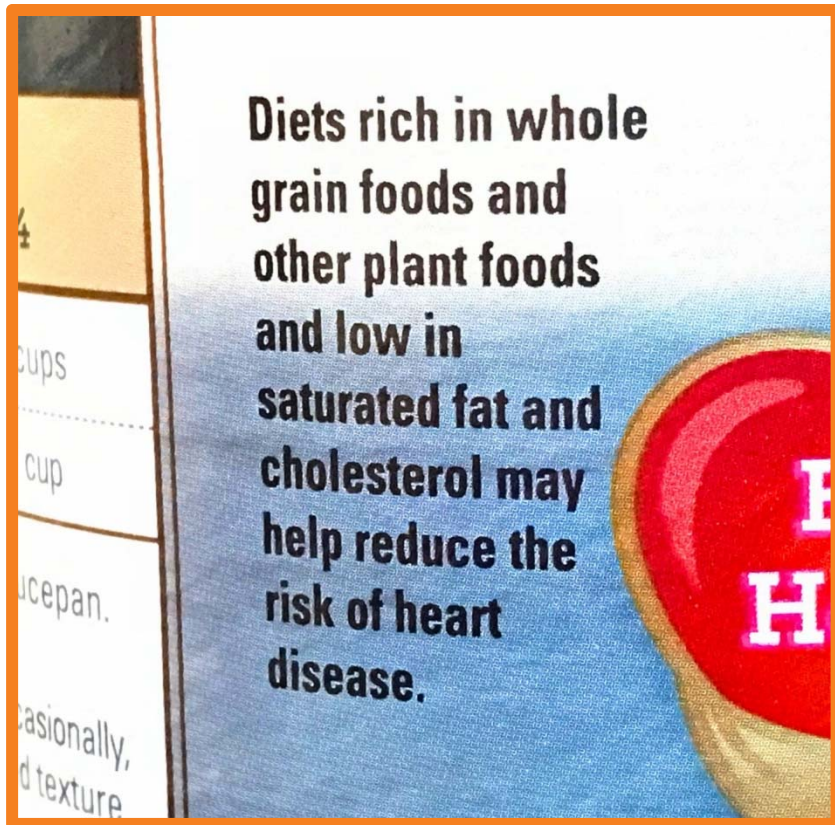
## Qualified Claims About Cancer Risk

- Tomatoes and/or Tomato Sauce and Prostate, Ovarian, Gastric, and Pancreatic Cancers
- Calcium and Colon/Rectal Cancer; and Calcium and Recurrent Colon/Rectal Polyps
- Green Tea and Cancer
- Selenium and Cancer
- Antioxidant Vitamins and Cancer





# Which of these is an approved “health” claim?



# Which of these is an approved “health” claim?





# Open Dating on Foods



A "Use-By" date is the last date recommended for the use of the product while at peak quality. It is not a safety date except for when used on infant formula.



A "Sell-By" date tells the store how long to display the product for sale for inventory management. It is not a safety date.

BEST IF USED BY  
10 NOV 07

A "Best if Used By/Before" date indicates when a product will be of best flavor or quality. It is not a purchase or safety date.

Information source: USDA/FSIS. <http://bit.ly/2I3GO32> | Graphic created by Alice Henneman



# Example of Open Dating on Food





CONNECTICUT DEPARTMENT OF  
**CONSUMER PROTECTION**

## **Part 2:**

# **Sec 5: Declaration of Responsibility - Consumer and Nonconsumer Packages**

---

Who will be held legally responsible if the package does not comply with the law? In most states both the seller and manufacturer could be held accountable.

The same requirements apply to both consumer and non-consumer packages.

Does not apply for packages are offered for sale on the premise where packaged (e.g., a roadside stand on the farmers property or food store where meat, produce, cheese or meals are packed, weighed and labeled.)

# 5. Declaration of Responsibility...

- Any package kept, offered, or exposed for sale, or sold at any place other than on the premises where packed shall specify conspicuously\* on the label of the package the name and address of the manufacturer, packer, or distributor.
- The name shall be the actual corporate name, or, when not incorporated, the name under which the business is conducted.
- The address shall include street address, city, state (or country if outside the United States), and ZIP Code (or the mailing code, if any, used in countries other than the United States); however, the street address may be omitted if this is shown in a current city directory or telephone directory.

*\*Location is flexible and the DOR does not have to appear on the PDP. The bottom of the package is not acceptable. FDA made this interpretation in 1978 and adding that the DOR should not be hidden from consumer under customary conditions of purchase.*





***"The name shall be the actual corporate name, or, when not incorporated, the name under which the business is conducted."***

- Must be the person fully responsible for the product not the ingredient suppliers. Registered trademarks, shortened corporate name and abbreviations (e.g., Co. Inc. ) are permitted.
- Multiple packers names such as a "manufactured by either/or" statement is prohibited.
- If, in addition to the mfg's name another firm is identified that firm's connection to the product must be qualified.
- Address must include state and zip code (a P.O. Box may be included).
- USDA allows a corporate HQ address to be used because plant numbers allow for identification of producing location. Dairy products use a similar approach.
- It is not necessary to say "manufactured by" when the name is that of the actual manufacturer.
- The following are not accepted as substitutes for full declaration of responsibility: URL for Company Website, Toll-Free Telephone Number, Post Office Box



***"The name shall be the actual corporate name, or, when not incorporated, the name that the business is conducted. "***

When it is not the manufacturer the name must be qualified:

- "Distributed by ....." or "Made for..." or "Imported by..."
- The purpose of the requirement is to identify the responsible party so that if the package (product) does not comply with a legal requirement a law enforcement agency or other person can contact or locate the responsible party by mail or service of legal documents.
- This information allows consumers to contact the manufacturer to obtain further information about the product or to report problems (including injuries.)





# 11.12. Multi-Unit Soft Drink Packages

Are exempt from the requirement for a declaration of: responsibility when it appears on the individual units and is not obscured by the packaging or when the outside container bears a statement that such declaration will be found on the individual units inside; and identity when it appears on the individual units and is not obscured by the packaging.

**11.11. Soft Drink Bottles.** – ... shall be exempt from the placement requirements for the declaration of: identity when .. (it) appears on the bottle closure, and quantity when ... (it) is blown, formed, or molded on or above the shoulder of the container and when all other information required ... appears only on the bottle closure.



Grailing David CPA 4550 Montgomery Av Beth --- 301 951-9091  
 Gralley Kevin G Hwy 111 S Calvert St Balto --- 410 659-2738  
 Gralnick Harvey Dr 9826 Connecticut Av Kens --- 301 942-5781  
 Gramaco Granite & Marble LLC 5112 Sunnyside Av  
 Beltsville --- 301 361-1400  
 Gramophone LTD Columbia --- 301 621-8175  
 Gramco Towers 8060 13th St Silver Spring --- 301 565-8885  
 Grambow Herbert W Jr DDS 458 S Eriño St --- 410 633-2222  
 Gramlich Malinda K 6 Deer Park Lane  
 Gaithersburg --- 301 869-8898  
 Grammer A Rev 14936 Hydus Rd  
 Silver Spring --- 301 598-5474  
 Grammics Attic 255 Market St W Gaithersburg --- 301 926-1666  
 Gramza Ken R CPA 7945 MacArthur Blvd Beth --- 301 229-0737  
 Gramdos Tire Company Calvert Village Auto Center  
 Prince Frederick -- Washington Area Tel No 301 855-1740  
 Granat Nat CKD 1776 E Jefferson St Rockvl --- 301 984-4477  
 Grand Billiards Club 18925 Earnst Ct  
 Gaithersburg --- 301 977-7600  
 Grand China Carry Out 2300 Arundel Rd  
 Mount Rainier --- 301 699-1122  
 Grand Cuisine 1000 H St NW --- 202 637-4926  
 Grand Design Studio Inc 8931 Coleville Rd  
 Silver Spring --- 301 608-8198  
 Grand East Buffet & Grill 7575 Annapolis Rd  
 Lanham-Seabrook --- 301 429-8797  
 Grand Entrance Gaithersburg --- 301 869-4820  
 Grand Floral & Design 10601 H St NW --- 202 637-4783  
 Grand Fusion 330 Fortune Terr Rockvl --- 301 838-2862  
 Grand Group 12204 Stanfield Ct Bowie --- 301 352-9773  
 Grand Institute Rockvl --- 301 984-1055  
 Grand Junction Design 433 Ethan Allen Av  
 Takoma Park --- 301 920-0552  
 Grand Lodge International Assn Of Machinists  
 & Aerospace Workers 9000 Machinist Pl  
 Upper Marlboro --- 301 967-3488  
 Grand Lodge International Assn Of Machinists  
 & Aerospace Workers 9000 Machinist Pl  
 Upper Marlboro --- 301 967-4500  
 Grand Luxury Apartments The 5801 Nicholson Ln  
 Rockvl --- 301 984-7263  
 Grand Mart Gaithersburg 221 Muddy Branch Rd  
 Gaithersburg --- 301 527-6980  
 Grand Mart Germantown 12851 Clopper Rd  
 Germantown --- 301 528-9800  
 Grand Mission Consult Training Academy  
 7515 Annapolis Rd Hyatts --- 301 429-0525  
**GRAND OAKS ASSISTED LIVING**  
 5901 MacArthur Blvd NW  
 Wash DC --- 202 349-3400  
 Grand Rental Corp 500 Olney-Sandy Spring Rd  
 Sandy Spring --- 301 924-2804  
 Grand Tiger Taekwondo Club 7064 Allentown Rd  
 Temple Hills --- 301 433-0010  
 Grande Luke F MD 4701 Willard Av Ch Ch --- 301 652-3462  
 Grandiff Medical Supplies 11631 Nebel St  
 Rockvl --- 301 816-9100  
 Grandiff Medical Supplies 20 Vital Way  
 Silver Spring --- 301 388-0596  
 Grandin Judith ED D CRNP 2191 Defense Hwy  
 Crofton --- Washington Area Tel No 301 858-9393  
 Grandison Gerald A Sr Rev 3401 Perry St  
 Mount Rainier --- 301 779-8532  
 Grand Ma Cookin 4007 Norbeck Rd Rockvl --- 301 929-3377  
 Grandma DayCare 2007 Glendora Dr  
 District Heights --- 301 336-7345  
 Grandma's Angels 158 Crossbow Ln  
 Gaithersburg --- 301 987-2775  
 Grand Slam Baseball 6017 Eastern Av Hyatts --- 301 853-9889  
 Grandstaff Roofing & Siding 2670 Crain Hwy  
 Waldorf --- 301 843-9523  
 Grandview Castle Entertainment LLC Ch Ch --- 301 951-8777  
 Graner J W Excavating Co P D Box 205  
 Sunderland --- 410 257-9250  
 Grange Partners Industrial II 9200 East Hampton Dr  
 Capitol Heights --- 301 336-6370  
 Grange Partners LLC 2 Bethesda Metro Ctr  
 Beth --- 301 664-6705  
 Grange Partners LLC 2 Bethesda Metro Ctr  
 Bethesda MD --- 301 664-5100  
 Granite Telecomm 9132 Bay Av North Beach --- 301 812-1597  
 Granite America 4824 Uphur St Bladensburg --- 301 209-0661  
 Granite Counter Tops By Marble Mantel Inc  
 5705 Wisconsin Av Rockvl --- 301 770-0060  
 Granite Enterprises Rockvl --- 301 299-4618  
 Granite Grannies LLC Upper Marlboro --- 301 627-7630  
 Granite and Marble Gym Inc --- 301 460-9377  
 Granite & Marble Inc 5718 Kirby Rd Clinton --- 301 297-7078  
 Granite Security Services 23118 Golf Estates Dr  
 Gaithersburg --- 301 527-6300

Grant Graphics LLC 6495 New Hampshire Av  
 Hyatts --- 301 270-0569  
 Grant-Grayton Urban Supports Inc 3611 Branch Av  
 Temple Hills --- 301 702-9100  
 Grant Gregory D Atty 11921 Rockville Pk  
 Rockvl --- 301 230-6578  
 Grant Jaymie GRI Potmc --- 301 299-9040  
 Grant Leslie A Dr 2813 W University Blvd Kens --- 301 933-1111  
 Grant Mart Video Center Inc Rockvl --- 301 838-7615  
**GRANT-MORGAN ASSOCIATES**  
 4520 East-West Hwy Beth --- 301 718-8888  
 Grant-Morgan Associates 4520 East West Hwy  
 Beth --- 301 656-9219  
 Grant Patent Services  
 Silver Spring Chevy Chase --- 301 603-9071  
 Grant Raymond 9835 Brassie Way Gaithersburg --- 301 963-1104  
 Grant Ridge Inc 15312 Carrollton Rd Rockvl --- 301 929-3218  
 Grant Robert E Atty 8401 Connecticut Av Beth --- 301 652-6881  
 Grant Tschudy 2811 Teller Ct Crofton --- 301 858-1353  
 Grantred 4 Less Rockvl --- 301 279-8860  
 Granite Granite Granite And Granite LLC  
 19520 Amaranth Dr Germantown --- 301 515-6982  
 GrantTops 7140 English Muffin Way Fredrick --- 301 831-4627  
 Granite Management Systems 10859 Metropolitan Av  
 Kens --- 301 427-6477  
 Graniteville Carole E Bookkeeping & Tax Service  
 6270 Alpine Ct Sunderland --- 410 741-5915  
 Grape Expectations 20207 Goshen Rd  
 Gaithersburg --- 301 948-4300  
 Grape and Grain Inc The 19223 Watkins Mill Rd  
 Gaithersburg --- 301 948-0429  
 Grapesed 4865 Cordell Av Beth --- 301 986-9592  
 Grapevine Consignment & Antiques  
 7806 Old Georgetown Rd Beth --- 301 654-8690  
 Graphic Arts Benefits 6411 Ivy Ln --- 301 474-7950  
 Graphic City Inc 18729 Mooney Dr Gaithersburg --- 301 869-9231  
 Graphic Comm Inc 9603 Fallard Terr  
 Upper Marlboro --- 301 599-2020  
 Graphic Communications International Union Local  
 285 6210 North Capitol St NW --- 202 882-3000  
 Graphic Controls 1913 Franwell Av  
 Silver Spring --- 301 649-2589  
 Graphic Electric Inc 6824 Distribution Dr  
 Beltsville --- 301 937-0710  
 Graphic Imaging Inc --- 888 404-4277  
 Graphic Leasing 45 Danwood Cir Rockvl --- 301 738-5060  
 Graphic Resources Inc 684 Dale Dr  
 Silver Spring --- 301 588-5886  
 Graphic Systems Inc 7040 Virginia Manor Rd  
 Beltsville --- Washington Area TN 301 419-0250  
 Graphic Vision Association 640 E Diamond Av  
 Gaithersburg --- 301 963-8606  
 Graphic Workshop The 8681 Georgia Av  
 Silver Spring --- 301 588-7949  
 Graphicalc Supplies Inc 5548 Tuxedo Rd  
 Hyatts --- 301 773-8339  
 Graphics By Gallo 7507 Arlington Rd Beth --- 301 913-0172  
 Graphics Incorporated 8500 Timber Hill Ln  
 Potmc --- 301 299-5477  
 Grass Company The 16637 S Westland Dr  
 Gaithersburg --- 301 977-2007  
 Grass Ed Atty 1776 K St NW --- 202 828-3148  
 Grass Plus Inc 7906 Hope Valley Ct  
 Adamstown --- Damascus Tel No 301 831-1250  
 Grass Roots Inc Indscpp 501 W Central Av  
 Davisnsvie --- Washington Area Tel No 301 858-0766  
 Grass Roots Organization For The Well Being Of  
 Seniors 11215 Seven Locks Rd Potmc --- 301 765-3325  
 Grass Roots Organization For The Well-Being Of  
 Seniors Inc 1801 Research Blvd Rockvl --- 301 315-3446  
 Grassmasters 16001 Morrow Rd Poolsville --- 301 869-8242  
 Gratevine Greetings Silver Spring --- 301 622-0935  
 Gratton Thomas A Rev 6909 Kiddminster Av  
 Camp Springs --- 301 449-9089  
 Gratton Timothy 1123 Shago Dr  
 Fort Washington --- 301 749-1652  
 Gratto's Home Improvements 1123 Shago Dr  
 Fort Washington --- 301 749-1350  
 Gratz Lawncare Gaithersburg --- 301 840-9509  
 Gratz Robert M Atty 7415 Arlington Rd Beth --- 301 986-1114  
 Grauel Forest otc Burtonsvle --- 301 384-0100  
 Graux Patrick J DC 4365 Northview Dr Bowie --- 301 262-2346  
 Gravely Agency 10521 Summit Avenue Kens --- 301 897-0026  
 Graves Alan Craig DDS 700 Shago Av  
 Silver Spring --- 301 563-6068  
 Graves Auto Wheaton --- 301 949-0211  
 Graves Contracting Corp Upper Marlboro --- 301 780-8863  
 Graves Fowler & Associates 5515 Security Ln

Gray Bonny K DDS 3102 Davidsonville Rd  
 Davisnsvie --- Washington Area Tel No 301 261-7878  
 Gray Brothers  
 4000 Chicamuxen Rd Marbury --- 301 743-7343  
 --- Oxon Hill Tel No 301 753-6134  
 Gray Carl R Dr 6000 Executive Blvd Rockvl --- 301 881-1488  
 Gray David A & Son builder  
 St Leonard --- Washington Area Tel No 301 855-1110  
 Gray Elwood Rev & Mrs 13114 Holdridge Rd  
 Silver Spring --- 301 929-0571  
 Gray Harry Jr Rev 2800 Spindle Ln Bowie --- 301 262-1806  
 Gray Jane Quinn Rev 607 Azalea Dr Rockvl --- 301 838-8515  
 Gray Kerri MD & Michael MD 4314 Montgomery Av  
 Beth --- 301 951-3606  
**GRAY LINE SIGHTSEEING TOURS**  
 Union Station --- 202 289-1995  
**GRAY LINE SITE SEEING TOURS**  
 5500 Tuxedo Rd Hyatts --- 301 386-8300  
 Gray Michael MD PC 4314 Montgomery Av  
 Beth --- 301 951-3606  
 Gray Mildred 10450 Lottford Rd Mitchellvle --- 301 925-7599  
 Gray Morlean F Rev --- Clinton Tel No 301 888-1192  
 Gray Phillip E 2255 Crain Hwy Waldorf --- 301 843-6219  
 Gray R A plumbing & heating 4602 Emerson St  
 Hyatts --- 301 277-5900  
 Gray Robert L Esq  
 Prince Frederick --- 410 535-3377  
 Prince Frederick -- Washington Area Tel No 301 855-1793  
 Gray Robert L Jr & Jane 607 Azalea Dr Rockvl --- 301 838-8515  
 Gray Rock Ranch Boyds --- 301 916-6500  
 Gray Rock Ranch Inc 14934 Schaeffer Rd  
 Boyds --- 301 916-6321  
 Gray Sheet The 5635 Fishers Lane Rockvl --- 301 657-9830  
 Gray Wilbert H Sr Rev 1409 Ivywood Av  
 Englewood --- 301 322-1650  
 Grayhawk Mortgage 3 Bethesda Metro Ctr  
 Beth --- 301 961-1931  
**GRAYHOUND TRASH**  
 www.grayhoundtrash.com  
 8301 Grey Eagle Dr  
 Upper Marlboro --- 301 735-6686  
 Gray's Marketing 1832 Clayton Dr Oxon Hill --- 301 630-3515  
 Grayson A K 10450 Luttsford Rd Mitchellvle --- 301 925-7260  
 Grayson Kubli and Hoffman PC 13948 Bronnfield Rd  
 Germantown --- 240 686-1959  
 Grayton F D plumbing --- 301 621-1444  
 Graz Medina & John Dr 2839 Shannadaie Dr  
 Silver Spring --- 301 586-9381  
 Graziani Hugo G MD PA 717 Pershing Dr  
 Silver Spring --- 301 589-5362  
 Gray's Fingers Inc Bladensburg --- 301 277-2436  
 Grbit Cndmms 6640 Lake Park Dr Greenblt --- 301 552-9514  
 Greaney Patrick F Atty 8401 Connecticut Av  
 Beth --- 301 652-6881  
 Greaney Patrick F Atty 8601 Georgia Ave  
 Silver Spring --- 301 587-6200  
 Grease-N Oil Xpress 7740 Annapolis Rd  
 Lanham --- 301 577-0011  
 Great American Life Insurance Company  
 316 Diamond Gaithersburg --- 240 631-9600  
 Great American Bunk Bed Company  
 15439 Emerald Way Bowie --- 301 808-8225  
 Great American Bunkbed 11824 Rockville Pk  
 Rockvl --- 301 881-1799  
 Great American Decks & Gazebo's 9701 David Dr  
 Lanham --- 301 877-7754  
 Great American Forwarders Inc  
 6218-208 Old Franconia Rd Alex VA --- 703 370-9200  
 Great American Heating & Air Conditioning  
 665 Southview Ln Rockvl --- 301 838-4046  
 Great American Landscapes Inc 14310 Conus Rd  
 Gaithersburg --- 301 972-5668  
 Great American Life Insurance Company  
 9300 Livingston Rd Ft Washington --- 301 265-0564  
 Great American Life Interstate Ionia  
 9300 Livingston Rd Ft Washington --- 301 265-0564  
 Great American Photo Lab 835 Rockville Pk  
 Rockvl --- 301 838-9006  
 Great American Real Estate Inc 7515 Annapolis Rd  
 Hyatts --- 301 306-0531  
 Great Atlantic & Pacific Tea Co The 3300 Pennys Dr  
 Hyatts --- 301 955-1701  
 Great Beginnings Furniture Inc 18501 N Frederick Av  
 Gaithersburg --- 301 417-9701  
 Great Breath Center Of Silver Spring  
 9342 Columbia Blvd Silver Spring --- 301 589-4311  
 Great British Pine Mine 4144 Howard Av  
 Kens --- 301 493-2562

- Exemption from having street address?
- Yes, only if the street address appears in a current city or telephone directory where the company is located.

**BUSINESS**



CONNECTICUT DEPARTMENT OF  
**CONSUMER PROTECTION**

## **Part 3:**

# Section 6: Declaration of Quantity - Consumer Packages

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How much of the product described by the declaration of identity is in the package?

*Lets start with the  
Principal Display Panel...*

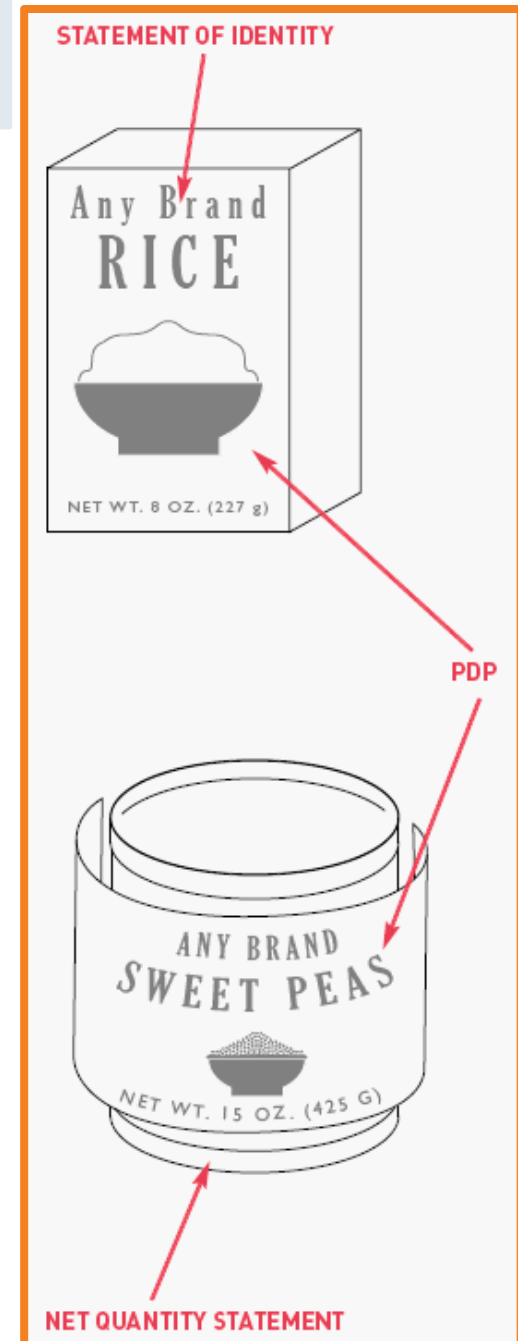
## 2.7. Principal Display Panel (PDP) or Panels (Consumer Packages Only)

- That part, or those parts, of a label that is, or are, so designed as to most likely be displayed, presented, shown, or examined under normal and customary conditions of display and purchase.
- Wherever a PDP appears more than once on a package, all requirements pertaining to the “PDP” shall pertain to all such alternate “PDPs.”



# What are the PDP and the alternate PDP?

- Answer: The PDP, is that portion of the package label that is most likely to be seen by the consumer at the time of purchase. Many containers are designed with two or more different surfaces that are suitable for display as the PDP. These are alternate PDPs. 21 CFR 101.1



## 2.7. Area of PDP sets location and type size

**By identifying the PDP you are determining:**

- Where the product identity and net quantity declaration must be presented, and which panel to measure to determine the minimum type size required to be used to show the net quantity declaration.
- FTC decided in 1969 that a PDP is created only when the product identity and quantity appear together on a panel but that should be treated as guidance. FTC also said that type larger than the minimum required may be used but no portion of the net contents statement can be emphasized in a manner that would be misleading or deceptive.
- The USDA may allow some net content information to appear on the information panel which to the right of the PDP.

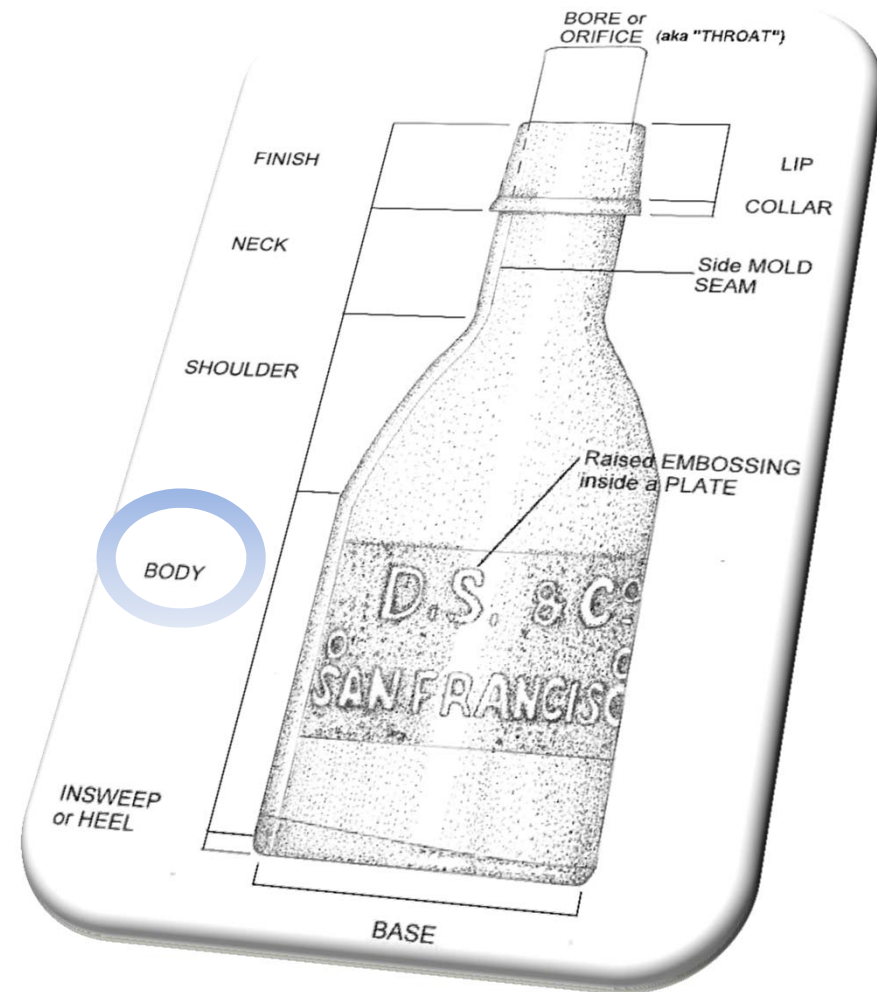






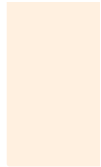
# Parts of a Bottle

- The area of the PDP excludes tops, bottoms, flanges at tops and bottoms of cans, and shoulders and necks of bottles or jars.
- It is the area of the “Body” that is used to determine the PDP



This graphic from URL:  
<http://www.sha.org/bottle/morphology.htm>

# 8.2 Area Excluded from Calculation of Area of PDP

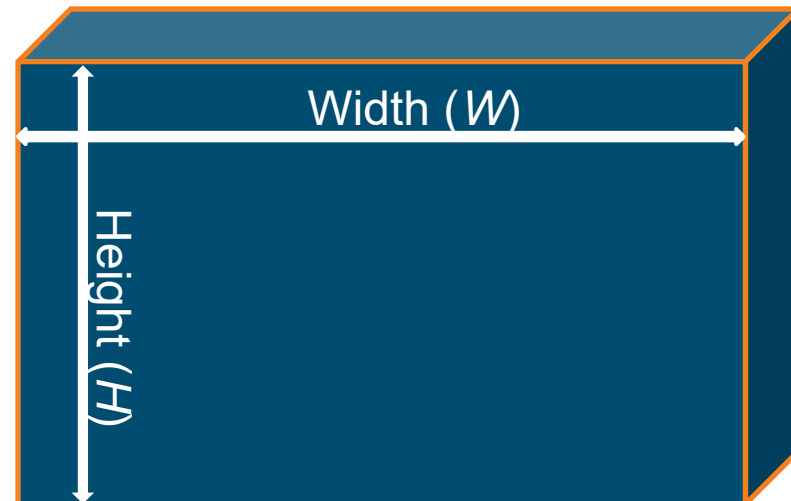


## 8.2. Calculation of Area of Principal Display Panel

The Area (A) of the PDP shall be in the case of a rectangular container, one entire side that properly can be considered to be the principal display panel, the product of the Height (H) times the Width (W) of that side.

*Area = Width x Height*

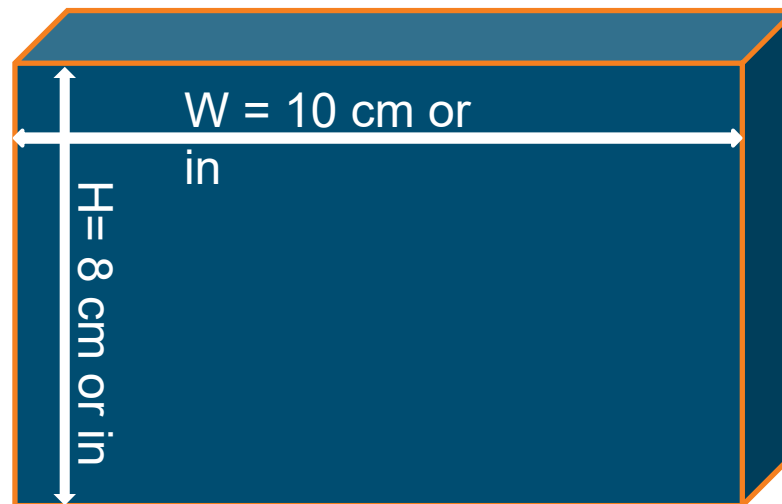
$$A = W \times H$$





## 8.2. Calculation of Area of Principal Display Panel

- Area = Width x Height
- $10 \times 8 = 80 \text{ cm}^2 \text{ or } \text{in}^2$



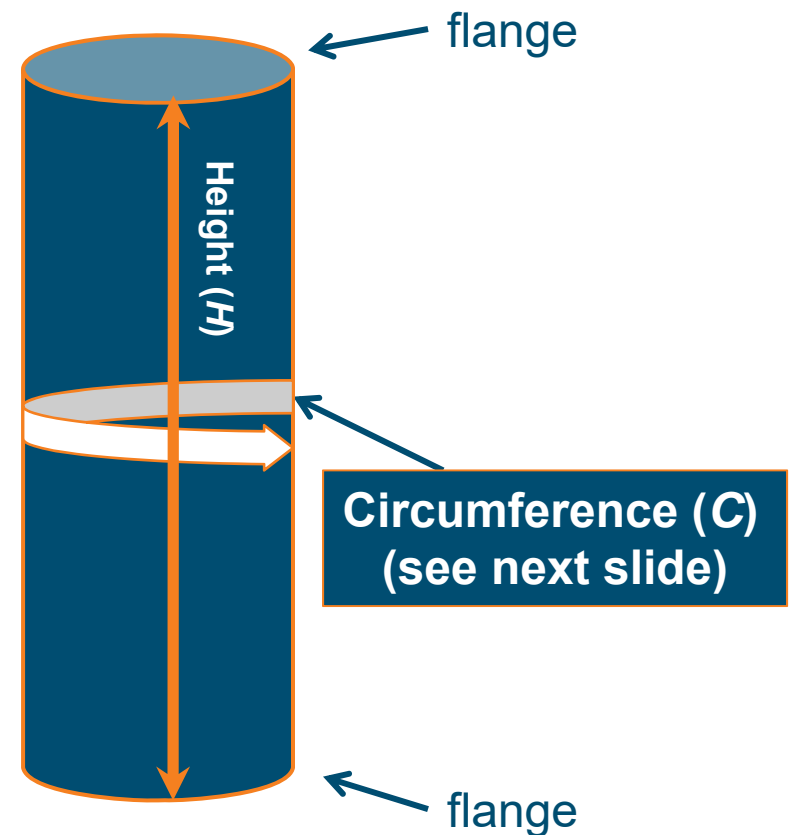
## 8.2. Calculation of Area of Principal Display Panel

The area of the PDP of a cylindrical or nearly cylindrical container shall be 40 % of the product of the Height (H) of the container times the Circumference (C).

$0.4 \times (\text{Height} \times \text{Circumference})$

$$A = 0.4 \times (H \times C)$$

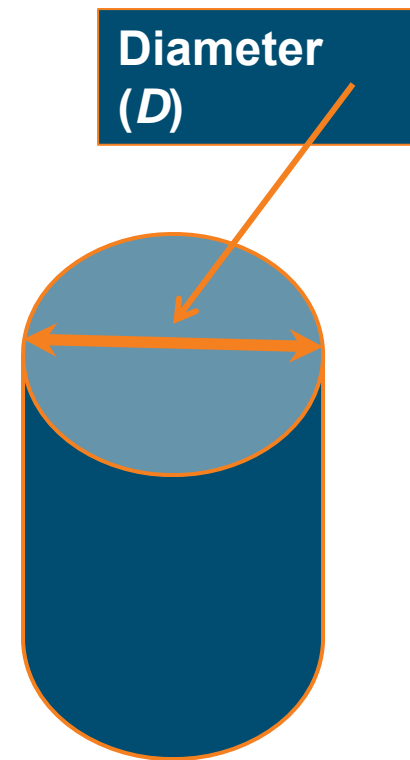
The Area of the PDP excludes the top & bottom of containers, the flanges at the top and bottom of a can, and the shoulder and neck of a bottle or jar.





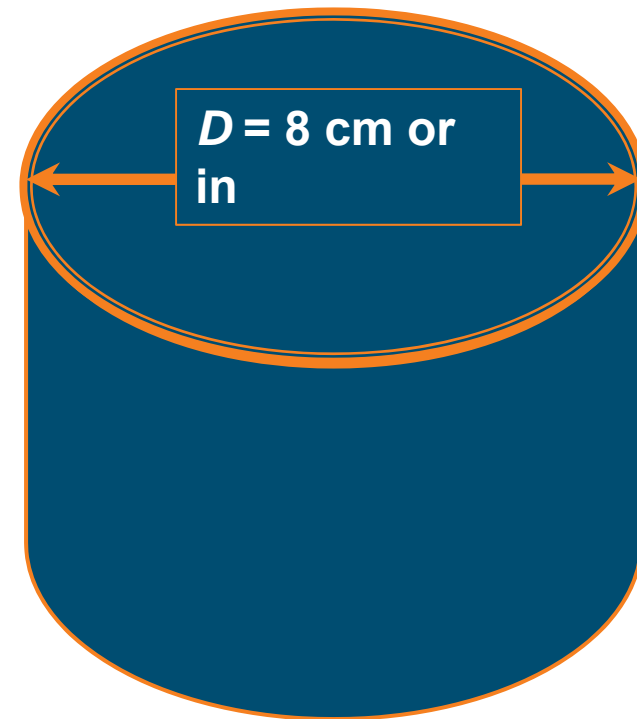
# Calculation of Circumference

- Measure across the center of the cylinder or use a Pi Tape to determine the diameter.
- If you know the diameter you can use that value determine the Circumference (C) by multiplying the Diameter (D) of the cylinder by Pi ( $\pi = 3.14159265$ ).
- Circumference =  $3.14159265 \times \text{Diameter}$
- $C = \text{Pi} \times D$
- Note: you can also use a flexible tape to measure around the center of the cylinder to determine its circumference.



# Calculation of Circumference

- Measure across the center of the cylinder or use a Pi Tape to determine the diameter.
- If you know the diameter you can use that value determine the Circumference (C) by multiplying the Diameter (D) of the cylinder by Pi ( $\pi = 3.14159265$ ).
- $3.14159265 \times 8 = 25.1327$  cm or in

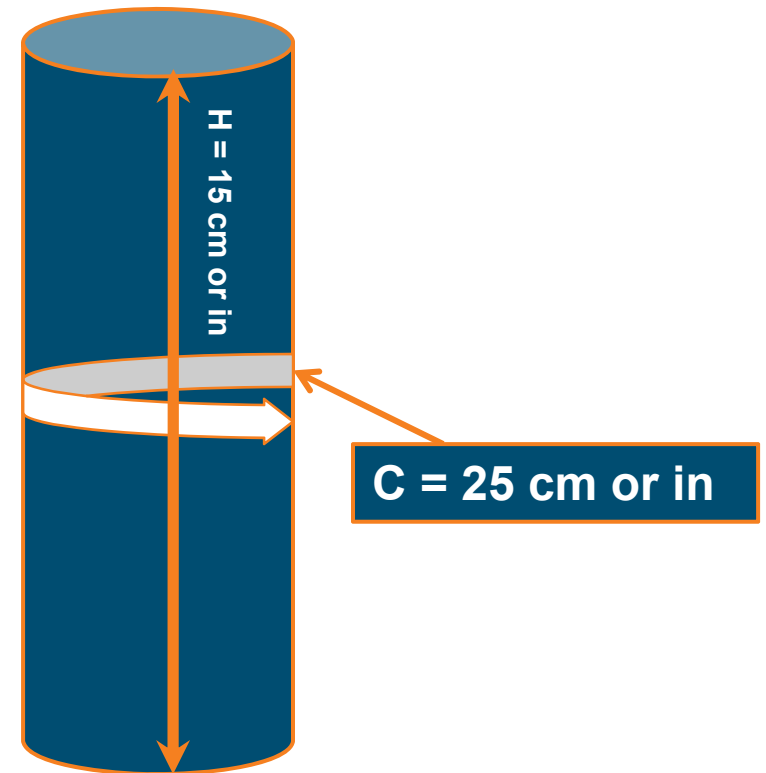


## 8.2. Calculation of Area of Principal Display Panel

The area of the PDP of a cylindrical or nearly cylindrical container shall be 40 % of the product of the Height (H) of the container times the Circumference (C).

$$\text{Area} = 0.4 \times (H \times C)$$

$$0.4 \times (15 \times 25.1327) = 150.796 \text{ cm}^2 \text{ or in}^2$$



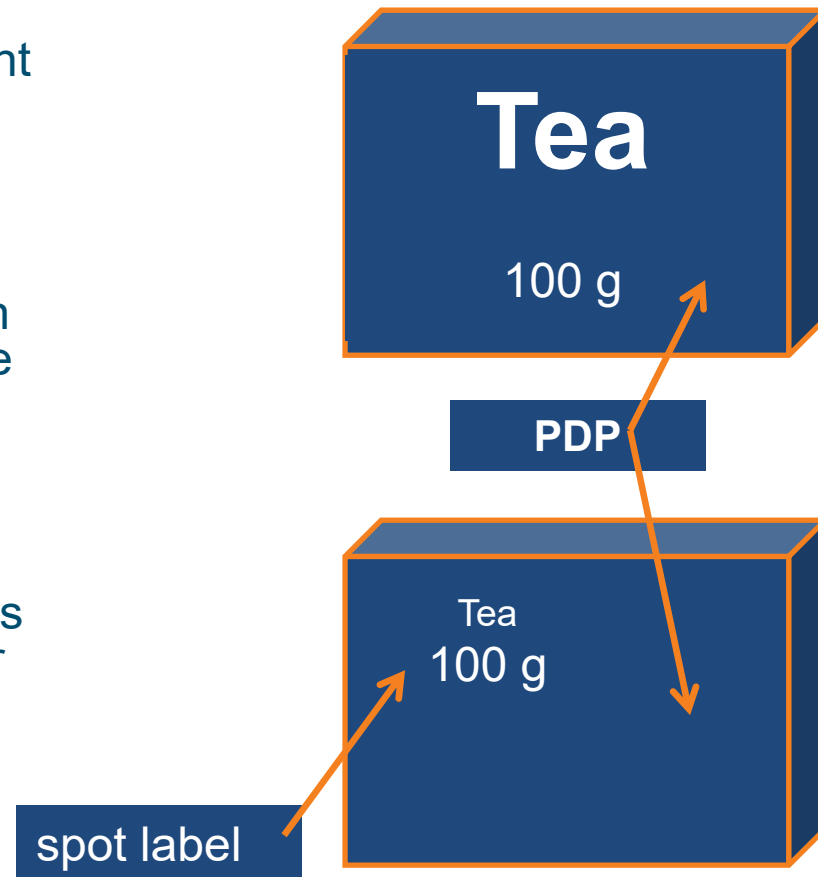
# 10.7. Cylindrical Containers

- On cylindrical, or nearly cylindrical containers, the identity and net contents shall appear within that 40 % of the circumference which is most likely to be displayed, presented, shown, or examined under customary conditions of display for retail sale.

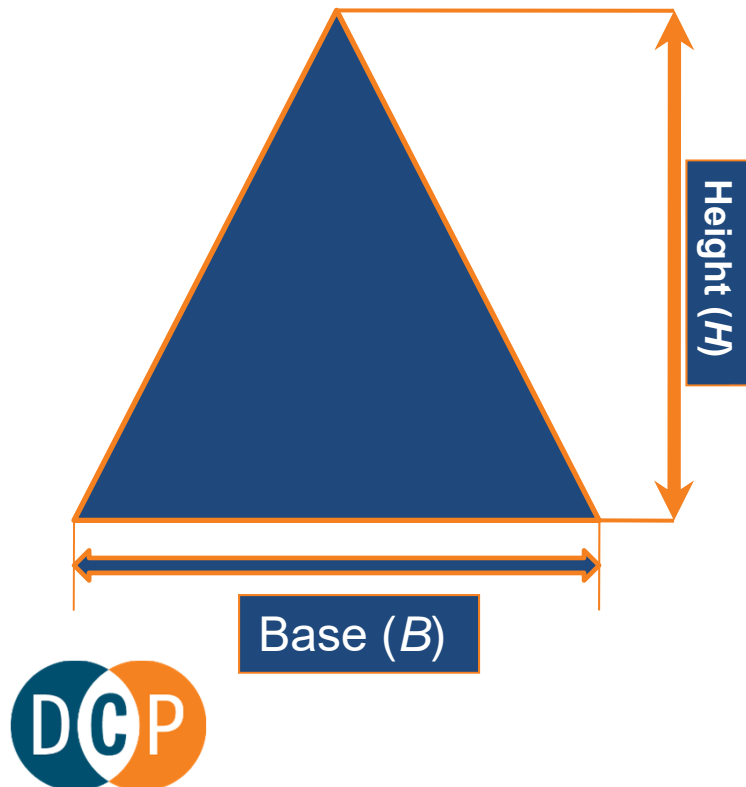


## 8.2. Principal Display Panel - General

- It is not the size of the label that is used to determine the minimum type size of the quantity statement but the size of the surface of the package exposed to view to the customer.
- It is the intention of the regulation that packages of substantially the same size will have quantity declarations of corresponding size.
- For example, if one package uses an entire panel of the package or a spot label it is still area of the entire panel that dictates type size.



- In the case of any other shaped container, 40 % of the total surface of the container, unless such container presents an obvious principal display panel (e.g., the top of a triangular or circular package of cheese, or the top of a can of shoe polish), in which case the area shall consist of the entire such surface.



Area of a Triangle

Area =  $1/2 \times \text{Base} \times \text{Height}$

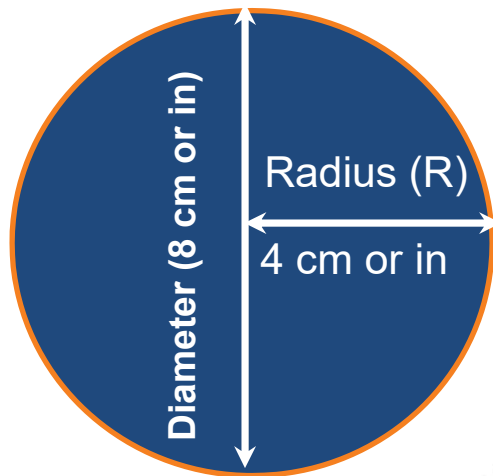
$$A = 0.5 (B \times H)$$





## 8.2. Principal Display Panel - Other Shapes

- In the case of any other shaped container, 40 % of the total surface of the container, unless such container presents an obvious principal display panel (e.g., the top of a triangular or circular package of cheese, or the top of a can of shoe polish), in which event the area shall consist of the entire such surface.

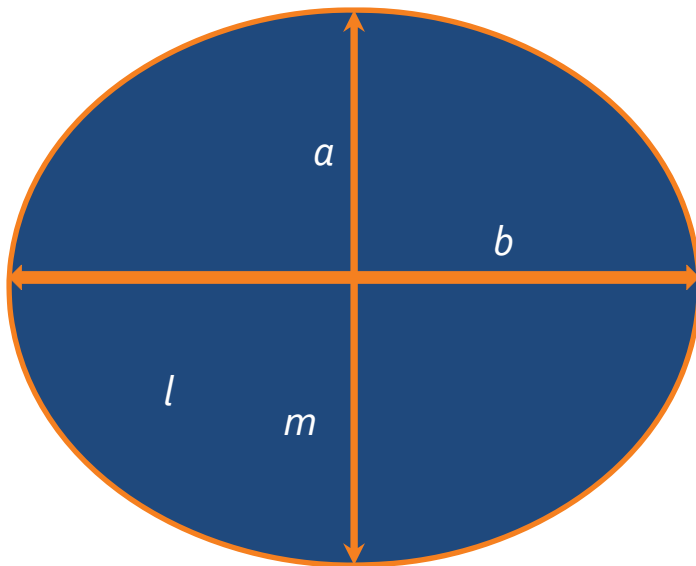


$$\begin{aligned} \text{Area of a Circle} \\ \text{Area} &= \pi \text{ Radius}^2 \\ A &= \pi R^2 \\ (3.14159265) \times (4) \times (4) &= \\ 50.265 \text{ cm}^2 \text{ or in}^2 \end{aligned}$$



## 8.2. PDP - Other Shapes - Ellipse

- In the case of any other shaped container, 40 % of the total surface of the container, unless such container presents an obvious principal display panel (e.g., the top of a triangular or circular package of cheese, or the top of a can of shoe polish), in which event the area shall consist of the entire such surface.



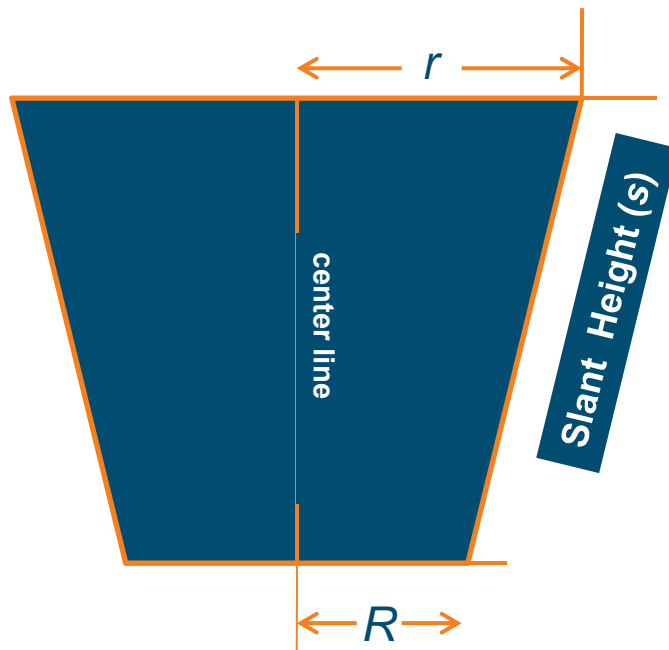
Area of an Ellipse

$$\text{Area (A)} = \pi ab$$



*a & b are the minor and major semi-axes respectively. The two illustrated points are foci, such that  $l + m$  is constant.*

## 8.2. PDP for Frustum



Lateral Surface Area of a Frustum  
(Truncated Cone)

$$\text{Area} = \pi (r + R) \sqrt{(R-r)^2 + s^2}$$

Where:  $r$  is top radius  
 $R$  is bottom radius  
 $s$  is height of slant

Pi ( $\pi = 3.14159265$ )



# Exemptions to PDP

11.17. Decorative Containers. – The PDP of a cosmetic marketed in a “boudoir-type” container, including decorative cosmetic containers of the “cartridge,” “pill box,” “compact,” or “pencil” variety, and those with a capacity of 7.4 mL (1/4 oz) or less, may be a tear-away tag or tape affixed to the decorative container and bearing the mandatory label information as required by this regulation.





- Declaration of Identity



- Declaration of Quantity in lower 30% of PDP



# Blister Packages

In this example the entire face of the card is considered the PDP for purposes of type size.

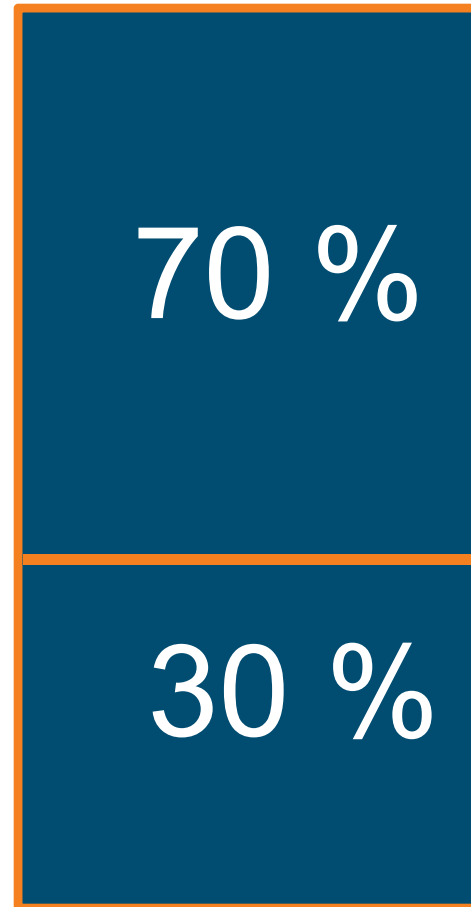
- If the net quantity declaration is shown correctly on the card it does not have to appear on the packages.
- If the net quantity declaration is shown correctly on the individual packages and the information is visible in the lower 30 % of the PDP (unless the area of the PDP is 32 cm<sup>2</sup> (5 in<sup>2</sup>) or less), is generally parallel to the bottom edge of the card, conforms to free area and other requirements then a net quantity declaration is not required to appear on the card.





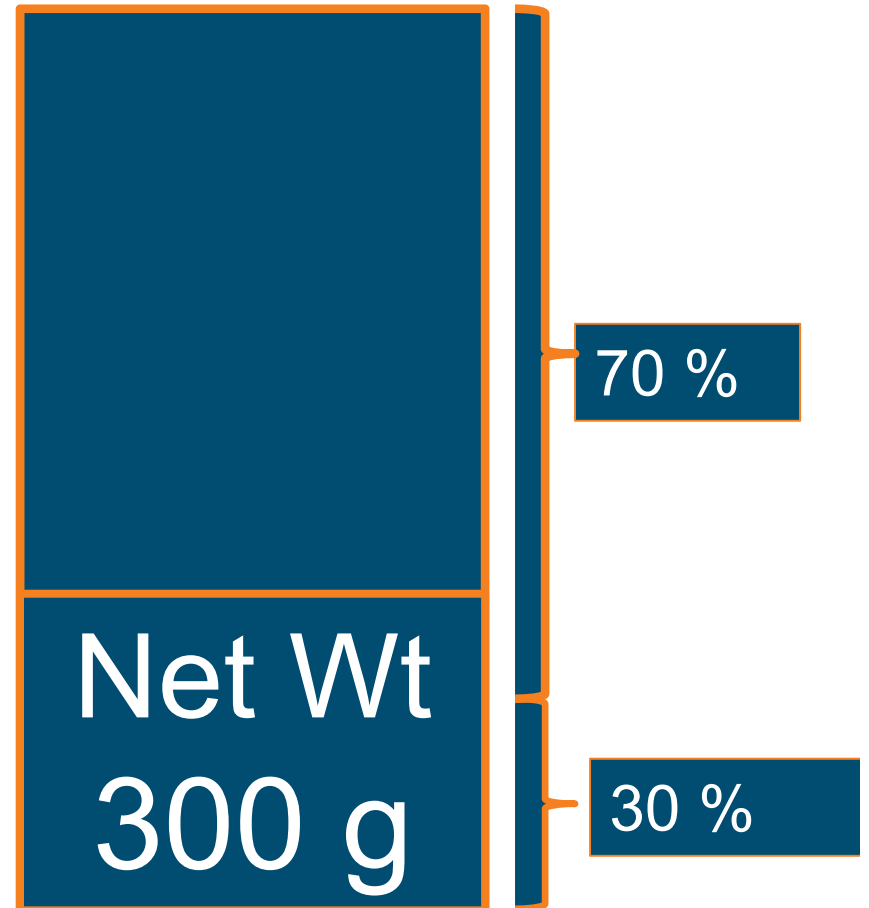
# 8. Prominence and Placement of Information

- 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.
- The net quantity declaration must appear in the lower 30 % (0.3) of the PDP.



# 8. Prominence and Placement of Information

- If the manufacturer decides to use a larger than required type size the net quantity may appear beyond the lower 30 % of the PDP PROVIDED the quantity statement fully occupies the entire lower 30 % of the PDP as well.



# Exemptions

- 11.18. Combination and Variety Packages. – ... are exempt from the requirements in this regulation for:
  - Location (see 8.1.1.),
  - Free area (see 8.1.4.), and
  - Minimum height of numbers and letters (see 8.2.1.).
- 11.29. Spot Label. – The declaration of quantity of the contents of a package is exempt from 8.1.1. Location requiring the quantity declaration to appear in the bottom 30 % of the PDP, as long as the declaration of quantity appears in the lower 30 % of the spot label. The spot label cannot be used to determine the minimum type size; see 8.2..
- 11.30. Header Strip. – The declaration of quantity of the contents of a package is exempt from 8.1.1. Location requiring the quantity declaration to appear in the bottom 30 % of the principal display panel, as long as the declaration of quantity appears in the lower 30 % of the header strip or header label. The header strip cannot be used to determine the minimum type size; see 8.2.



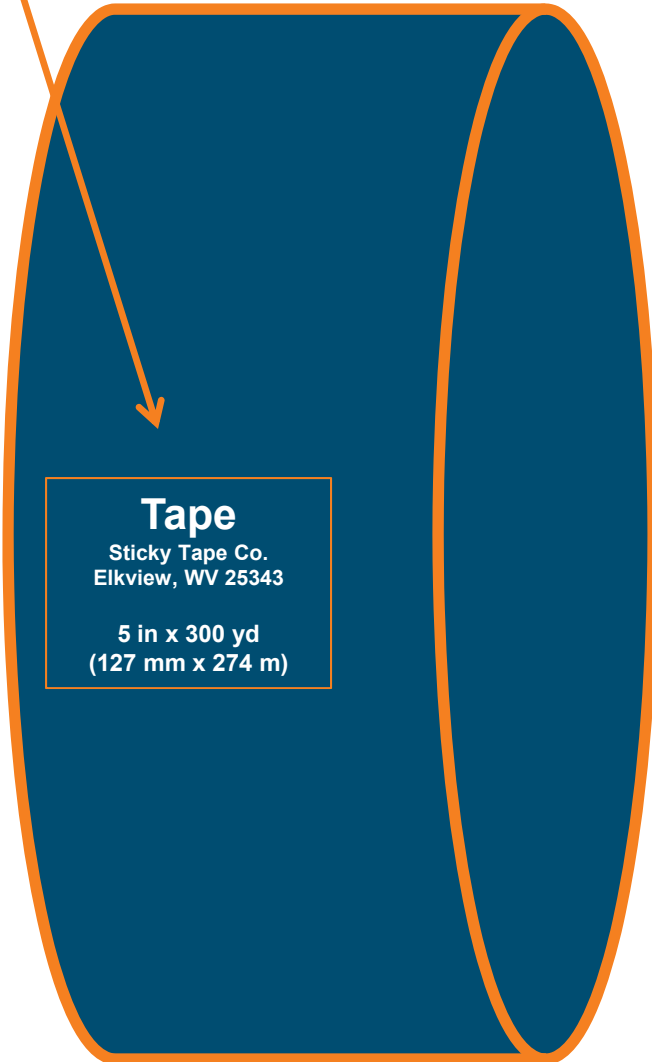
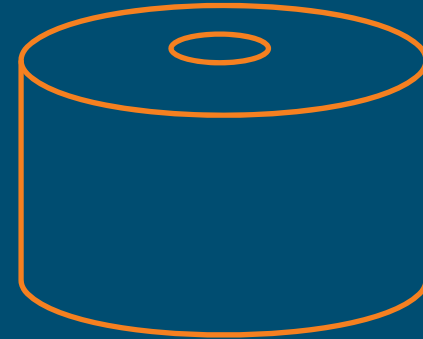
Spot Label

Header Strips

Roll of Tape

Sticky Tape Co  
Elkview, WV 25343

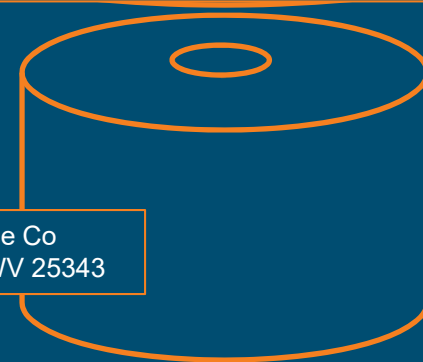
5 in x 300 YD  
(127 mm x 274 m)



**Tape**  
Sticky Tape Co.  
Elkview, WV 25343  
5 in x 300 yd  
(127 mm x 274 m)

Roll of Tape

5 in x 300 YD  
(127 mm x 274 m)

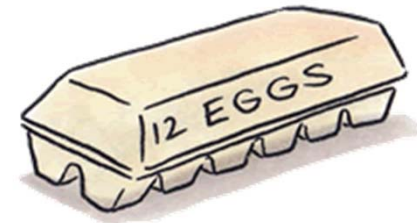


Sticky Tape Co  
Elkview, WV 25343



If the surface area bears mandatory information elsewhere on the label the entire label is a PDP

# Exemptions



- 11.28. Textile Packages. – required in 6.4.1 to provide a combination declaration stating the quantity of each individual unit and the count are exempt from the requirements in:
  - Location (see 8.1.1.),
  - Free area (see 8.1.4.), and
  - Minimum height of numbers and letters (see 8.2.1.).
- 11.14. Eggs. – Cartons containing 12 eggs shall be exempt from the requirement for location ( 8.1.1.) of net quantity declaration. When such cartons are designed to permit division in half, each half shall be exempt from the labeling requirements of this regulation if the undivided carton conforms to all such requirements.
- 11.15. Flour. – Packages of wheat flour in conventional 2, 5, 10, 25, 50, and 100 lb packages shall be exempt from the requirement in this regulation for location ( 8.1.1.) of the net quantity declaration.
- 11.16. Small Packages. – On a principal display panel of 32 cm<sup>2</sup> (5 in<sup>2</sup>) or less, the declaration of quantity need not appear in the bottom 30 % of the principal display panel if that declaration satisfies the other requirements of this regulation.



# Exemptions

11.8. Packaged Commodities with Labeling Requirements Specified in Federal Law. – Packages of meat and meat products, poultry products, tobacco and tobacco products, pesticides, and alcoholic beverages shall be exempt from those portions of these regulations specifying location and minimum type size of the net quantity declaration, “provided quantity labeling requirements for such products are specified in federal law so as to follow reasonably sound principles of providing consumer information.”

11.19. Margarine. – Margarine in 1 lb rectangular packages, except for packages containing whipped or soft margarine or packages containing more than four sticks, shall be exempt from the requirement in this regulation for location (see 8.1.1.) of the net quantity declaration.

11.20. Corn Flour and Corn Meal. – Corn flour and corn meal packaged in conventional 5, 10, 25, 50, and 100 lb bags shall be exempt from the requirement in this regulation for location (see 8.1.1.) of the net quantity declaration.





# Exemptions

- 11.7. Cigarettes and Small Cigars. – Cartons of cigarettes and small cigars, containing ten individual packages of twenty, labeled in accordance with the requirements of this regulation shall be exempt from the requirements set forth in 8.1.1. Location; 8.2.1. Minimum Height of Numbers and Letters; and 10.4. Multi-unit Packages; provided the cartons bear a declaration of the net quantity of commodity in the package.
- USDA - Sliced shingle packed bacon in rectangular packages is exempt from the requirements ... regarding the placement of the statement of the net quantity of contents within the bottom 30 % of the PDP , and that the statement be expressed both in ounces and in pounds, if the statement appears in a conspicuous manner on the PDP.



# Measuring Type Size

- In this example the ruler is placed adjacent to the letter "Z" and its height measures  $15/64$  inch.
- 2 LITERS 67.6 FL OZ

*FDA - legal action if a declaration fails to meet minimum height by  $1/32$  inch (Guide 7686 - 6/78)*



# Measuring Type Size



The height or width of a number or letter is measured at its outermost edges.



## 8.2.1. Minimum Height of Numbers and Letters

- The height of any letter or number in the required quantity declaration shall be not less than that shown in Table 1 below:

Area of PDP	Minimum Height of Numbers and Letters		Minimum Height when Blown, Formed or Molded on Surface of Container	
	mm	inch	mm	inch
32 cm <sup>2</sup> (5 in <sup>2</sup> ) or less	1.6	1/16	3.2	1/8
up to				
161 cm <sup>2</sup> (25 in <sup>2</sup> ) or less	3.2	1/8	4.8	3/16

*The height of each number of a common fraction shall meet one-half the minimum height standards.*

$\frac{3}{4}$



# Table 1. Minimum Height of Numbers and Letters

Area of PDP	Minimum Height of Numbers and Letters		Minimum Height when Blown, Formed or Molded on Surface of Container	
	mm	inch	mm	inch
up to 32 cm <sup>2</sup> (5 in <sup>2</sup> )	1.6	1/16	3.2	1/8
up to 161 cm <sup>2</sup> (25 in <sup>2</sup> )	3.2	1/8	4.8	3/16
up to 645 cm <sup>2</sup> (100 in <sup>2</sup> )	4.8	3/16	6.4	1/4
up to 2581 cm <sup>2</sup> (400 in <sup>2</sup> )	6.4	1/4	7.9	5/16
more than 2581 cm <sup>2</sup> (400 in <sup>2</sup> )	12.7	1/2	14.3	9/16



# Table 1. Minimum Height of Numbers and Letters

Area of PDP	Minimum Height of Numbers and Letters		Minimum Height when Blown, Formed or Molded on Surface of Container	
	mm	inch	mm	inch
up to 32 cm <sup>2</sup> (5 in <sup>2</sup> )	1.6	1/16 (4/64)	3.2	1/8 (8/64)
up to 161 cm <sup>2</sup> (25 in <sup>2</sup> )	3.2	1/8 (8/64)	4.8	3/16 (12/64)
up to 645 cm <sup>2</sup> (100 in <sup>2</sup> )	4.8	3/16 (12/64)	6.4	1/4 (16/64)
up to 2581 cm <sup>2</sup> (400 in <sup>2</sup> )	6.4	1/4 (16/64)	7.9	5/16 (20/64)
more than 2581 cm <sup>2</sup> (400 in <sup>2</sup> )	12.7	1/2 (32/64)	14.3	9/16 (36/64)





## 8.2.1. Minimum Height of Numbers & Letters

- When upper and lower case or all lowercase letters are used in SI symbols, it is the uppercase “L,” lowercase “d,” or their equivalent in the print or type that shall meet the minimum height requirement.

**35 mL**

**300 mm**

**30 dm<sup>3</sup>**

- Other letters and exponents must be presented in the same type style and in proportion (see also 8.2.2. Proportion) to the type size used.
- No letter shall be less than 1.6 mm (1/16 inch) in height.
- When upper and lower case letters are used in a declaration both FDA and USDA specify that it is the lower case “o” or its equivalent that must meet the minimum height requirement.



# EU's and South Africa's e mark



NOTE 4: The “e” mark (which means "estimated") shall not be considered to be a qualifying word or phrase and may be used as part of the statement of the net quantity of contents where warranted. When used, the mark shall be at least 3 mm in height. The term refers to the symbol “e” used in connection with the quantity declarations on labels of some consumer commodities marketed primarily in the EU. The mark constitutes a representation by the packer or importer that the package to which it is applied has been filled in accordance with the average system of quantity specified by the EU. The average system is a method of declaring package fill in the EU and other countries of the world, including the United States.

Sec. 8.2.1's height requirements do not apply to the e-mark.



## 8.1. General

All information required to appear on a consumer package shall appear thereon in the English language...

(USDA in 9 CFR 317.2 permits Spanish only on packages in Puerto Rico)

What is "required" information?

- Declarations of Identity, Responsibility & Net Quantity
- Other languages may appear on the package.



# 8.1. General

- All required text shall be prominent, definite, plain, and conspicuous as to size and style of letters and numbers and as to color of letters and numbers in contrast to color of background.

Net Weight 869 grams

Net Weight 869 grams

*Net Weight 869 grams*



Net Weight 869 grams

# 8.1. General

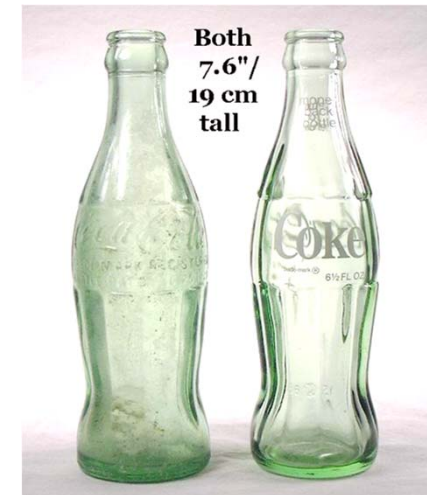
Any required information that is either in hand lettering or hand script shall be entirely clear and equal to printing in legibility.

Food Drug and Cosmetic Act - (f) Prominence of information on label. - If any word, statement, or other information required by or under authority of this Act to appear on the label or labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

FDA: the term “bold type” is meant to refer to “conspicuousness” rather than a style of type used in the printing industry or software.



The declaration or declarations of quantity shall be in such a style of type or lettering as to be boldly, clearly, and conspicuously presented with respect to other type, lettering, or graphic material on the package, **except** that a declaration of net quantity blown, formed, or molded on a glass or plastic surface is permissible when all label information is blown, formed, or molded on the surface.



Both  
7.6"/  
19 cm  
tall

The terms "boldly" or "bold type" are meant to refer to "conspicuousness" rather than a style of type used in the printing industry or software.





## 8.1.3. Color Contrast

The declaration or declarations of quantity shall be in a color that contrasts conspicuously with its background.... Except that a declaration of net quantity blown, formed, or molded on a glass or plastic surface shall not be required to be presented in a contrasting color if no required label information is on the surface in a contrasting color.



*FDA “conspicuousness (as compared with other words, statements, designs, or devices, in the labeling)”*



## 8.1.4. Free Area

The area surrounding the quantity declaration shall be free of printed information:

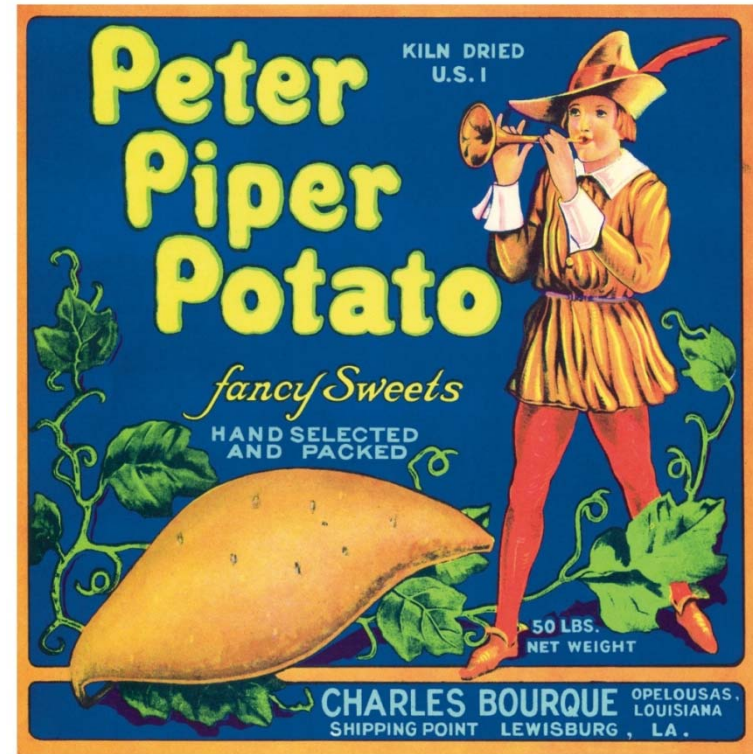
- (a) above and below, by a space equal to at least the height of the lettering in the declaration, and
- (b) to the left and right, by a space equal to twice the width of the letter “N” of the style and size of type used in the declaration.

XXXXXXXXXXXXXXXXXXXXXXXXX  
NNNET WEIGHT 500 GRAMSNN  
XXXXXXXXXXXXXXXXXXXXXXXXX



# Free Area

FDA- The free area does not apply to separation of required information from “vignettes,” “border” or other graphic as long as the conspicuousness of the required statement of quantity is not lost.



KASHRUT & QUALITY  
SALMON OIL AND SALT ADDED  
U  
I. EPSTEIN & SONS, INC.  
DISTRIBUTORS  
IRVINGTON, NEW JERSEY



TRADE MARK  
REG. U.S. PAT. OFF.



# 6.1. General

The International System of Units (SI), ...the metric system and the inch-pound system of weights and measures are recognized as proper systems to be used in the declaration of quantity. Effective 2/14/1994, ... units of both systems shall be presented in a declaration of quantity except as specified in 11.32. & 11.33.

11.32. SI Units, Exemptions - Consumer Commodities. – the requirements for statements of quantity in SI units (except those in 10.10. Packaged Seed and 11.22. Camera Film... in 6. Declaration of Quantity... shall not apply to:

Foods packaged in retail stores, random weight pkgs, labels printed before 2/14/94, meat and poultry products subject to USDA regulation, tobacco, beer, wine and distilled spirits, pesticides and herbicides, nutrition information, serving sizes & drugs and cosmetics subject to the Food, Drug and Cosmetic Act.

11.33. Inch-Pound Units, Exemptions ... the requirements for statements of quantity in inch-pound units shall not apply to packages that bear appropriate SI units. This exemption does not apply to foods, drugs, or cosmetics or to packages subject to regulation by the FTC, meat and poultry products (subject to USDA regulation)..., & tobacco or tobacco products.



# What are the legal requirements for the net quantity of contents of packages?

- The purpose of the UPLR requirements is to provide accurate and adequate information on packages as to the identity and quantity of contents so that consumers can make value (i.e., price and quantity) comparisons.
- 6.3. Net Quantity. - A declaration of net quantity of the commodity in the package, exclusive of wrappers and any other material packed with such commodity (except aerosols which include the propellant and must deliver the labeled net weight), SHALL appear on the principal display panel of a consumer package....
- 6.15. Character of Declaration: Average. - The average quantity of contents in the packages of a particular lot, shipment, or delivery shall at least equal the declared quantity, and no unreasonable shortage in any package shall be permitted even though overages in other packages in the same shipment, delivery, or lot compensate for such shortage.



# 6.1. General - SI Definition

- 2.15. SI or SI Units. – means the International System of Units as established in 1960 by the General Conference on Weights and Measures and interpreted or modified for the United States by the Secretary of Commerce. See the “Interpretation of the International System of Units for the United States” (SI) in the “Federal Register” (Vol 73, No. 96, p 28432 to 28433) for May 16, 2008, and 15 U.S. Code, 205a - 2051 “Metric Conversion.” See also NIST SP 330 “The International System of Units (SI)” 2008 Edition and NIST SP 811 “Guide for the Use of the International System of Units (SI)” 2008 Edition... that are available at [www.nist.gov/metric](http://www.nist.gov/metric) or by contacting (NIST's Metric Program)....
- NOTE 3: Packages subject to this Section and/or the ... Fair Packaging and Labeling Act shall be labeled in units of the International System of Units and the inch-pound system of measure effective February 14, 1994, [except for seed (see 10.10. Packaged Seed) and camera film and recording tape (see 11.22. Camera Film ...), and as specified in 11.32. SI Units, Exemptions - Consumer Commodities].

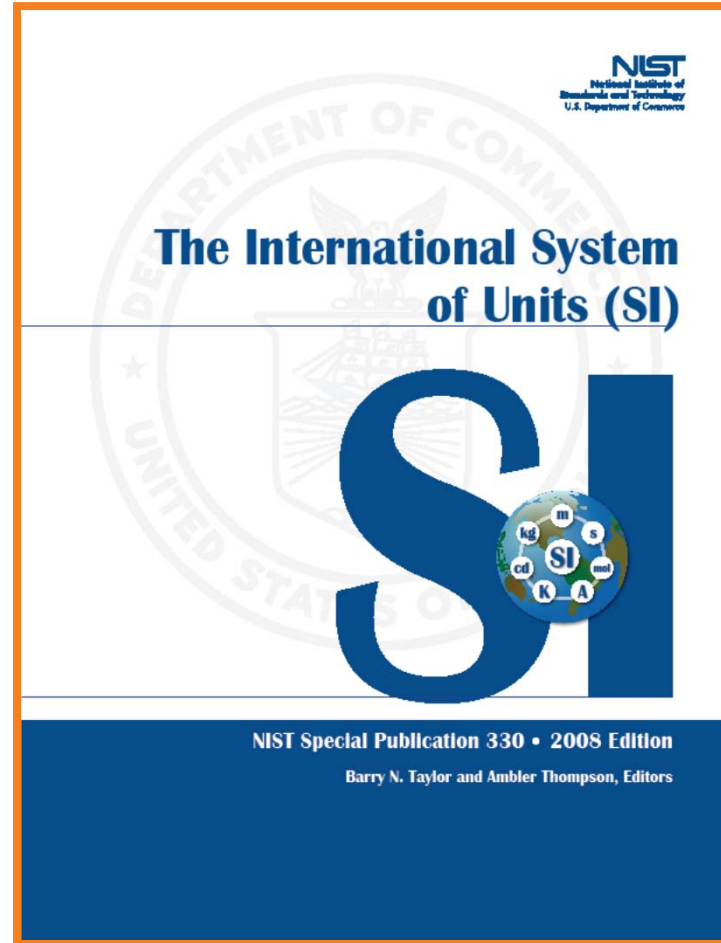
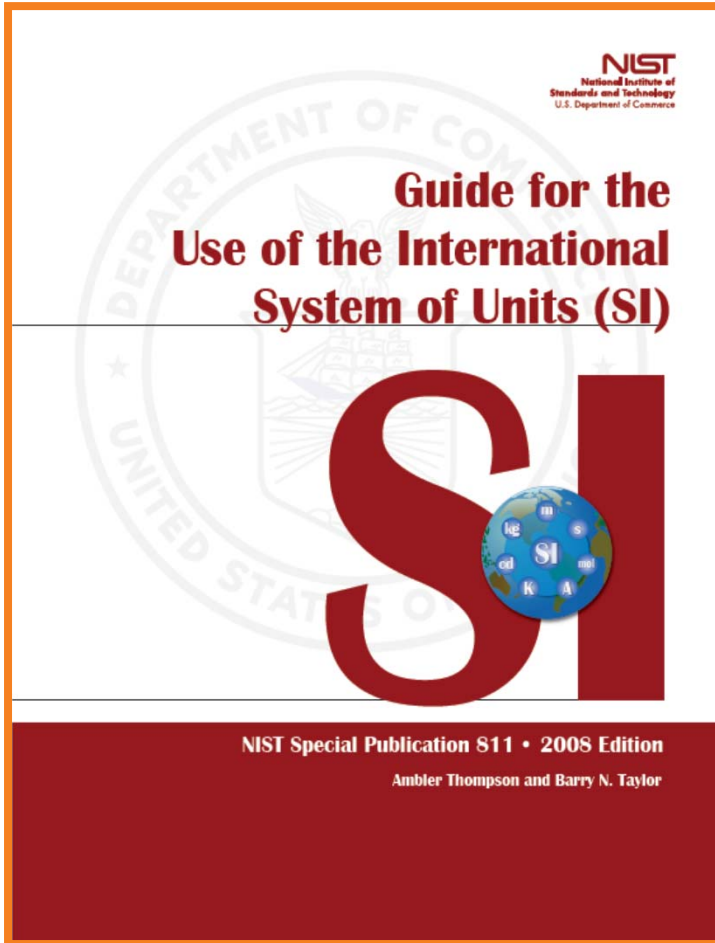
*SI units may appear first*



International Bureau of  
Weights and Measures

**BIPM**





# SI Resources



# SI Resources

- [http://ts.nist.gov/WeightsAndMeasures/Metric/mpo\\_home.cfm](http://ts.nist.gov/WeightsAndMeasures/Metric/mpo_home.cfm)
- <http://physics.nist.gov/Pubs/SP811/contents.html>
- <http://physics.nist.gov/Pubs/SP330/contents.html>
- <http://ts.nist.gov/WeightsAndMeasures/Metric/upload/SP1038.pdf>
- [http://ts.nist.gov/WeightsAndMeasures/Publications/upload/h4402\\_appenc.pdf](http://ts.nist.gov/WeightsAndMeasures/Publications/upload/h4402_appenc.pdf)



Whole Units				Decimal Units		
thousands	hundreds	tens	base unit	tenths	hundredths	thousandths
1000	100	10	1	0.1	0.01	0.001
kilo-	hecto-	deka-	meter liter gram	deci-	centi-	milli-

kilometer

km

milliliter

mL

milligram

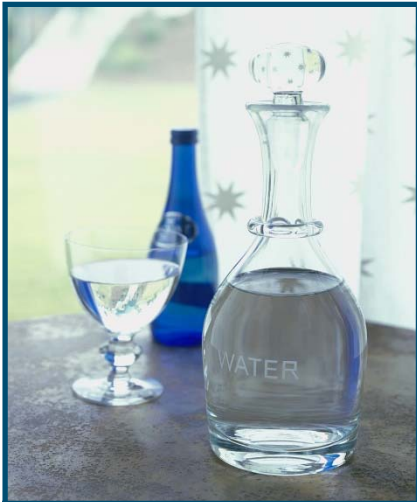
mg not

μkg

microkilogram



# Simplicity - Volume



SI	Customary
milliliters (mL) Liters (L) cubic meter (m <sup>3</sup> )	<b>Dry Volume</b> <ul style="list-style-type: none"><li>• dry pint</li><li>• dry quart</li><li>• peck</li><li>• bushel</li></ul> <b>Fluid Volume</b> <ul style="list-style-type: none"><li>• ounce</li><li>• pint</li><li>• quart</li><li>• gallon</li></ul> <b>Cord for firewood</b>



# SI Prefixes

ORIGIN	PREFIX NAME	PREFIX SYMBOL	VALUE	
GREEK for larger quantities	exa	E	$10^{18}$	Quintillion
	peta	P	$10^{15}$	Quadrillion
	tera	T	$10^{12}$	Trillion
	giga	G	$10^9$	Billion
	mega	M	$10^6$	Million
	kilo	k	$10^3$	Thousand
	hecto	h	$10^2$	Hundred
	deka	da	$10^1$	Ten
-	-	$10^0$	One	
LATIN for smaller quantities	deci	d	$10^{-1}$	Tenth
	centi	c	$10^{-2}$	Hundredth
	milli	m	$10^{-3}$	Thousandth
	micro	$\mu$	$10^{-6}$	Millionth
	nano	n	$10^{-9}$	Billionth
	pico	p	$10^{-12}$	Trillionth
	femto	f	$10^{-15}$	Quadrillionth
atto	a	$10^{-18}$	Quintillionth	

Permitted for Use on Consumer Package

"mcg" is accepted to as a substitute for a millionth



## 6.2. Largest Whole Unit (LWU) -Weight

Where this regulation requires that the quantity declaration be in terms of the LWU, the declaration shall ... be in terms of the LWU of weight or measure with any remainder expressed (following the requirements of 6.5.2. (a) and 6.11. Fractions):

2.5 kg (5.5 lb)

2500 g (88 oz)

- **SI Units.** – in decimal fractions of such largest whole unit.

2.5 kg

2½ kg

- **Inch-pound Units** - in common or decimal fractions of such LWU, or in the next smaller whole unit or units with any further remainder in terms of common or decimal fractions of the smallest unit present in the quantity declaration.

2½ lb or 2.5 lb

2 lb 8.75 oz or 2 lb 8¾ oz



## 6.2. Largest Whole Unit (LWU) -Volume

Where this regulation requires that the quantity declaration be in terms of the LWU, the declaration shall ... be in terms of the LWU of weight or measure with any remainder expressed (following the requirements of 6.5.2.(a) and 6.11. Fractions):

1gallon (3.785 L)

128 fl oz (3785 mL)

•**SI Units.** – in decimal fractions of such largest whole unit.

3.5 L

3½ L

•**Inch-pound Units** - in common or decimal fractions of such LWU, or in the next smaller whole unit or units with any further remainder in terms of common or decimal fractions of the smallest unit present in the quantity declaration.

5½ fl oz or 5.5 fl oz

104.75 fl oz  
3 Qt 8.75 fl oz or 3 Qt 8 ¾ fl oz

1/3 Bushel (1 Peck 2.66 dry quarts) (1.3 Pecks)

## 6.3 Net Quantity

A declaration of net quantity of the commodity in the package, exclusive of wrappers and any other material packed with such commodity (except as noted in 10.3. Aerosols and Similar Pressurized Containers), shall appear on the PDP of a ... package and, unless otherwise specified in this regulation (see 6.6. through 6.9. Prescribed Units), shall be in terms of the largest whole unit.

2.5 kg (5.5 lb)

250 mL

500 meters

300 cm

500 g

2 cubic feet (53 Liters)

123 cm<sup>2</sup>

1 gallon (3.785 L)

1,000 lb

50 dm<sup>3</sup>

5 mg

25 kg

16 in

50 - Sheets (10 x 6 m) 3 mil



## 6.3.1. Use of "Net Mass" or Net Weight"

A quantity declaration may stand alone [e.g., "200 g (7 oz)" or "1 lb (453 g)"] or may include the term "net mass" or "net weight" either preceding or following the declaration. The term "net" by itself may be used on food labels. However, the quantity of contents shall always declare the net quantity of contents even when such terms are not used.

2.5 kg (5.5 lb)

Net Weight 5 lb or Net Wt 5 lb

Food  
Net 5 lb

Net Mass  
5 kg (11lb)

Net Weight  
160 oz (10 lb)  
4.53 kg

**6.3.2. Lines of Print or Type.** – A declaration of quantity may appear on one or more lines of print or type.

Net 16 fl oz

Net 16 oz Weight

Nt Wgt 10 g

Net Contents 16 fl oz



## 6.4. Terms: Weight, Liquid Measure, or Count

If the commodity is:	Then the declaration of quantity shall be expressed in:
(a) solid, semisolid, viscous, or a mixture of solid and liquid,	weight (mass)
(b) liquid	liquid measure
(c) dry	dry measure
(d) in individual units	numerical count
However, if sold with its quantity expressed in a firmly established general consumer usage and trade custom	its traditional terms, provided such traditional declaration gives accurate and adequate information about a quantity to facilitate value comparisons.

**1.8. Pickles.** – The declaration of net quantity of contents on pickles and pickle products, including relishes but excluding one or two whole pickles in a transparent wrapping, which may be declared by count, shall be expressed in terms of liquid measure. Sales of pickles from bulk may be by count.

“Any net quantity statement that does not permit price and quantity comparisons is forbidden.”



## 6.4.1. Combination Declaration

- (a) A declaration of quantity in terms of weight shall be combined with appropriate declarations of the measure, count, and size of the individual units unless a declaration of weight alone is fully informative.

Oatmeal  
10 - 1.5 oz Packages -- Total Net Wt 15 oz

Extra Fancy Apples - 72 Count  
Net Weight 40 lb (18 kg)

- (b) A declaration of quantity in terms of measure shall be combined with appropriate declarations of the weight, count, and size of the individual units unless a declaration of measure alone is fully informative.

Root Beer  
12 - 355 mL (12 fl oz) Cans - Total Contents 4.26 L (1.12 gal)





## 11.27. Packaged Commodities Sold by Count

- Count is permitted to be used but often it is not fully informative because products (especially fruits and vegetables and baked goods) vary by weight and size. In these cases count is not sufficient to give consumers accurate information and value comparisons are frustrated.



## 6.4.1. Combination Declaration

- (c) A declaration of quantity in terms of count shall be combined with appropriate declarations of the weight, measure, and size of the individual units unless a declaration of count alone is fully informative.



Grade A JUMBO Eggs  
1 Dozen  
Net Wt 30 oz (1 lb 14 oz) 850 g

20 lb Bond - White Copy Paper  
1000 Sheets - 215 mm x 279 mm (8½ x 11 in)

Stainless Steel Carriage Bolts  
50 Count - Diameter: 25 mm Length: 300 mm



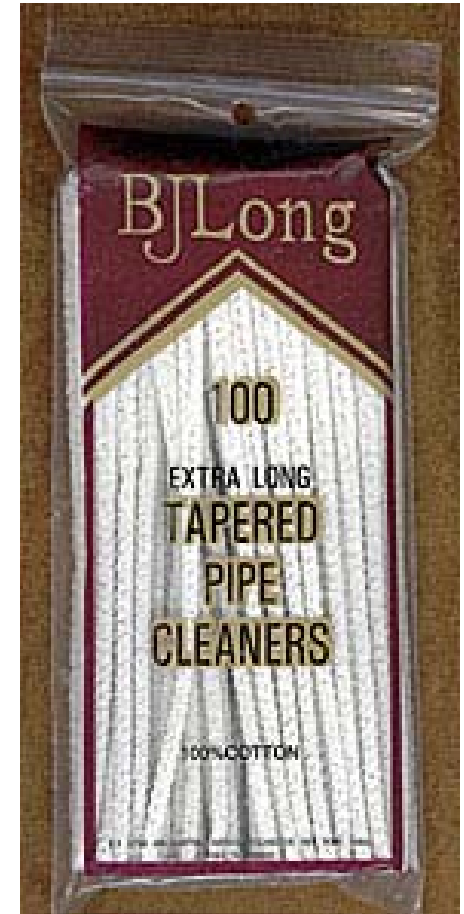
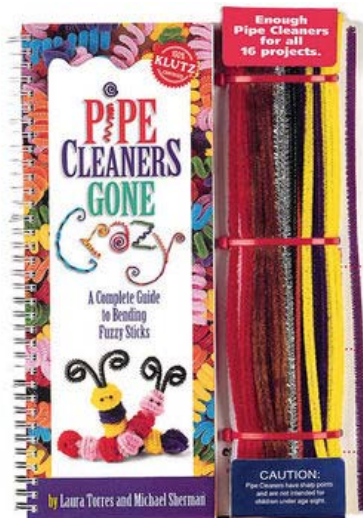
## 11.27. Packaged Commodities Sold by Count

- [NOTE 10 ] – When a packaged consumer commodity is properly measured in terms of count only, or in terms of count and some other appropriate unit, and the individual units are fully visible to the purchaser, such packages shall be labeled in full accord with this Regulation except that those containing six or less items need not include a statement of count.
- NOTE 10: When the net contents declaration of a package that may enter interstate commerce includes count, federal regulations under the Federal Fair Packaging and Labeling Act provide no exemption from declaring the count unless the count is one (1).
- 10.9.1. Wearing Apparel. – (including nontextile apparel and accessories such as leather goods and footwear) sold as single unit items, or if normally sold in pairs (such as hosiery, gloves, and shoes) sold as single unit pairs, shall be exempt from the requirements for net quantity statement by count required by 6.4. Terms: Weight, Liquid Measure, Dry Measure, or Count.



# Count - Requirement for Non Standard Sizes

- When commodities normally requiring only count are produced in unusual sizes, the net quantity statement should additionally include the measurement (e.g., the "industry standard" length for pipe cleaners might be 6 inches so pipe cleaners made in 12 and 18 inch lengths for arts and crafts must have the length declared.) {FTC}



# Count – Canned Corn & Popcorn on the Cob

- FDA 7641 – A net weight statement on canned corn-on-the-cob may not be meaningful to consumers since it would include the inedible cob and packing medium which is customarily discarded.





# FTC Title 16: Commercial Practices

## PART 501—EXEMPTIONS FROM REQUIREMENTS AND PROHIBITIONS UNDER PART 500

### 501.2 Christmas tree ornaments.

- Christmas tree ornaments packaged and labeled for retail sale are exempt from the net quantity statement requirements of part 500 of this chapter which specify how the net quantity statement should be expressed, provided:
  - (a) The quantity of contents is expressed in terms of numerical count of the ornaments, and
  - (b) The ornaments are so packaged that the ornaments are clearly visible to the retail purchaser at the time of purchase.



# Title 16: Commercial Practices

- 501.3 Replacement bags for vacuum cleaners.
- Replacement bags for vacuum cleaners, packaged and labeled for retail sale are exempt from the requirements of 500.15a of this chapter which specifies how measurement of container type commodities should be expressed, provided:
  - (a) The quantity of contents is expressed in terms of numerical count of the bags;
  - (b) A statement appears on the principal display panel of the package accurately identifying the make and model of the vacuum cleaner or cleaners in which the replacement bag is intended to effectively function;
  - (c) The name and place of business of the manufacturer, packer, or distributor of the replacement bags, in addition to the requirements of 500.5 of this chapter, appears on the principal display panel of the package.

[35 FR 10510, June 27, 1970]





## 6.5. SI Units: Mass and Measure

If a declaration of quantity is by:	Then it shall be labeled in terms of:
a. mass	milligram or gram or kilogram
b. liquid	milliliters or liters at 20 °C except for petroleum and distilled spirits at 15.6 °C; frozen commodities sold and consumed at their frozen temperature; malt & beverages requiring refrigeration at 4 °C
c. linear measure	millimeter or centimeter or meter
d. area measure	square millimeter or square centimeter or square decimeter or square meter
e. dry volume	milliliter or liter except that cubic decimeter or cubic meter may be used if required by a method of sale regulation
f. Rule of 1000	between 1 and 1000, except that cm or mm may be used below 100 cm (e.g., 500 g not 0.5 kg; 750 mL not 0.75 L;)
g. Digits	3 digits but if less than 100 in 2 digits
h. Mixed Units	1.95 kg not 1 kg 950 g - mixing of units is prohibited



# 6.5.1. Symbols

Unit	SYMBOL	Unit	SYMBOL
centimeter	cm	cubic meter	m <sup>3</sup>
cubic centimeter	cm <sup>3</sup>	kilogram	kg
meter	m	gram	g
milligram	mg	millimeter	mm
liter	L or l	square meter	m <sup>2</sup>
milliliter	mL or ml	cubic decimeter	dm <sup>3</sup>
square centimeter	cm <sup>2</sup>	square decimeter	dm <sup>2</sup>
micrometer	μm	microgram	μg or mcg

- These SI symbols must be used. “Sq meter,” & “cubic m” would be accepted.
- Except for the “L” for liter the symbols are not capitalized unless derived from a proper name. The “L” is preferred but “l” and “ml” are accepted.
- Periods and “s” (for plural) are prohibited.



## 6.5.2. Fractions & Prefixes

Prefix	Symbol	Multiplying Factor*
kilo-	k	$\times 10^3$
deca- <sup>**</sup>	da	$\times 10$
deci- <sup>**</sup>	d	$\times 10^{-1}$
centi- <sup>***</sup>	c	$\times 10^{-2}$
milli-	m	$\times 10^{-3}$
micro- <sup>****</sup>	$\mu$	$\times 10^{-6}$
<p>*<math>10^2 = 100</math>; <math>10^3 = 1000</math>; <math>10^{-1} = 0.1</math>; <math>10^{-2} = 0.01</math> Thus, 2 kg = 2 x 1000 g = 2000 g and 3 cm = 3 x 0.01 m = 0.03 m</p>		
<p>**Not permitted on food labels.</p>		
<p>***Should only be used with "meter."</p>		
<p>****Shall only be used for measurements less than 1 mm.</p>		



# 6.6.1 Prescribed SI Units

If a declaration of quantity LESS than ONE	Then it shall be labeled in terms of:
(a) meter	millimeters or centimeters
(b) square meter	square centimeters or square decimeters or decimal fractions of either unit.
(c <sub>1</sub> ) gram	milligrams
(c <sub>2</sub> ) kilogram*	grams or decimal fractions of a gram
(d) liter (liquid or dry)	milliliters
(e) cubic meter	cubic centimeters or cubic decimeters (liters)
<p>*Provided the quantity on a random mass packages may be expressed in units of decimal fractions of the largest appropriate unit to no more than three decimal places. (e.g., 2.542 kg but not 2.5423 kg)</p>	



## 6.6.2. Prescribed SI Units

<b>If a declaration of quantity MORE than ONE</b>	<b>Then it shall be labeled in terms of:</b>
(a) meter	meters
(b) square meter	square meter
(c) kilogram	grams or decimal fractions of a gram
(d) liter (liquid or dry)	milliliters
(e) cubic meter	cubic centimeters or cubic decimeters (liters)
<p>All of the quantities shown above may be expressed in units of decimal fractions of the largest appropriate unit to no more than three decimal places. (e.g., 2.542 kg but not 2.5423 kg)</p>	



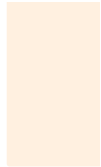
## 6.7. Inch-Pound Units: Weight, Measure

A declaration of quantity if:	Then it shall be labeled in terms of:
a. weight	avoirdupois pound or ounce
b. liquid	fluid ounce, pint, quart, or gallon (231 cubic inches) at 68 °F except for: 1. petroleum and distilled spirits at 60 °F 2. frozen commodities at frozen temperature 3. refrigerated beverages at 40 °F 4. malt beverages at 39.1 °F
c. linear measure	inch, foot, yard
d. area measure	square inch, square foot, square yard
e. volume	cubic inch, cubic foot, cubic yard (unless another unit required by method sale regulation such as a “Cord” for firewood).
f. dry measure	dry pint, dry quart, peck, U.S. Bushel (2150.42 cubic inches)
All of the quantities shown above may be expressed in common or decimal fractions of the largest unit to no more than three decimal places.(e.g., 2.542 lb but not 2.5423 lb)	





# 6. 7.1. Symbols and Abbreviations



Unit or Term	Abbreviation	Unit or Term	Abbreviation
avoirdupois	avdp	liquid	liq
count	ct	ounce	oz
cubic	cu	piece	pc
diameter	dia	pint	pt
drained	Dr	pound	lb
each	ea	quart	Qt
fluid	fl	square	Sq
feet or foot	ft	weight	Wt
gallon	gal	yard	Yd
inch	in		

Periods should not be used. Abbreviations should be singular (no “s”) not plural.

Upper or lower case letters may be used. “oz” is used with mass or fluid measure



# 6.7.1. Symbols & Abbreviations

The use of quotation marks for “inch” and “foot” is not permitted.

Duct Tape  
100”

Rope  
100’

Duct Tape  
100 inches or 100 in

Excessive space between the number and unit is declaration does not provide a prominent, definite, and conspicuous declaration of quantity. See also 6.4 which reads that any quantity statement that does not permit price and quantity comparisons is forbidden.

100

Rope

ft



## 6.7.2. Units of Two or More Meanings

When the term “ounce” is used with a liquid quantity, the declaration shall include the term “fluid” or “fl”

Varasol Cleaning Solvent  
“44 fluid ounces” not “44 ounces”

The term “fluid” may be omitted when, by association of terms, the meaning is obvious.

Varasol Cleaning Solvent  
“1 pint 4 ounces”

When the quantity is the dry pint or dry quart, the declaration shall include the word “dry.”

“1 dry pint” or “1 dry quart” but not “1 dry peck” or “1 dry bushel”



# 6.8.1. Prescribed Inch-pound Units

<b>If a declaration of quantity LESS than ONE</b>	<b>Then it shall be labeled in terms of:</b>
(a) foot	inches
(b) square foot	square inches
(c) pound	ounces or decimal fractions of a pound (e.g., 0.75 lb)
(d) pint	fluid ounces

All of the quantities shown above may be expressed in common or decimal fractions of the largest appropriate unit. Random packages may be labeled to no more than three decimal places.



## 6.8.2. Prescribed Inch-pound Units

<b>If a declaration of quantity is:</b>	<b>Then it shall be labeled in terms of the largest whole unit in:</b>
(a) 1 foot or more	yards or feet with remainder in inches and fractions of an inch, foot or yard. Optional declaration of inches is permitted.
(b <sub>1</sub> ) 1 square foot or more but less than 4 square feet	square feet with remainder in square inches or square feet or in fractions of these units.
(b <sub>2</sub> ) 4 square feet or more	square yards or square feet with remainder in square inches or square feet or square yards or in fractions of these units.
(c) 1 pound or more	pounds with remainder in ounces or in fractions of a ounce or pound (e.g., “2 lb 7¾ oz,” or “1.75 lb”)
(d <sub>1</sub> ) 1 pint or more but less than 1 gallon	quarts, quarts and pints, or pints with remainder in fluid ounces or fractions of the pint or quart (2 qt may be ½ gal). Optional declaration of fluid ounces is permitted.
(d <sub>2</sub> ) 1 gallon or more	gallons or fractions of a gallon or quarts or pints or fluid ounces
(e) 1 dry pint or more	dry pint, dry quart, peck or bushel with remainder in fractions of those units.



# Converting & Rounding net Quantity Declarations



- Exercise caution when using any conversion software unless you verify that the conversion factors it uses conform to current values published by NIST



# Conversion and Rounding

- The UPLR does not prescribe mandatory rounding rules. It provides accurate conversion factors and guidance on presenting meaningful values.
- Quantity declarations in Customary or Inch-pound Units and SI Units do not have to be mathematically equivalent.
- NIST Handbook 133 "Checking the Net Contents of Packaged Goods" requires officials to verify the largest declared quantity.





# Example: Overstating Net Contents

In 1994, when SI units were first required on packages, some dairies labeled their 1/2 Pint cartons of milk as "8 fl oz ( 240 mL)" so that the net quantity statement would match the quantity in the nutritional statement. Unfortunately, they did not change their fill targets from 236.5 mL to 240 mL and, when tested the products failed to meet NIST Handbook 133 requirements.

- 1 fluid oz = 29.573 5 mL
- 8 fluid oz = 236.588 000 mL
- Rounding up 3.41 mL (about 1/8 fl oz) made a difference.



## 6.13. Rounding

- In all conversions for the purpose of showing an equivalent SI or inch-pound quantity to a rounded inch-pound or SI quantity, or in calculated values to be declared in the net quantity statement, the number of significant digits retained must be such that accuracy is neither sacrificed nor exaggerated.
- Conversions, the proper use of significant digits, and rounding must be based on the packer's knowledge of the accuracy of the original measurement that is being converted. In no case shall rounded net contents declarations overstate a quantity; the packer may round converted values down to avoid overstating the net contents.



# HB 130 –

## SI/Customary & Inch-Pound Factors

- **Appendix A:** Accurate conversion factors for most packaged goods.
- **Appendix B:** Converting Inch-pound Units to SI Units for Quantity Declarations on Packages

*NOTE: When as a result of rounding SI or customary inch-pound declarations calculated based on the conversion factors in Appendix A, the resulting declarations are not exact, the largest declaration, whether metric or inch-pound, will be used for enforcement purposes to determine whether a package contains at least the declared amount of the product.*



LENGTH							
1 mil (0.001 in)	=	25.4	μm*	1 micrometer	=	0.039 370	mil
1 inch	=	2.54	cm*	1 millimeter	=	0.039 370 1	in
1 foot	=	30.48	cm*	1 centimeter	=	0.393 701	in
1 yard	=	0.914 4	m*	1 meter	=	3.280 84	ft
1 rod	=	5.029 2	m*				
AREA							
1 square inch	=	6.451 6	cm <sup>2</sup> *	1 square centimeter	=	0.155 000	in <sup>2</sup>
1 square foot	=	929.030	cm <sup>2</sup>	1 square decimeter	=	0.107 639	ft <sup>2</sup>
1 square yard	=	0.836 127	m <sup>2</sup>	1 square meter	=	10.763 9	ft <sup>2</sup>
VOLUME or CAPACITY							
1 cubic inch	=	16.387 1	cm <sup>3</sup>	1 cubic centimeter	=	0.061 023 74	in <sup>3</sup>
1 cubic foot	=	0.028 316 8 28.316 8	m <sup>3</sup> L	1 cubic decimeter	=	0.035 314 7	ft <sup>3</sup>
1 cubic yard	=	0.764 555	m <sup>3</sup>	1 cubic meter	=	35.314 7 1.307 95	ft <sup>3</sup> yd <sup>3</sup>
1 fluid ounce	=	29.573 5	mL	1 milliliter (cm <sup>3</sup> )	=	0.033 814	fl oz
1 liquid pint	=	473.177 0.473 177	mL L	1 liter	=	1.056 69 0.264 172	liq qt gal
1 liquid quart	=	946.353 0.946 353	mL L	1 dry pint	=	550.610 5	mL
				1 dry quart	=	1.101 221	L
1 gallon	=	3.785 41	L	1 peck	=	8.809 768	L
1 bushel	=	35.239 1	L	1 gill	=	18.294 1	mL
MASS (weight)							
1 ounce	=	28.349 5	g	1 milligram	=	0.000 035 274 0.015 432 4	oz grain
1 pound	=	453.592 37 0.453 592	g* kg	1 gram	=	0.035 274	oz
1 grain	=	64.798 91	mg	1 kilogram	=	2.204 623	lb
TEMPERATURE							
$t_{\circ F} = 1.8 t_{\circ C} + 32^*$				$t_{\circ C} = \frac{5}{9} (t_{\circ F} - 32)^*$			
* Exactly							
** These conversion factors are given to six or more significant digits in the event such accuracy is necessary. To convert to inch-pound units divide the factor rather than multiplying.							

# UPLR Appendix B: Converting Inch-pound Units to SI Units for Quantity Declarations on Packages

- 1. Conversion. - To convert an inch-pound quantity to an SI quantity, multiply the appropriate conversion factor in Table 1 in Appendix A by the inch-pound unit and round according to the following rules.
- 2. Rounding and Significant Digits. - It is the packager's responsibility to round converted values appropriately and select the appropriate number of significant digits to use in quantity declaration. [These rounding rules are for converting quantity determinations on packages and do not apply to digital scales that...round indications to the nearest indicated value.] Conversions, the proper use of significant digits, and rounding must be based on the packer's knowledge of the accuracy of the original measurement that is being converted. For example, if a package is labeled 453.59 g (1 lb), the packer is implying that the package declaration is accurate within  $\pm 0.005$  g ( $\pm 5$  mg). For liquid volume measure, a label declaration of 473 mL (16 fl oz) implies that the package declaration is accurate to within  $\pm 0.5$  mL (0.01 fl oz). The requirements of 6.13. Rounding apply to all quantity declarations that are derived from converted values:
  - 6.13. Rounding. – In all conversions for the purpose of showing an equivalent SI or inch-pound quantity to a rounded inch-pound or SI quantity, or in calculated values to be declared in the net quantity statement, the number of significant digits retained must be such that accuracy is neither sacrificed nor exaggerated. Conversions, the proper use of significant digits, and rounding must be based on the packer's knowledge of the accuracy of the original measurement that is being converted. In no case shall rounded net contents declarations overstate a quantity; the packer may round converted values down to avoid overstating the net contents.



# UPLR Appendix B: Converting Inch-pound Units to SI Units for Quantity Declarations on Packages

- NOTE: When as a result of rounding SI or customary inch-pound declarations calculated based on the conversion factors in Appendix A, the resulting declarations are not exact, the largest declaration, whether metric or inch-pound, will be used for enforcement purposes to determine whether a package contains at least the declared amount of the product.
- Do not round conversion factors or any other quantity used or determined in the calculation; only round the final quantity to the number of significant digits needed to maintain the accuracy of the original quantity.
- Use the rounding rules presented below in Table 1 as guidance to round the final result. In general, quantity declarations on consumer commodities should only be shown to two or three significant digits (e.g., 453 g or 85 g). Any final zeros to the right of the decimal point need not be expressed. The inch-pound and SI declarations of quantity must be accurate and equivalent to each other. For example, a package bearing a net weight declaration of 2 lb (32 oz) must also include an SI declaration of 907 g.



**Table 1. Rounding Rules**

When The First Digit Dropped is:	The Last Digit Retained is:	Examples
less than 5	Unchanged	2.44 to 2.4 2.429 to 2.4
more than 5, or followed by at least 1 digit other than 0	Increased by 1	2.46 to 2.5 2.451 to 2.5
5 followed by zeros	Unchanged if Even, or Increased by 1 if odd	2.450 to 2.4 2.550 to 2.6

- *(a) When the first digit discarded is less than 5, the last digit retained should not be changed. For example, if the quantity 984.3 is to be declared to 3 significant digits, the number 3 to the right of the decimal point must be discarded since it is less than 5 and the last digit to be retained (the number 4) will remain unchanged. The rounded number will read 984. The same rationale applies to numbers declared to two significant digits (for example 68.4 and 7.34); again, the final digit is dropped and the last digit retained remains unchanged so that the “rounded-off” numbers become 68 and 7.3 respectively.*





# Rounding Rules Continued

- (b) When the first digit to be discarded is greater than 5, or it is a 5 followed by at least one digit other than zero, the last digit to be retained should be increased by one unit.
- Examples:
  - 984.7 becomes 985
  - 984.5 becomes 985
  - 6.86 becomes 6.9
  - 6.88 becomes 6.9
- (c) When the first digit to be discarded is exactly 5, followed only by zeros, the final digit to be retained should be rounded up if it is an odd number (1, 3, 5, 7, or 9), but no adjustment should be made if it is an even number (2, 4, 6, or 8).
- Examples:
  - 984.50 becomes 984
  - 985.50 becomes 986
  - 68.50 becomes 68
  - 7.450 becomes 7.4
  - 7.550 becomes 7.6
- *\*NOTE: See additional examples in Table 2.*



# 3. Additional Advice on Rounding and Significant Digits

- (a) These rules require the packer to use good judgment in making decisions on how to round and the number of significant digits to use in quantity declarations. Rounding should always be done in one step; for example, if 16.946 47 g has to be rounded to 3 significant digits, it should be rounded to 16.9 g, not 16.946 5, then to 16.946, then to 16.95 which would then round to 17.0 g (see rounding rules above).
- (b) Do not use rounded SI values to calculate quantities. For example, using 1 in = 25.4 mm, rounded to 25 mm, should not be multiplied by 2 to determine the SI equivalent for 2 in. The SI equivalent for 2 in is determined by multiplying 2 in x 25.4 mm = 50.8 mm, then rounding to 51 mm.
- (c) If a dimension given as 8 ft is valid to the nearest 1/10 in, consider it to mean 96.0 in and treat it as having 3 significant digits. The rounded dimension would then be 2.44 m instead of 2.4 m.
- (d) Conversions using a multiple digit conversion factor usually give a product with more digits than the original quantity. The final product should contain no more significant digits than are contained in the number with the fewest significant digits used in the conversion. For example, the area of a sheet of paper is determined on a calculator by multiplying 1.25 cm (length) x 1.5 cm (width) = 1.875 cm<sup>2</sup>. The product given to 4 significant digits on the calculator cannot be any more accurate than 2 significant digits (the number of significant digits in 1.5 cm), so the area should be declared as 1.9 cm<sup>2</sup>.
- (e) Packagers of consumer commodities should be aware that when a converted value is rounded up, there may be a need to (1) increase the package contents and/or, (2) select a converted value that does not exaggerate the precision of the quantity or overstate the net contents. For example, under the rules above, a net weight declaration of 16 oz (453.592 437 g) would be rounded up 0.4 g to 454 g for 3 significant digits. Inspections by weights and measures officials are typically conducted using devices with a resolution of 0.5 g or less. If the packer does not address this possibility, some lots of commodities may pass when the inch-pound declaration is tested, but fail when the SI declaration is verified.



## Table 2. Examples

**Weight:** to convert ounces to grams, multiply ounces by 28.349 5 grams

Inch-pound	Calculated SI	Rounded SI
1.0 oz	28.349 5 g	28 g
5.0 oz	141.747 6 g	142 g*
10¼ oz	290.582 38 g	291 g*
16.0 oz	453.592 4 g	454 g*
32.0 oz	907.184 g	907 g
48.0 oz	1360.776 g	1.36 kg
5 lb	2.267 961 85 kg	2.27 kg*
10 lb	4.535 923 7 kg	4.54 kg*
25 lb	11.339 809 25 kg	11.3 kg

**Liquid Volume:** to convert fluid ounces to milliliters, multiply fluid ounces by 29.573 5 milliliters

Inch-pound	Calculated SI	Rounded SI
1.0 fl oz	29.573 5 mL	30 mL*
8.0 fl oz	236.588 mL	237 mL*
16.0 fl oz	473.176 mL	473 mL
32.0 fl oz	946.353 mL	946 mL
1 gal	3.785 41 L	3.79 L*
2½ gal	9.463 525 L	9.46 L
5 gal	18.927 05 L	18.9 L

**Dry Measure:** to convert dry pints to milliliters, multiply dry pints by 550.610 5 milliliters

Inch-pound	Calculated SI	Rounded SI
1 dry pt	550.610 5 mL	551 mL*
1 dry qt	1.101 221 L	1.1 L

**Length:** to convert inches to millimeters, multiply inches by 25.4 millimeters

Inch-pound	Calculated SI	Rounded SI
1 in	25.4 mm	25 mm
10.5 in	266.7 mm	267 mm* or 26.7 cm*
1 ft	30.48 cm	305 mm* or 30.5 cm*
5 ft	152.4 cm	152 cm or 1.5 m
50 ft	15.240 03 m	15.2 m
100 ft	30.480 06 m	30.5 m*

\* See 6.13. Rounding located under UPLR Appendix B





*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 SI units is very important. The packer should have stated 710 mL for 710 milliliters. The error? (The uppercase M means million)
- This statement means the bottle allegedly contains 710 million liters (187 million gallons) when in fact it only contains about 0.7 L or less than 1 quart of liquid.





CONNECTICUT DEPARTMENT OF  
**CONSUMER PROTECTION**

**Part 4:**  
Specific Commodities  
and Examples







# 6.9. Bi-dimensional Commodities (including roll type packages) (a & b)

If a declaration of quantity is:	Then it shall be in the largest whole units of inch-pound and SI units :	Units See also § 6.6 & § 6.8 Fractions are Permitted
(a) area less than 929 cm <sup>2</sup> (1 ft <sup>2</sup> )	length & width e.g., 20.3 cm x 25.4 cm (8 in x 10 in)	mm or cm, in
(b) an area of 929 cm <sup>2</sup> (1 ft <sup>2</sup> ) up to 37.1 dm <sup>2</sup> (4 ft <sup>2</sup> )	area, length & width e.g., 31 dm <sup>2</sup> (49 x 25 cm ) 3 ft <sup>2</sup> (1.6 x 2 ft)	Area: sq cm or dm and sq in or ft Linear: mm or cm and in or ft
(1) a width of 10 cm (4 in) or less	length & width but NOT area	mm, cm or m & in, ft or yd
(2) for a length or width dimension less than 2 ft	the inch-pound statement may be in inches	mm, cm, in
(3) on packages of individual units (e.g., napkins). See § 6.10 for perforated roll type products (e.g., paper towels & toilet paper).	unit area but not the total area of all units	Area: sq cm, dm & m & sq in, ft or yd Linear: mm, cm & m or in, ft or yd
(4) Any Inch-pound declarations	a statement of inches may be provided in addition to largest whole unit	inches



## 6.9. Bi-dimensional Commodities (including roll type packages) (c & d)

If a declaration of quantity is:	Then it shall be in the largest whole units with statements in inch-pound and SI units :	Units See also § 6.6 & § 6.8 (fractions permitted)
(c) for an area of 37.1 dm <sup>2</sup> (4 ft <sup>2</sup> ) or more (see 1,2 and 3 below)	area and length & width	Area: sq dm or sq cm and sq ft Linear: mm or cm and in, ft or yd
(1) & (2) for a width of 10 cm (4 in) or less	width and length but NOT area  Examples:  5 cm x 9.14 m (2 in x 10 yd), or 5 cm x 9.14 m (2 in x 10 yd) (360 in), or 5 cm x 9.14 m (2 in x 360 in) (10 yd)	Linear: mm, cm or m Inch-pound: width in inches. Length: ft or yd and may include inches.
(3) for length or width dimensions less than 2 ft	inch-pound statement may be in inches	inches
(d) on packages where length and width are critical for end use (e.g., wallpaper and borders)	width and length but NOT area	mm, cm or m and in, ft or yd



# 11.31. Decorative Wallcovering Borders

- Decorative wall-covering borders when packaged and labeled for retail sale shall be exempt from the requirements of 6.6.2., 6.8.2., and 6.9. Bi-dimensional Commodities provided the length and width of the border are presented in terms of the largest whole unit in accord with the other requirements of the regulation.



## 6.10. Count: Ply

If the commodity is in individually usable units of one or more components or plies, the quantity declaration shall, in addition to complying with other applicable quantity declaration requirements of this regulation, include the number of plies and total number of usable units.

Wet Wipes  
110 - 2 ply - wipes (100 x 100 mm)

Roll type commodities (e.g., paper towels, toilet paper) when perforated so as to identify individual usable units ... shall be labeled in terms of:

- (a) total area measurement
- (b) number of plies,
- (c) count of usable units, and
- (d) dimensions of a single usable unit.

Car Cleaning Pads  
50 - 4 ply - Pads (70 cm x 50 cm) (175 m<sup>2</sup>)



# 10.4. Multi-unit Package

- A package containing two or more individual packages of the same commodity, in the same quantity, intended to be sold as a multi-unit package, but where the component packages are labeled individually in full compliance with all requirements of this regulation.
- 10.4. Multi-unit Packages. [NOTE 7, page 78] – Any package containing more than one individual “commodity in package form” of the same commodity shall bear on the outside of the package a declaration of the:
  - Number of individual units,
  - Quantity of each individual unit,
  - And the total quantity of the contents of the multi-unit package.
- The terms “total” or “total contents” may precede the quantity declaration.



Oatmeal - 6 Packs 100 g (3.53 oz) Each  
Total Contents: Net Wt 600 g (1.32 lb)

# 10.4. Multi-unit Package

- A multi-unit package containing unlabeled individual packages which are not intended for retail sale separate from the multi-unit package may contain, in lieu of the requirements of section (a), a declaration of quantity of contents expressing the total quantity of the multi-unit package without regard for inner packaging. For such multi-unit packages it shall be optional to include a statement of the number of individual packages when such a statement is not otherwise required by the regulations.
  - Dishwasher Soap: 32 Paks, Net Wt 576 g (1.20 lb); or Net Wt 576 g (1 .20 lb)
  - Soap Packets: 10 Packets, Net Wt 56 g (2 oz) each, Total Net Wt 566 g (1.25 lb) or
  - Net Wt 566 g (1 lb 4 oz); or 10 Packets, Total Net Wt 566 g (1 lb 4 oz)



**NOTE 7:** For foods, a “multi-unit” package means a package containing 2 or more individually packaged units of the identical commodity in the same quantity, intended to be sold as part of the multi-unit package but labeled to be individually sold in full compliance with this regulation. “Open” (transparent wrap) multi-unit retail food packages under the FDA or the USDA that do not obscure the number of units or prevent examination of the labeling on each of the units are not required to declare the number of individual units or the total quantity of contents of the multi-unit package if the labeling of each unit complies with requirements so that it is capable of being sold individually.





# Combination Package

- **2.9.** - A package intended for retail sale, containing two or more individual packages or units of dissimilar commodities. (antiquing or housecleaning kit; sponge & cleaner; lighter fluid & flints.)
- **10.5.** .... The declaration of net quantity for a combination package shall contain an expression of weight, volume, measure, or count or a combination thereof, as appropriate, for each individual package or unit, provided the quantity statements for identical packages or units shall be combined. This section does not apply to food or other commodities subject to the ... Food, Drug, and Cosmetic Act.
- **11.18.** Combination and Variety Packages. – ... are exempt from the requirements in this regulation for:
  - Location (see Section 8.1.1.),
  - Free area (see Section 8.1.4.), and
  - Minimum height of numbers and letters (see Section 8.2.1.).





# Combination Packages

- **Leather Care Kit –**
  - 1 - 236 mL (8 fl oz) bottle leather cleaner
  - 1 - 236 mL (8 fl oz) bottle leather protector
  - 1 – 300 x 400 x 100 mm (11 x 15 x 3 inch) natural sponge
- **Sponges and Cleaner –**
  - 1 cellulose sponge –10 cm x 15 cm x 2.5 cm (4 in x 6 in x 1 in)
  - 1 bottle cleaner – Net Mass 170 g (6 oz)
- **Picnic Pack –**
  - 1- 800 x 700 x 900 mm (31 x 27 x 35 in) - lined wicker basket
  - 20 spoons, 10 knives, and 10 forks
  - 10 2-ply napkins 25 cm x 25 cm (10 in x 10 in)
  - 10 – 25 cm (10 in) diameter sandwich plates
  - 10 cups – 177 mL (6 oz)





### Keep it Clean School Package!

2 dozen	Chocolate Chip Cookies
1	All Laundry Soap - 32 loads
1	Tide Stain Stick
1	Bounce Dryer sheets 40 count
1	ReNewZit Air Freshner
1	Dawn Dish Soap - 18 oz
1	Lysol Wipes / Cleaner
2	Soft Sponges Full Size
1	Feather Duster
1	Plastic Carry Lug
<p><b>\$69.99</b> Prices do not include shipping.</p>	



## 2.10. Variety Package

- 2.10. Variety Package: - A package intended for retail sale, containing two or more individual packages or units of similar, but not identical, commodities. Commodities that are generically the same, but that differ in weight, measure, volume, appearance, or quality, are considered similar but not identical.
  - Two sponges of different sizes; plastic tableware, consisting of 4 spoons, 4 knives, and 4 forks.
- 10.6. Variety Packages. – ... This section does not apply to foods or other commodities subject to the ...Food, Drug, and Cosmetic Act. The declaration of net quantity for a variety package will be expressed as follows:
  - (a) The number of units for each identical commodity followed by the weight, volume, or measure of that commodity;
  - (b) The total quantity by weight, volume, measure, and count, as appropriate, of the variety package. The statement of total quantity shall appear as the last item in the declaration of net quantity and shall not be of greater prominence than other terms used.
- When individual units in a variety package are either packaged or labeled and are intended for retail sale as individual units, each unit shall be labeled in compliance with the applicable sections of this regulation.
- Note: 11.18. ... Variety Packages. – ... are exempt from the requirements... for: Location (see 8.1.1.), Free area (see 8.1.4.), and Minimum height of numbers and letters (see 8.2.1.).



# Variety Packages

- **Sponges –**
  - 10 - silk sponges - irregular dimensions
  - 2- sea wool sponges 5.7 cm x 10 cm x 1.2 cm (2¼ in x 4 in x ½ in)
  - **Total:** 12 Sponges
- **Soap –**
  - 2 Soap Bars 85 g (3 oz) ea
  - 1 Soap Bar 142 g (5 oz)
  - **Total:** 3 Soap Bars 312 g (11 oz)
- **Liquid Shoe Polish –**
  - 1 Brown 89 mL (3 fl oz)
  - 1 Black 89 mL (3 fl oz)
  - 1 White 148 mL (5 fl oz)
  - **Total:** 326 mL (11 fl oz)
- **Picnic Ware –**
  - 34 spoons
  - 33 forks
  - 33 knives
  - **Total:** 100 pieces





# Variety or Combination Packages



# Modeling Kits

- Assembled dimensions and number of pieces. Other items: “skill level”, scale (e.g., 1/72 scale) and what is not included but needed to have the plane appear as shown (e.g., glue and paint).
- Cross-stitch Products: final dimensions, thread color & length, needles, instructions, backing, frame?



# Stitchery and Other Kits - Apply Variety and Combination Requirements

- **L51KB**

- 30 Watt
- Creative 5-in-1 Tool Kit
- 1050°F Maximum point temperature.
- Kit includes 30 Watt Iron, 4 Wood-burning Tips, 3 Soldering Tips, 1 Stencil Cutting Tip, 1 Sculpting Knife, 1/2 Ounce of Lead Free Rosin Core Solder, and Sturdy Storage Case.



- **Creative Wood-burning Kit includes:**

- 950 degree Wood-burning pen with universal point & pen stand
- Two basswood country surfaces
- Eight patterns
- Two alphabet/number sets
- Transfer paper
- Complete instructions





# Multi-Item Kits

- 1- Kit - multi-Item kits where the final result is left to the user: “1 versus ?” more information is needed to describe contents.
- Label must provide information that would allow consumers to compare value between materials included in a "kit" purchase and those materials sold separately.
- Count for standard size may be ok?



*“includes material to makes loads of textile decorations”*



## 6. 7. Inch-Pound Units: Weight, Measure

A declaration of quantity if:	Then it shall be labeled in terms of:
a. weight	avoirdupois pound or ounce
b. liquid	fluid ounce, pint, quart, or gallon (231 cubic inches) at 68 °F except for: 1. petroleum and distilled spirits at 60 °F 2. frozen commodities at frozen temperature 3. refrigerated beverages at 40 °F 4. malt beverages at 39.1 °F
c. linear measure	inch, foot, yard
d. area measure	square inch, square foot, square yard
e. volume	cubic inch, cubic foot, cubic yard (unless another unit required by method sale regulation such as a “Cord” for firewood).
f. dry measure	dry pint, dry quart, peck, U.S. Bushel (2150.42 cubic inches)
All of the quantities shown above may be expressed in common or decimal fractions of the largest unit to no more than three decimal places.(e.g., 2.542 lb but not 2.5423 lb)	



## 6.12. Supplementary Quantity Declarations

The required quantity declaration may be supplemented by one or more declarations of weight, measure, or count, such declaration appearing other than on a principal display panel.

Silver Powder 1 kg	Evaporated Milk 430 mL
Net Wt 32.15 troy ounces	100 g

Such supplemental statement of quantity of contents shall not include any term qualifying a unit of weight, measure, or count that tends to exaggerate the amount of commodity contained in the package (e.g., “giant” quart, “larger” liter, “full” gallon, “when packed,” “minimum,” or words of similar import).

Silver Powder  
“Giant Kilogram” “Large KG” “King Size Kilogram” “+/-” “At least...”

1 Imperial Gallon







## 6.12. Supplementary Quantity Declarations

- In those cases where a statement of weight or volume is sufficient to be fully informative a optional statement of count may also appear on the PDP but must not be false or misleading. The requirements for type size, placement and conspicuousness do not apply to optional information.





- “Address for the responsibility statement does not lead to a physical address in a current directory. When I called 411 I was given a phone number (513-983-1100) that was for Proctor and Gamble in Cincinnati, Ohio. I was informed that the product has been purchased by JM Smuckers Company (phone: 888-550-9555)”
- Picture of Principal display with supplementary declaration “Now 380 Cups!” and “Makes up to 380 6 oz cups”. Font is only 1/8th inch not the required 3/16th inch.





# FTC 500.26 Representations of Servings, Uses, Applications

- (a) The label of any packaged consumer commodity which bears a representation as to the number of servings, uses, or applications of such commodity contained in such package shall bear in immediate conjunction therewith, and in letters the same size as those used for such representations, a statement of the net quantity (in terms of weight or mass, measure, or numerical count) of each such serving, use, or application:
  - Provided, that such statement may be expressed in terms that differ from terms used in the required statement of net contents (e.g., cupful, tablespoonful, etc.), when such differing terms describe a constant quantity. Such statement may not be misleading in any particular.
- (b) Representations as to the total amount of object or objects to which the commodity may be applied or upon which or in which the commodity may be used, will not be considered to be representations as to servings, uses, or applications, if such amount is expressed in terms of standard units of weight or mass, measure, size, or count.



## FTC 500.26 Representations of Servings, Uses, Applications

- (c) If there exists a voluntary product standard promulgated pursuant to the procedures found in 15 CFR part 10, by the Department of Commerce, quantitatively defining the meaning of the terms serving, use, or application with respect to a particular consumer commodity, then any label representation as to the number of servings, uses, or applications in such packaged consumer commodity shall correspond with such quantitative definition.
- (Copies of published standards will be available upon request from the NIST, DOC, Washington, DC 20899.)



## 6.14. Qualification of Declaration Prohibited

- In no case shall any declaration of quantity be qualified by the addition of the words “when packed,” “minimum,” or “not less than” or any words of similar import (e.g., “approximately”), nor shall any unit of weight, measure, or count be qualified by any term (such as “jumbo,” “giant,” “full,” or the like) that tends to exaggerate the amount of commodity.

**Water**  
**“Full Gallon” “Large Liter”**

**Soap Powder**  
**Net 5 lb When Packed**

**Playground Sand**  
**APPROXIMATELY 1 kg**

**Bread**  
**Net Mass 5 kg e (2.2 lb)**

**Liquid Hand Soap**  
**Net Contents 5 L+/-**

**New York Bagels**  
**Net Wt 5 kg estimated (2.2 lb)**

**Salt**  
**Net Weight at least 5 kg**



# 11.23. Tint Base Paint

- May be labeled on the PDP in terms of a liter, quart or a gallon, including the addition of colorant ..., provided the system employed ensures that the purchaser always obtains a liter, quart or a gallon; and
- ... in conjunction with the required quantity statement on the PDP , a statement indicating that the tint base paint is not to be sold without the addition of colorant is presented; and
- ... the contents of the container, before the addition of colorant, is stated in fluid ounces on the label.
- Wherever the above conditions cannot be met, containers of tint base paint must be labeled with a statement of the actual net contents prior to the addition of colorant in full accord with the requirements of this regulation.



*126 fl oz (3.72 L)  
Not for Sale Until  
2 oz (59 mL) Tint Added*



# Additional Comments

- In labeling full disclosure is safest approach.
- Clear packaging materials and pictures help but are not substitutes for required declarations on the PDP
- The easier companies make it for consumers and officials to contact them the quicker problems are resolved.
- Listen to customers/Learn from competitors.
- Avoid multiple quantities (HB 133)
- " is not the symbol for inches (12") and M is not the symbol for milliliters (100 ML).
- It's "Net Weight" not "Gross Weight" and there are no "tolerances"



## 10.3. Aerosols and Similar Pressurized Containers

- The declaration of quantity on an aerosol or similar pressurized package shall be by net weight.
- The net weight shall include the commodity & propellant that will be expelled when the instructions for use as shown on the can are followed.





# 10.8 Container Type Commodities



# 10.8. Container-Type Commodities



10.8.1. General - commodities designated and sold at retail to be used as containers for other materials or objects, such as bags, cups, boxes, and pans, shall be labeled with the declaration of net quantity as follows:

If the container is:	Then it shall be labeled in terms of: (fractions of units permitted) (IP means "inch-pound units")
(a) Bag Type (including perforated rolls)	count and linear dimensions of the bag (1) for SI: mm or cm except that 1 m or more by m or fractions of a m (2) for IP: inches but 2 ft or more in feet & fractions of inches or feet.
(b) Bags – No Gusset	length & width  25 Bags, 12.7 cm x 10 cm (5 in x 4 in) or 50 Bags, 75 cm x 1.2 m (2.5 ft x 3.9 ft)
(c) Bags – Gusseted	length, width & depth 25 Bags, 43 cm x 10 cm x 50 cm (17 in x 4 in x 20 in) or 100 Bags, 50.8 cm x 30.4 cm x 76.2 cm (20 in x 12 in x 2½ ft)
(d) For other square, oblong, rectangular, or similarly shaped containers	count, followed by length, width, & depth, except depth is not required when it is less than 5 cm or 2 in. The dimensions shall be expressed as in (a).  2 Pans, 20 x 20 cm (8 x 8 in)



# 10.8. How to Express the Measurement of Container-Type Commodities

10.8.1. General - commodities designated and sold at retail to be used as containers for other materials or objects, such as bags, cups, boxes, and pans, shall be labeled with the declaration of net quantity as follows:	
If the container is:	Then it shall be labeled in terms of: (fractions of units permitted) (The dimensional labeling requirements of 10.8.1 also apply)
(e) For circular or other generally round-shaped containers, except cups and the like	count followed by diameter and depth, except depth not required when less than 5 cm or 2 in.  4 pans - 20 cm (8 in) diameter x 10 cm (4 in)
(f) Cups	count and liquid capacity per unit. 24- Cups, 177 mL (6 fl oz) capacity



# 10.8.2. Container-Type Commodities

- 10.8.3. Terms. – ... use of the terms “capacity,” “diameter,” and “fluid” is optional

24- Cups, 177 mL (6 oz) capacity	
10.8.2. Capacity. – When the functional use of the container is related by label references in standard terms of measure to the capability of holding a specific quantity of substance ... the capacity shall be a part of the net quantity statement and shall specify it as follows:	
If the container is:	Then the expressed capacity shall be in terms of: ( The dimensional labeling requirements of 10.8.1 also apply)
(a) SI Units	volume for all containers and liners. The capacity will be stated in terms of milliliters, except that a quantity of 1 liter or more shall be expressed in liters and fractions of a liter.
(b) Inch-Pound Units	
(1) for containers that are intended to be used for liquids, semisolids, viscous materials, or mixtures of solids and liquids.	(1) liquid measure in terms of the largest whole unit (gallon, quart, pint, fluid ounce) with any remainder in terms of common or decimal fractions of that unit.  Freezer Boxes – 4 Boxes, 946 mL capacity, 15 cm x 15 cm x 10 cm (1 qt capacity, 6 in x 6 in x 4 in)



## 10.8.2. How to Express the Capacity of Container-Type Commodities

If the container is:	Then the expressed capacity shall be in terms of: (fractions of units permitted)
<p>(b) Inch-Pound Units</p> <p>(2) dry measure for containers that are intended to be used for solids.</p>	<p>(2) dry measure for containers that are intended to be used for solids. The expressed capacity will be stated in terms of the largest whole unit (bushel, peck) with any remainder in terms of common or decimal fractions of that unit.</p> <p style="text-align: center;">Leaf Bags – 8 Bags, 211 L capacity, 1.21 m x 1.52 m (6 bushel capacity, 4 ft x 5 ft)</p>
<p>(3) used as a liner for other more permanent containers</p>	<p>(3) in the same terms as are normally used to express the capacity of the more permanent containers.</p> <p style="text-align: center;">Garbage Can Liners – 10 Liners, 76.2 x 93.9 cm, fits up to 113 L cans (2 ft 6 in x 3 ft 1 in, fits up to 30 gal cans)</p>



- 10.8.3. Terms. – For purposes of this section, the use of the terms “capacity,” “diameter,” and “fluid” is optional.

## 10.9.2. Textile Products, Threads, and Yarns

<p>10.9.2. Textiles. – Bed sheets, blankets, pillowcases, comforters, quilts, bedspreads, mattress covers and pads, afghans, throws, dresser and other furniture scarves, tablecloths and napkins, flags, curtains, drapes, dishtowels, dishcloths, towels, facecloths, utility cloths, bathmats, carpets and rugs, potholders, fixture and appliance covers, nonrectangular diapers, slipcovers, etc., shall be exempt from the requirements of 6.9. Bidimensional Commodities of this regulation, provided:</p>	
<p>If the product is a:</p>	<p>Then it shall be labeled in terms of: (fractions of units permitted)</p>
<p>(a) fitted sheet or mattress cover</p>	<p>cm &amp; in of the length and width of the mattress for which the item is designed and the size designation of the mattress if the item is intended to fit a mattress identified as “twin,” “double,” “queen,” “king,” “California king,” etc.</p> <p>Double sheet for 137 cm x 190 cm (54 in x 75 in) queen mattress</p>
<p>(b) flat sheet</p>	<p>cm &amp; in, the length and width of the mattress for which the sheet is designed, followed in parentheses by a statement, in cm and in, of the length and width of the finished sheet. The quantity statement shall also state the size designation of the mattress for which the sheet is designed...(see (a) for examples).</p> <p>Twin Flat Sheet for 99 cm x 190 cm (39 in x 75 in) mattress - 167 cm x 244 cm (66 in x 96 in) finished size.</p>





## 10.9.2. Textile Products, Threads, and Yarns

If the product is a:	Then it shall be labeled in terms of: <i>(fractions of units permitted)</i>
(c) pillowcase	<p>cm &amp; in, the length and width of the pillow for which the pillowcase is designed, followed in parentheses by a statement, in cm &amp; in of the length and width of the finished pillowcase. The statement shall also state the size designation of the pillow for which the pillowcase is designed, e.g., “youth,” “standard,” “queen,” etc., if the item is intended to fit such pillows.</p> <p style="text-align: center;">Standard Pillowcase for 51 cm x 66 cm (20 in x 26 in) pillow, 51 cm x 76 cm (20 in x 30 in) in finished size.</p>
(d) blankets, comforters, quilts, bedspreads, mattress pads, afghans, and throws	<p>cm &amp; in, the length and width of the finished item. The quantity statement shall also state the length of any ornamentation and the size designation of the mattress for which the item is designed...(see (a) for examples.</p>
(e) tablecloths and napkins	<p>cm &amp; in, the length and width of the finished item. The quantity statement also may state parenthetically, in centimeters and inches, the length and width of the item before hemming and be properly identified as such.</p>



## 10.9.2 Textile Products, Threads, and Yarns

<b>If the product is a:</b>	<b>Then it shall be labeled in terms of:</b> <i>(fractions of units permitted)</i>
(f) curtains, drapes, flags, furniture scarves, etc.,	cm & in, the length and width of the finished item. The quantity statement also may state parenthetically, in cm & in, the length of any ornamentation.
(g) carpets and rugs	m & ft, with any remainder in decimal fractions of the m or common or decimal fractions of the foot or in inches for inch-pound sizes, the length and width of the item. The quantity statement also may state parenthetically, in cm & in the length of any ornamentation
(h) woven dishtowels, dishcloths, towels, facecloths, utility cloths, bathmats, etc.,	cm & in, the length and width of the item. The quantity statement for knitted items need not state the dimensions.
(i) textile products such as potholders, fixture and appliance covers, slipcovers, non rectangular diapers, etc.,	shall be stated in terms of count and may include size designations and dimensions.



## 10.9.2 Textile Products, Threads, and Yarns

If the product is a:	Then it shall be labeled in terms of: <i>(fractions of units permitted)</i>
(i) textile products such as potholders, fixture and appliance covers, slipcovers, non rectangular diapers, etc.	shall be stated in terms of count and may include size designations and dimensions.
(j) products other than rectangular textile products identified in § (a) through (h)	<p>The quantity statement for shall state the geometric shape of the product and the dimensions that are customarily used in describing such geometric shape.</p> <p>Round Scarf - Diameter 190 cm (74 in) Oval Tablecloth 177 cm x 254 cm (70 in x 100 in)</p> <p>For the oval the dimensions represent the maximum dimensions of length and width.</p>
(k) remnants of textile products of assorted sizes	when sold by count, shall be accompanied by the term “irregular dimensions” and the “minimum” size of such remnants (but the word “minimum” cannot be used)



# 10.11. Statements of Cubic Measure in Compressed Form

- When the content declaration ... is stated in terms of cubic measure, an additional statement may indicate the amount of material from which the final product was compressed. The amount in such statement shall not exceed the actual amount of material that can be recovered.



*500 cubic inch package expands to 1200 cubic inches*



# 10.10. Packaged Seed 225 g – 8 oz or less

Packages of seeds intended for planting with net contents of less than 225 g or 8 oz shall be labeled according to this regulation except as follows:

- (a) The quantity statement **SHALL** appear in the upper 30 % of the PDP.
- (b) The quantity statement shall be in terms of:
  - (1) the largest whole SI unit for all packages with weights up to 7 g, &
  - (2) in grams and ounces for all other packages with weights less than 225 g or 8 oz.
- (c) The quantity statement for coated seed, encapsulated seed, pelletized seed, pre-planters, seed tapes, etc., shall be in terms of count.





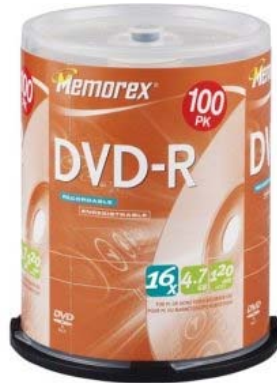
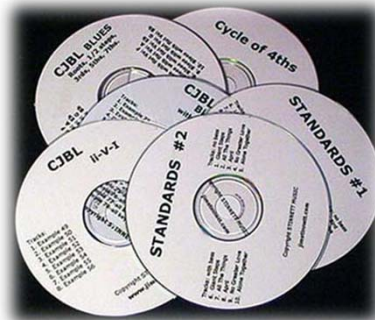
## 10.9.3. Sewing & Handicraft Threads and Yarns

### Shall be labeled as follows:

- (a) Sewing and Handicraft Threads. - The net quantity for shall be expressed in terms of meters and yards.
- (b) Yarns.- The net quantity statement shall be expressed in terms of mass or weight.
- (c) Declaration of Responsibility. - Thread products may, in lieu of name and address, bear a trademark, symbol, brand, or other mark that positively identifies the manufacturer, packer, or distributor provided such marks are filed with the Director.
- (d) Industrial Threads. - Each unit shall be marked to show its net length in terms of meters and yards or its net weight in terms of kilograms or grams and avoirdupois pounds or ounces, except that ready-wound bobbins that are not sold separately shall not be required to be individually marked to show the number of bobbins contained therein and the net meters and yards of thread on each bobbin.







# 11.22. - Camera Film, Video & Audio Recording Tape and Other Image and Audio Recording Media Intended for Retail Sale and Consumer Use



**When packaged and labeled for retail sale are exempt from the net quantity statement requirements of this regulation that specify how measurements should be expressed, provided:**

If the product is:	The net quantity statement is in terms of:
(a) (1) unexposed or unrecorded (i.e., blank) still tape, video tape or other still image media.	the usable or guaranteed number of available still image exposures. The length and width measurements of the individual exposures, expressed in millimeters or inches, are authorized as an optional statement.  36 exposures (36 mm x 24 mm) or 12 exposures (2¼ in x 2¼ in)
(2) bulk or movie film.	length (in meters or feet) of film available for exposure.
(3) all other image and/or audio media	length of time of ... media available for recording with recording and/or playing speed or other machine settings as necessary. Supplemental information on the length of the media [NOTE 9, page 87] may be provided on other than the PDP

NOTE 9: Size, length of media, and format details to ensure interchangeability and other characteristics of audio and imaging media are available in the applicable American National Standards.



## 11.22 - Camera Film, Video & Audio Recording Tape and Other Image and Audio Recording Media Intended for Retail Sale and Consumer Use

**When packaged and labeled for retail sale are exempt from the net quantity statement requirements of this regulation that specify how measurements should be expressed, provided:**

If the product is:	The net quantity statement is in terms of:
Exposed or Processed Film or Prerecorded Media.	The length of time that is of entertainment value.
“Entertainment value” is defined as that portion of a film, tape, or other media that commences with the first frame of sound or picture, whichever comes first after the countdown sequence (if any), and ends with either: (a) the last frame of credits; (b) the last frame of the phrase “The End;” or (c) the end of sound, whichever is last.	



# 11.26. Commodities – Variable Weights & Sizes

- Individual packaged commodities put up in variable weights and sizes for sale intact and intended to be weighed and marked with the correct quantity statement prior to or at the point of retail sale are exempt from the requirements of 6. Declaration of Quantity: Consumer Packages while moving in commerce and while held for sale prior to weighing and marking, provided the outside container bears a label declaration of the total net weight.





# 11.25. Pillows, Cushions, Comforters, Mattress Pads, Sleeping Bags, and Similar Products

- Those products, ... that bear a permanent label as designated by the Association of Bedding and Furniture Law Officials or by the California Bureau of Home Furnishings and Thermal Insulation shall be exempt from the requirements for location ( 8.1.1.), size of letters or numbers ( 8.2.1. & 8.2.2.), free area (8.1.4.), and the declarations of identity and responsibility (3.1. and 5.), provided declarations of identity, quantity, and responsibility are presented on a permanently attached label and conform to the other requirements of this Regulation, and provided the information on such permanently attached label be fully observable to the purchaser.



# 11.9. Fluid Dairy Products, Ice Cream, and Similar Frozen Desserts

- When packaged in ½ liq pint and ½ gallons containers, are exempt from the requirements for stating net contents of 8 fl oz and 64 fl oz, which may be expressed as ½ pt and ½ gal, respectively.
- When measured by and packaged in measure containers as defined in “Measure Container Code of NIST HB 44,” are exempt from of 8.1.1. Location that the net contents be located within the bottom 30 % of the PDP.
- Milk and milk products when measured by and packaged in glass or plastic containers of ½ pt, 1 pt, 1 qt, ½ gal, and 1 gal capacities are exempt from the placement requirement of 8.1.1. Location that the net contents be located within the bottom 30 % of the PDP, provided other required label information is conspicuously displayed on the cap or outside closure and the net quantity of contents declaration is conspicuously blown, formed, or molded on, or permanently applied to that part of the glass or plastic container that is at or above the shoulder of the container.





# 11.10. Single Strength and Less than Single Strength Fruit Juice Beverages and Drinking Water

- When packaged in glass, plastic, or fluid milk type paper containers of 8 and 64 fl oz capacity, are exempt from the requirements of 6.2. Largest Whole Unit to the extent that net contents of 8 fl oz and 64 fl oz (or 2 qt) may be expressed as ½ pt (or half pint) and ½ gal (or half gallon), respectively.
- When packaged in glass or plastic containers of ½ pt, 1 pt, 1 qt, ½ gal, and 1 gal capacities, are exempt from the placement requirements of 8.1.1. Location that the declaration of net contents be located within the bottom 30 % of the PDP, provided other label information is conspicuously displayed on the cap or outside closure and the required net quantity of contents declaration is conspicuously blown, formed, or molded into or permanently applied to that part of the glass or plastic container that is at or above the shoulder of the container.





CONNECTICUT DEPARTMENT OF  
**CONSUMER PROTECTION**

## **Part 5:** Method of Sale for Commodities Regulation

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A specific method of sale regulation will supersede or add to the UPLR requirements  
Unique labeling information  
Specific package sizes for some commodities

Not Covered: Home Food Service Sales Plans, Soft and Hardwood Lumber, Compressed or Liquefied Gases

# 1.1. Berries and Small Fruits

- **1.1.1. Definitions.** – “Small fruits” includes, but is not limited to, cherries, currants, and cherry tomatoes. “Berries” includes all fruit whose names end in the term “berry.”
  - **1.1.2. Methods of Sale.** – weight or by volume.
  - If sold by volume, they must:
    - (a) be in measure containers that are either open or covered by uncolored transparent lids or other wrappings that do not obscure the contents, and
    - (b) have capacities per (1 ) or (2). When selling by volume in measure containers, whether or not covered, the containers are not be packages for labeling purposes.
- (1) SI Volumes – 250 milliliters, 500 milliliters, or 1 liter.
- (2) Inch-pound Capacities – ½ dry pint, 1 dry pint, or 1 dry quart.
- **1.1.3. Marking Requirements for Shipping Containers.** – If two or more measure containers are placed in a shipping package, the crate or package shall show the number of measure containers and the quantity of contents of each.



# Weight: Bread, Butter, Margarine, Flour...

- 1.2. Bread. – Bread kept, offered, or exposed for sale, whether or not packaged or sliced, shall be sold by weight. The wrappers of bread that is sold and expressly represented at the time of sale as “stale bread” shall not be considered packages for labeling purposes.
- 1.3. Butter, Oleomargarine, Margarine, Butter-Like and/or Margarine-Like Spreads. – Shall be sold by weight.
- 1.4. Flour, Corn Meal, and Hominy Grits. – Wheat flour, whole wheat flour, graham flour, self-rising wheat flour, phosphated wheat flour, bromated flour, corn flour, corn meal, and hominy grits, whether enriched or not, shall be sold by weight.



# 1.5. Meat, Poultry, Fish, and Seafood

Shall be sold by weight, except that whole shellfish in the shell may be sold by weight, measure, and/or count. Shellfish are aquatic animals having a shell, such as mollusks (for example, scallops) or crustaceans (for example, lobster or shrimp).

- **1.5.1.** In Combination with Other Foods. – ... is combined with some other food element to form a distinctive food product, the quantity representation may be in terms of the total weight of the product or combination, and a quantity representation need not be made for each element PROVIDED a statement listing the ingredients in order of their predominance by weight must also appear on the label.
- **1.5.2.** Clams, Mussels, Oysters, and Other Mollusks.
- **1.5.2.1.** ... in the shell (fresh or frozen). – By weight (including the weight of the shell, but not including the liquid or ice), dry measure (e.g., bushel), and/or count. Size designations may be provided.
- **1.5.2.2.** ... on the half shell (fresh, cooked, smoked, or frozen, with or without sauces or spices added). – Shall be sold by weight (excluding the weight of the shell) or by count. Size designations may also be provided.





# 1.5. Meat, Poultry, Fish, and Seafood

- **1.5.2.3.** Fresh oysters removed from the shell.
  - By weight, drained weight, or by fluid volume. For oysters sold by weight or by volume, a maximum of 15 % free liquid by weight is permitted.
- **1.5.2.4.** Processed clams, mussels, oysters, or other mollusks on the half shell (fresh or frozen). –
  - Shall be sold by net weight excluding the weight of the shell.
  - The term “processed” means removing the meat from the shell and chopping it or cutting it or commingling it with other solid foods.
- **1.5.2.5.** Canned (heat-processed) mussels, clams, oysters, or other mollusks.
  - Shall be sold by weight. A maximum of 41 % free liquid by weight is permitted for canned oysters.





# Fluid Milk, Ice Cream, Pickles

- 1.6. Fluid Milk Products. – ... including but not limited to milk, low fat milk, skim milk, cultured milks, and cream, shall be sold in terms of fluid volume.
- 1.7. Other Milk Products. – Cottage cheese, cottage cheese products, and other milk products that are solid, semi solid, viscous, or a mixture of solid and liquid, as defined in the Pasteurized Milk Ordinance of the U.S. Public Health Service, as amended in 1965, shall be sold by weight.
  - 1.7.1. Factory Packaged Ice Cream and Similar Frozen Products. – Ice cream, ice milk, frozen yogurt, and similar products shall be kept, offered, or exposed for sale or sold in terms of fluid volume.
  - 1.7.2. Pelletized Ice Cream. – A semi-solid food product manufactured at very low temperatures using a nitrogen process and consisting of small beads of varying sizes. Bits of inclusions (cookies, candy, etc.) that also vary in size and weight may be mixed with the pellets.
  - 1.7.2.1. Method of Retail Sale. – Packaged pelletized ice cream shall be kept, offered, or exposed for sale on the basis of net weight. [April 17, 2010]
- 1.8. Pickles. – The declaration of net quantity of contents on pickles and pickle products, including relishes but excluding one or two whole pickles in a transparent wrapping, which may be declared by count, shall be expressed in terms of liquid measure.
  - Sales of pickles from bulk may be by count.



# Pelletized Ice Cream



## 2. Non-Food Products

- **2.2. Fence Wire Products.** – Rolls of fence wire products shall be sold by:
  - (a) Gauge of wire, (b) Height in inches or cm, if applicable, (c) Length in rods (5.0292 m - 16.5 ft), meters, or feet.
- **2.3. Coatings.** – Asphalt paints, coatings, and plastics by liquid measure.
- **2.8. Sealants.** – Caulking compounds, glazing compounds, and putty by liquid measure, except that rope caulk sold by weight.
- **2.15. Solid Fuel Products.** – Anthracite, semi anthracite, bituminous, semi-bituminous or lignite coal, and any other natural, manufactured, or patented fuel, not in liquid or gaseous form, except fireplace and stove wood, shall be sold by net wt when packaged.



# 2.18. Mulch

- **2.18.1.1.** Any product or material except peat or peat moss (see 2.5.) that is advertised, offered for sale, or sold for primary use as a horticultural, aboveground dressing, for decoration, moisture control, weed control, erosion control, temperature control, or other similar purposes.
- **2.18.2.** Quantity. – All shall be sold in volume measure in terms of the cubic meter or liter or in inch-pound units in terms of the cubic yard or cubic foot.

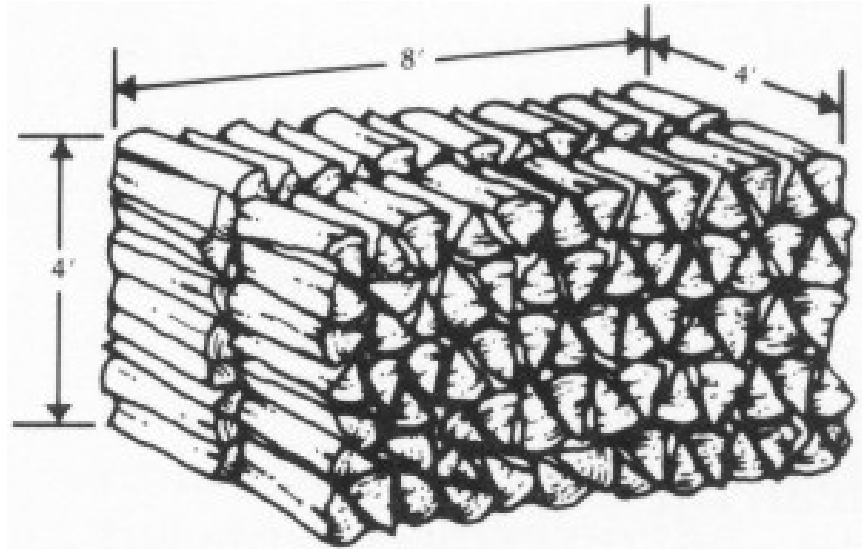




# Premium Firelogs



All Natural • Golden Flame



## 2.4. Fireplace and Stove Wood

This section applies to the sale of all wood, natural and processed, for use as fuel or flavoring.

- 2.4.1. Definitions.
  - 2.4.1.1. Fireplace and stove wood. – any kindling, logs, boards, timbers, or other wood, natural or processed, split or not split, advertised, offered for sale, or sold for use as fuel.
  - 2.4.1.2. Cord. – the amount of wood contained in 128 cubic feet when the wood is ranked and well stowed which means that pieces of wood are placed in a line or row, with individual pieces touching and parallel to each other, and stacked in a compact manner.
  - 2.4.1.3. Representation. – ... means any advertisement, offering, invoice, or the like that pertains to the sale of fireplace or stove wood.
  - 2.4.1.4. Flavoring chips. – any kindling, logs, boards, timbers, or other natural or processed, split or unsplit wood that is advertised, offered for sale, or sold for flavoring smoked or
  - 2.4.2. Identity. – A representation may include a declaration of identity that indicates the species group (e.g., 50 % hickory, 50 % miscellaneous softwood). Such a representation shall indicate, within 10 % accuracy, the percentages of each group.





## 2.4. Fireplace and Stove Wood

**2.4.3. Quantity.** – ... shall be advertised, offered for sale, and sold only by measure, using the term “cord” and fractional parts of a cord or the cubic meter, except that:

- (a) Packaged natural wood. – ... offered for sale in packages in quantities less than 0.45 m<sup>3</sup> (1/8 cord or 16 ft<sup>3</sup>) shall display the quantity in terms of cubic meters, to include decimal fractions of cubic meters; or cubic feet, to include fractions of cubic feet.
- (b) Artificial compressed or processed logs. – A single fireplace log shall be sold by weight, and packages of such individual logs shall be sold by weight plus count.
- (c) Stove wood pellets or chips. – Pellets or chips not greater than 15 cm (6 in) in any dimension shall be sold by weight. This requirement does not apply to flavoring chips.
- (d) Flavoring chips. – Flavoring chips shall be sold by volume.

**2.4.4. Prohibition of Terms.** – The terms “face cord,” “rack,” “pile,” “truckload,” or terms of similar import shall not be used when advertising, offering for sale, or selling wood for use as fuel.



## 2.4. Fireplace and Stove Wood

**2.4.5. Delivery ticket or sales invoice.** – A delivery ticket or sales invoice shall be presented by the seller to the purchaser whenever any non-packaged fireplace or stove wood is sold. The delivery ticket or sales invoice shall contain at least the following information:

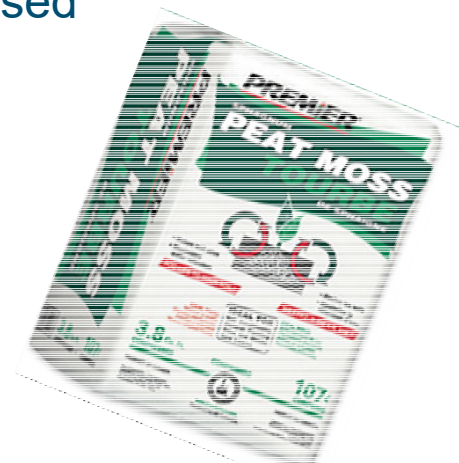
- (a) name and address of the vendor;
- (b) name and address of the purchaser;
- (c) date delivered;
- (d) quantity delivered and the quantity upon which the price is based, if this differs from the delivered quantity;
- (e) price of the amount delivered; and
- (f) the identity in the most descriptive terms commercially practicable, including any quality representation made in connection with the sale.



## 2.5. Peat and Peat Moss

Applies only with respect to organic matter of geological origin, excluding coal and lignite, originating principally from dead vegetative remains through the agency of water in the absence of air and occurring in a bog, swampland, or marsh, and containing an ash content not exceeding 25 % on a dry weight basis [dried in an oven at 105 °C (221 °F) until no further weight loss can be determined].

- 2.5.1. Declaration of Quantity. – The declaration of quantity of peat and peat moss shall be expressed in weight units or in cubic measure units.
- 2.5.2. Units
  - 2.5.2.1. Weight. – Peat and peat moss sold in terms of weight shall be offered and exposed for sale only in kilograms and/or pounds.
  - 2.5.2.2. Cubic measure. – Peat and peat moss sold in terms of cubic measure shall be offered and exposed for sale only in liters and/or cubic feet. If the commodity is labeled in terms of compressed cubic measurement, the quantity declaration shall
    - represent the quantity in the compressed state.



## 2.7. Roofing and Roofing Material

Shall be sold by the square meter only if sold in SI units, by the square, or by the square foot only if sold in inch-pound units.

- 2.7.1. Definitions
  - 2.7.1.1. Square meter. – The quantity of roofing or roofing material that, when applied according to the directions or instructions of the manufacturer will cover one square meter exclusive of side laps or side joints.
  - 2.7.1.2. Square. – The quantity of roofing or roofing material that, when applied according to directions or instructions of the manufacturer, will cover an area of 100 ft<sup>2</sup> exclusive of side laps or side joints, provided, in the case of roofing or roofing material of corrugated design, the side lap or side joint shall be one full corrugation.
  - 2.7.1.3. Square foot. – The quantity of roofing or roofing material that, when applied according to the directions or instructions of the manufacturer, will cover 1 ft<sup>2</sup> (144 in<sup>2</sup>) exclusive of side laps or side joints.

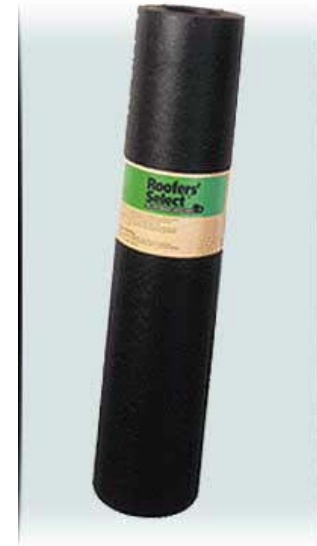


# 2.7. Roofing and Roofing Material

**2.7.2.** Declaration of quantity. – When the declaration of quantity on a package of roofing or roofing material contains the term “square,” it shall include, plainly and conspicuously, a numerical definition of the term “square.”

*One square covers 100 ft<sup>2</sup> of roof area*

- **2.7.2.1.** Common fractions. – The use of the common fraction one-third ( $\frac{1}{3}$ ) is authorized in the quantity statement of a package of roofing or roofing material when, and only when, used as the common fraction of the “square.”
- **2.7.2.2.** Quantity statement. – The primary declaration if in inch-pound units shall be in terms of squares or square feet, and if in SI units shall only be in terms of square meters. There is no prohibition against the use of supplementary quantity declarations, such as shingle dimensions, but in no case shall the weight of the material be stated or implied. However, the use of numerical descriptions for rolls of felt roofing material may continue to be used.



## 2.9. Sod and Turf

**2.9.1.** Application. – ... this section shall apply to all sod, including turf sod, turf plugs, and turf sprigs.

- 2.9.2.1. Sod. – shall mean “turf sod,” “turf plugs,” or “turf sprigs” of a single kind or variety or a mixture of kinds and varieties.

**2.9.3.** Sod shall be advertised, offered for sale, and sold by measure or by a combination of count and measure as prescribed by this subsection.

- Turf sod. – in terms of the square meter, square foot, or square yard, as appropriate.
- Turf plugs. – in terms of count, combined with a statement of the plug diameter.
- Turf sprigs. –in terms of the liter or bushel.







# 2.13. Polyethylene Products

**2.13.1. Consumer and non-consumer products** offered and exposed for sale shall be sold in the terms given in 2.13.1.1. Sheeting and film.

**2.13.1.1. Sheeting and film - consumer products** shall include quantity statements in both SI and inch-pound units.

**Consumer products:** (a) length and width, (b) area, (c) thickness (in micrometers and mils [NOTE 4, page 121]), & (d) weight.

**Non-Consumer Products:** (a) length and width, (b) area, (c) thickness (in micrometers or mils), & (d) weight.

**NOTE 4:** *1 mil = 0.001 in = 25.4 micrometers ( $\mu\text{m}$ ). 1 micrometer = 0.000 039 in.*



# 2.13. Polyethylene Products

**2.13.2. Consumer Products** at retail shall be sold in the terms given below:

**2.13.2.1. Food wrap** - (a) length and width, (b) area in square meters and square feet

**2.13.2.2. Lawn and trash bags** - (a) count, (b) dimensions, (c) thickness, & (d) capacity [*NOTE 5*, page 122]

**2.13.2.3. Food and sandwich bags** - The capacity statement does not apply to fold-over sandwich bags - (a) count, (b) dimensions, (c) capacity [*NOTE 5*, page 122]

***NOTE 5:*** See 10.8.2. Capacity of the Uniform Packaging and Labeling Regulation.



# 2.13. Polyethylene Products

**2.13.3. Non-consumer products.** – Shall be offered and exposed for sale in the terms given in 2.13.3.1. Bags. (Shall be labeled in SI or inch-pound units and may include both.)

**2.13.3.1. Bags** - (a) count, (b) dimensions, (c) thickness [micrometers or mils], (d) weight, & (e) capacity [NOTE 5, page 122]

**2.13.4. Declaration of Weight.** – The statement of weight for polyethylene sheeting and film products, shall be equal to or greater than the weight calculated using the formula. The final value shall be calculated to 4 digits, and declared to 3 digits, dropping the final digit as calculated (e.g., if the calculated value is 2.078 lb, then the stated net wt shall be 2.07 lb).

For SI dimensions:  $M = T \times A \times D/1000$ , where: M = net mass in kg, T = nominal thickness in cm, A = nominal length in cm times nominal width [NOTE 6, page 122] in cm, D = density in grams per  $\text{cm}^3$  per ASTM D1505 68, Standard Method of Test for Density of Plastics by the Density Gradient Technique (or latest issue). For this regulation, the minimum density shall be  $0.92 \text{ g/cm}^3$  (when D is not known).



# 2.14. Insulation



## 2.14.1. Packaged Loose-Fill Insulation Except Cellulose. – The label shall declare:

- (a) the type of insulation and the net wt with no qualifying statement; and
- (b) the minimum thickness, maximum net coverage area, and minimum weight per square foot at R values of 11, 19, and 22. This information shall also be supplied for any additional R values listed.

## 2.14.2. Packaged Loose-Fill Cellulose Insulation. – The label shall declare:

- (a) the type of insulation and the net wt with no qualifying statement; and
- (b) the minimum thickness, maximum net coverage area, number of bags per 1000 ft<sup>2</sup>, and minimum weight per square foot at R values of 13, 19, 24, 32, and 40. This information shall also be supplied for any additional R values listed.



# 2.14 Insulation

**2.14.3. Batt and Blanket Insulation.** – The principal display panel of packaged batt or blanket insulation shall declare the square feet of insulation in the package and the length and width of the batt or blanket. In addition, R value and thickness shall be declared on the package.

**2.14.4. Installed Insulation.** – Installed insulation must be accompanied by a contract or receipt. For all insulation except loose-fill and aluminum foil, the receipt must show the coverage area, thickness, and R value of the insulation installed. For loose-fill, the receipt must show the coverage area, thickness, and R value of the insulation, plus the number of bags used. For aluminum foil, the receipt must show the number and thickness of the air spaces, the direction of heat flow, and R value. The receipt must be dated and signed by the installer.

*e.g., This is to certify that the insulation has been installed in conformance with the requirements indicated by the manufacturer to provide a value of R 19 using 31.5 bags of insulation to cover 1500 ft<sup>2</sup> area. Signed and dated.*





# Other Products

**2.23. Animal Bedding.** – Packaged bedding of all kinds, except for baled straw, shall be sold by the cubic meter, liter, or milliliter and by the cubic yard, cubic foot, or cubic inch. If packaged in a compressed state, the quantity declaration shall include both the quantity in the compressed state and the usable quantity that can be recovered.

250 mL expands to 500 mL (500 in<sup>3</sup> expands to 1000 in<sup>3</sup>).

**2.24. Wiping Cloths.** – shall be sold by net wt or by count plus size of wiping cloths. When sold by count plus size, and the wiping cloths are of assorted sizes, the term “irregular dimensions” and the minimum size of such cloths must be declared. The gross weight may not be printed on any package, either consumer or non-consumer.

**2.25. Baler Twine.** – shall be sold on the basis of length in meters or feet, and net mass or weight by kg or lbs.



## 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)



# 2.28. Communication Paper

**2.28.1.1. Communication paper.** – Packaged bond, mimeo, spirit duplicator, xerographic, and other papers, including cut-sized office paper and computer paper.

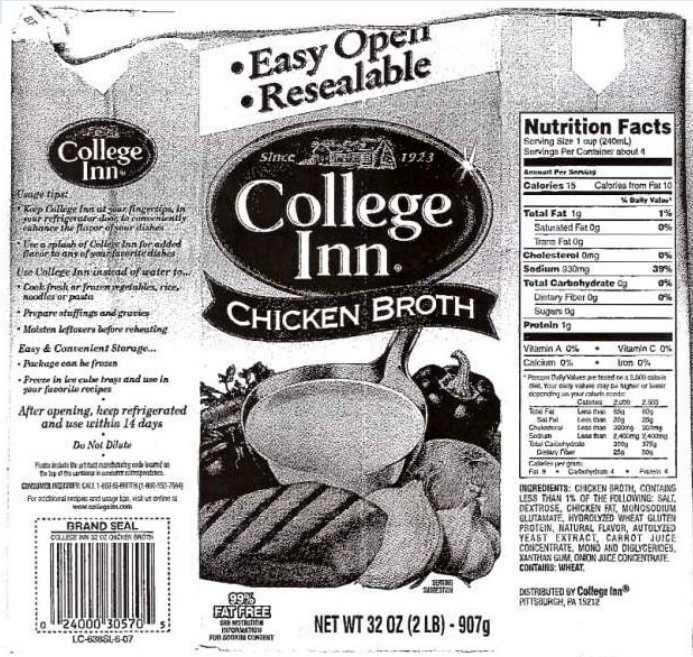
**2.28.1.2. Basis weight.** – means the grade, category, or identity of the paper determined according to the latest version of ASTM D 646 for “Grammage of Paper and Paperboard.” Basis weight is a standard of identity and is not a net weight declaration.

**2.28.2.1. Method of retail sale.** – All packaged communication paper shall be sold in terms of sheet length and width and count.

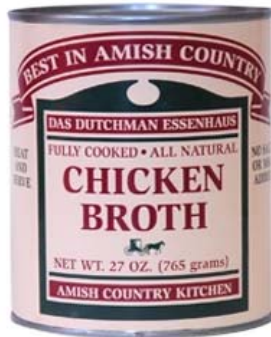
**2.28.2.2. Labeling.** – Communication paper in package form shall bear a label that includes: (a) a declaration of quantity, in terms of sheet length and width and count, in the lower 30 % of the PDP, & (b) a declaration of identity including the basis weight, and may include such other information as grain direction, color, brightness, printed lines, and hole punch information. Due to the variation in basis weight in manufacturing and analysis, the basis weight declared on the label shall correspond to the basis weight declared by the original manufacturer.







32 fl oz (946 mL)





CONNECTICUT DEPARTMENT OF  
**CONSUMER PROTECTION**

## **Part 6:** Other Information

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Declaration of Identity  
Declaration of Responsibility  
Declaration of Net Quantity of Contents

*Remember:*

- 1. May bear SI or customary and Inch-pound units or both.*
- 2. Are not subject to PDP and location requirements that consumer packages have to meet.*

## 2.3. Non-Consumer Package: Package of Non-consumer Commodity

Any package other than a consumer package, and particularly a package intended solely for industrial or institutional use or for wholesale distribution.

- e.g., business to business
- e.g., business to government
- “the fact that there may be occasional, isolated, minimal, sporadic sales of such commodities at retail to household consumers would not remove such commodities from the exception, Provided, the sales at retail were unintended by the manufacturer and were in fact beyond the manufacturer’s control.”  
Bulletin No. 6 1970 FTC.





## 4. Declaration of Identity – Non-consumer Package

A separate declaration of identity on a non-consumer package shall appear on the outside of the package and shall not be misleading or deceptive.

*The identity shall be in terms of:*

- (a) the name specified in or required by any applicable federal or state law or regulation or, in the absence of this,
- (b) the common or usual name or, in the absence of this,
- (c) the generic name or other appropriate description, including a statement of function (such as “cleaning powder”).



## 5. Declaration of Responsibility...

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- Any package kept, offered, or exposed for sale, or sold at any place other than on the premises where packed shall specify conspicuously\* on the label of the package the name and address of the manufacturer, packer, or distributor.
- The name shall be the actual corporate name, or, when not incorporated, the name under which the business is conducted.
- The address shall include street address, city, state (or country if outside the United States), and ZIP Code (or the mailing code, if any, used in countries other than the United States); however, the street address may be omitted if this is shown in a current city directory or telephone directory.
- Does not have to appear on the PDP but the bottom of the is probably not acceptable. FDA said no to this being on the bottom in 1978 and added that it should not be hidden from consumer under customary conditions of purchase



\*"standing out so as to be clearly visible..." Oxford American Dictionary 2nd Edition

# ***"The name shall be the actual corporate name, or, when not incorporated, the name under which the business is conducted."***

- Must be the person fully responsible for the product not the ingredient suppliers. Registered trademarks, shortened corporate name and abbreviations (e.g., Co. Inc. ) are permitted.
- Multiple packers names with a "manufactured by either/or" statement prohibited.
- If, in addition to the mfg's name another firm is identified that firm's connection to the product must be qualified.
- Address must include state and zip code (a P.O. Box may be included).
- USDA allows a corporate headquarters to be used while plant numbers allow for identification of producing location. Dairy products use a similar approach.
- It is not necessary to say "manufactured by" when the name on the package is that of the actual manufacturer.
- Not accepted as substitutes for full declaration of responsibility:
  - URL for Company Website, Toll-Free Telephone Number, Post Office Box



***“The name shall be the actual corporate name, or, when not incorporated, the name under which the business is conducted.”***

- When it is not the manufacturer the name must be qualified:
  - This: "Distributed by ....." or "Made for..." or "Imported by..."
- The purpose of the requirement is to identify the responsible party so that if the package (product) does not comply with a legal requirement a law enforcement agency or other party can contact or locate that person.
- This information allows consumers to contact the manufacturer to obtain further information about the product or to report problems (including injuries.)



## 7. Declaration of Quantity: Non-consumer Packages

- 7.1. General. – The SI and inch-pound systems of weights and measures are recognized as proper systems to be used in the declaration of quantity. Units of both systems may be combined in a dual declaration of quantity. [NOTE 6, page 73]
- **NOTE 6:** *Although non-consumer packages under this Regulation may bear SI declarations only, this Regulation should not be construed to supersede any labeling requirement specified in federal law.*
- 7.2. Location. – A non-consumer package shall bear on the outside a declaration of the net quantity of contents. Such declaration shall be in terms of the largest whole unit (see 6.2. Largest Whole Unit; for small packages, see 11.16. Small Packages).



# 7. Declaration of Quantity: Non-consumer Packages

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**7.3.** Terms: Weight, Liquid Measure, Dry Measure, or Count.

**7.4.** SI Units: Mass, Measure.

- 7.4.1. Symbols

**7.5.** Inch-pound Units: Weight, Measure

- 7.5.1. Symbols and Abbreviations

**7.6.** Character of Declaration: Average

*May bear only SI units or only Customary and Inch-pound Units or both!! The requirements for the PDP and many location or presentation requirements do not apply.*





**NIST HB 130 VI.**

# **NCWM Policy, Interpretations & Guidelines**

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# Interpretations and Guidelines

- [2.1.2. Section 19\(a\), Identity](#)
- [2.1.5. Weight: Primary Mill Paper](#)
- [2.2.1. Gift Packages](#)
- [2.2.2. Sand](#)
- [2.2.3. Sold by 4/5 Bushel](#)
- [2.2.6. Aerosols and Similar Pressurized Containers \(FTC & UPLR requires Net Wt\)](#)
- [2.2.7. Aerosol Packaged Products](#)
- [2.2.8. Variety and Combination Packages](#)
- [2.2.9. Textile Products](#)
- [2.2.10. Yarn](#)
- [2.2.11. Tint Base Paint](#)
- [2.2.12. Reference Temperature for Refrigerated Products: When a Product Is Required to be Maintained under Refrigeration](#)
- [2.2.13. Declaration of Identity: Consumer Package \(UPLR\) and 1.5.1. In Combination with Other Foods \(UMSCR\)](#)
- [2.2.14. Typewriter and Computer Printer Ribbons and Tapes](#)
- [2.3.1. Instant Concentrated Products](#)
- [2.3.2. Fresh Fruits and Vegetables](#)
- [2.3.3. Cardboard Cartons](#)
- [2.3.4. Catalyst Beads](#)
- [2.3.5. Incense](#)
- [2.3.6. Sea Shells](#)
- [2.3.7. Tire Tread Rubber Products](#)
- [2.3.8. Wiper Blades](#)
- [2.3.9. Fireplace Logs](#)
- [2.3.11. Packaged Foods or Cosmetics Sold from Vending Machines](#)
- [2.3.12. Movie Films, Tapes, Cassettes](#)
- [2.3.13. Vegetable Oil](#)



# Interpretations and Guidelines

- [2.3.16. Animal Bedding](#)
- [2.6.5. Cereal Grains and Oil Seeds](#)
- [2.6.7. Product Conformance Statements](#)
- [2.6.8. Commodities Under Federal Trade Commission Jurisdiction under the Fair Packaging and Labeling Act and Exclusions](#)
- [2.6.9. Size Descriptors for Raw, Shell-On Shrimp Products](#)
- [2.6.10. Model Guidelines for the Administrative Review Process](#)
- [2.6.11. Good Quantity Control Practices](#)
- [2.6.12. Point-of-Pack Inspection Guidelines](#)
- [2.6.13. Guideline for Verifying the Labeled Basis Weight of Communication and Other Paper](#)



# Title 16: Commercial Practices

## PART 501—EXEMPTIONS FROM REQUIREMENTS AND PROHIBITIONS UNDER PART 500

- **501.4 . Chamois.** - packaged or labeled for retail sale is exempt from the requirements of 500.13 of this chapter which specifies how measurement of commodities by area measure should be expressed:  
*Provided:*
  - (a) The quantity of contents for full skins is expressed in terms of square feet with any remainder in terms of the common or decimal fraction of the square foot.
  - (b) The quantity of contents for cut skins of any configuration is expressed in terms of square inches and fractions thereof. Where the area of a cut skin is at least one square foot or more, the statement of square inches shall be followed in parentheses by a declaration in square feet with any remainder in terms of square inches or common or decimal fractions of the square foot. [35 FR 19572, Dec. 24, 1970]

[NIST Handbook 130 - 2009 Edition](#)

NCWM Interpretations and Guidelines  
2.6.14. Labeling Guidelines for Chamois



# Title 16: Commercial Practices

## PART 501—EXEMPTIONS FROM REQUIREMENTS AND PROHIBITIONS UNDER PART 500

**501.6 Cellulose sponges, irregular dimensions.** - Variety packages of cellulose sponges of irregular dimensions, are exempted from the requirements of 500.25 of this chapter, provided:

- (a) Such sponges are packaged in transparent packages which afford visual inspection of the varied sizes, shapes, and irregular dimensions; and
- (b) The quantity of contents declaration is expressed as a combination of count accompanied by the term *irregular dimensions*.
- *Example:* “10 Assorted Sponges—Irregular dimensions.”

[NIST Handbook 130 - 2009 Edition](#)

**NCWM Interpretations and Guidelines**

2.6.15. Labeling Guidelines for Natural and Synthetic Sponges



# NCWM 1992 - 250-1 Industry Standards or Practices and Weights and Measures Requirements

- **Background:** The NCWM Laws and Regulations Committee believes that existing requirements of the WML, MSCR, PLR, NIST Handbook 44, and NIST Handbook 133 provide adequate controls over the practices described in this item. The Committee considered how to resolve violations that occur when a firm or industry uses illegal measurement practices or "special tolerances" that are contrary to weights and measures requirements. These violations usually surface when a jurisdiction investigates a complaint against an industry or business that has not been subject to routine inspection by weights and measures. Quite often the use of illegal practices grows because firms do not seek information on legal requirements from weights and measures offices. Instead, they turn to other businesses to see "how they do it." In many cases, the procedures used by the "model" firm are illegal. In other cases, unacceptable practices or tolerances are taken from a voluntary industry standard issued by a trade or industry organization that was developed without full consideration of legal requirements.
- Three types of violations occur:
  1. Commodities or manufactured products are sold in wholesale and retail markets using inconsistent rounding and measurement practices, or inaccurate charts or tables. Sales of glass and galvanized steel sheets are two examples. In many cases, sellers round length and width measurements up to the next higher even or whole unit, or quote average dimensions for products. In many cases, the products are not manufactured to comply with any the average requirement (e.g., plywood). Some sellers use nominal or estimated thickness declarations on products, often found to be erroneous.
  2. Sales of reinforcing steel for concrete construction(rebar) and other iron and steel products used "book weights." In many cases the "book weight" is less than the actual weight of the product. Firms using this method do not use weighing devices to determine weights. Other examples include the use of "book dimensions" to sell other iron and steel products (i.e., fencing) that are found to be incorrect when shipments are inspected.
  3. Sales of packaged products, such as construction materials (cement, sand etc.) and other products, are filled or manufactured to the "industry" tolerances listed in test methods or standards issued by industry and trade groups.
- In the first two type examples, the non-uniform measurement practices began long before calculators, computer, and other measurement technologies were available. In many instances, an industry retains unacceptable practices because they are simpler and it is less expensive to continue their use than to change. Many firms buy truck scales (in the case of rebar sales) or better measurement equipment because they recognize that accurate weights and measures are required by law and are beneficial to their business. Unfortunately, other firms argue for retention of out-of-date or illegal practices on the basis that their employees are not capable of performing accurate measurements or computations using commonplace measuring devices and calculators. Obviously, the Committee does not consider this a valid justification for continued use of illegal practices.





# Title 16: Commercial Practices

## PART 501—EXEMPTIONS FROM REQUIREMENTS AND PROHIBITIONS UNDER PART 500

### **501.5** Paper table covers, bedsheets, pillowcases.

- Table covers, bedsheets, and pillowcases, fabricated from paper, are exempt from the requirements of 500.12 of this chapter which specifies the expression of measurement of bidimensional commodities:
- Provided, That such commodities shall clearly present their actual length and width in terms of inches. [35 FR 19077, Dec. 17, 1970]



# Title 16: Commercial Practices

## PART 501—EXEMPTIONS FROM REQUIREMENTS AND PROHIBITIONS UNDER PART 500

### 501.8 Solder.

- Solder and brazing alloys containing precious metals when packaged and labeled for retail sale are exempt from the net quantity statement requirements of part 500 of this chapter which specify that all statements of weight shall be in terms of avoirdupois pound and ounce provided the net quantity declaration is stated in terms of the troy pound and ounce and the term *troy* is used in each declaration.

[37 FR 4429, Mar. 3, 1972]



# FTC Guidance Documents

- FTC Policy on "Free"
- FTC Rule on Home Insulation
- FTC Guide for Deceptive Pricing



# International

## International Organization of Legal Metrology – OIML

- Recommendation 79 “Labeling Requirements for Prepackaged Products”
- Recommendation 87 “Quantity of Product in Prepackages”
- Draft - OIML International Quantity Mark
- <http://www.oiml.org>

## Codex Alimentarius – Codex

- 1963 – World Health Organization and Food and Agriculture Organization of United Nations
- “General Standard for the Labelling of Prepackaged Foods”



Working Group 6 – Prepackages  
WELMEC (Western EU Legal Metrology)

# Potted Plants and Nursery Stock



- [FTC Guides in CFR](#)
- [Container Labeling Guide](#)



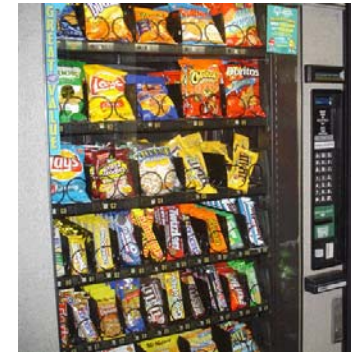
# 3.3. Labeling of Machines That Dispense Packaged Commodities

All vending machines dispensing packaged commodities shall indicate:

- (a) product identity;
- (b) net quantity; and
- (c) the party responsible for the vending machine.

Examples: “For service or refunds contact: the XYZ Cola Company, Rockville, MD 20800; Telephone: (301) 555-1000,” or “See attendant inside for refunds.”

- (d) the requirements for product identity and net quantity can be met either by display of the package or by information posted on the outside of the machine.





# FDA - CFR 100.100 Misleading Packages

In accordance with section 403(d) of the act, a food shall be deemed to be misbranded if its container is so made, formed, or filled as to be misleading.

- (a) A container that does not allow the consumer to fully view its contents shall be considered to be filled as to be misleading if it contains nonfunctional slack-fill. Slack-fill is the difference between the actual capacity of a container and the volume of product contained therein. Nonfunctional slack-fill is the empty space in a package that is filled to less than its capacity for reasons other than:
  - (1) Protection of the contents of the package;
  - (2) The requirements of the machines used for enclosing the contents in such package;
  - (3) Unavoidable product settling during shipping and handling;
  - (4) The need for the package to perform a specific function (e.g., where packaging plays a role in the preparation or consumption of a food), where such function is inherent to the nature of the food and is clearly communicated to consumers;
  - (5) The fact that the product consists of a food packaged in a reusable container where the container is part of the presentation of the food and has value which is both significant in proportion to the value of the product and independent of its function to hold the food, e.g., a gift product consisting of a food or foods combined with a container that is intended for further use after the food is consumed; or durable commemorative or promotional packages; or
  - (6) Inability to increase level of fill or to further reduce the size of the package (e.g., where some minimum package size is necessary to accommodate required food labeling (excluding any vignettes or other nonmandatory designs or label information), discourage pilfering, facilitate handling, or accommodate tamper-resistant devices).

[59 FR 537, Jan. 5, 1994] Food and Drug Administration  
CALIFORNIA CODES BUSINESS AND PROFESSIONS CODE SECTION 12601-12615.5 :





- The *San Jose Mercury News* roots out another bit of grocery chicanery: A popular type of investigation involves 'slack fill.' This occurs when a manufacturer uses a larger container than necessary to hold its product. If the contents of a jar, carton, box or bag seem even a little low, the local weights and measures office wants to know about it.

• [CR Slack Fill](#)

• [Consumer Reports](#)



