

# Prepackaged Commodities Rules

Legal Metrology (Packaged Commodities) Rules, 2011

*Amended upto March 31<sup>st</sup>, 2020*

*Compiled by:*

Dr.M.Kantha Rao, IPS  
*Inspector General of Police  
and  
Controller of Legal Metrology  
Andhra Pradesh  
India*

**Hand Book 3**

For official Use only

Available at free of cost from the web site of the department:

*<http://www.aplm.gov.in>*

Labelling Requirements: Mandatory Declarations

# Prepackaged Commodities Rules

Legal Metrology (Packaged Commodities) Rules, 2011

*Amended upto March 31<sup>st</sup>, 2020*

*Compiled by:*

Dr. M. Kantha Rao, IPS  
*Inspector General of Police  
and  
Controller of Legal Metrology  
Andhra Pradesh  
India*



April 2020

Hand Book 3

For official Use only

Available at free of cost from the web site of the department:

<http://www.aplm.gov.in>

*Edition 2020*

All Rights are Reserved



## *Preface*

*The object is to bring this Hand Book-3 on Prepackaged Commodities is to make available on mandatory declarations are to be made on the Prepackaged Commodities. The mandatory declarations are explained with real time pictures of the packages.*

*The specificity of this is at provision itself, the regulator can know the regulation, how it look like on the packages. If there any cross references of the other laws or regulations, such regulations are also incorporated at the regulation itself. At some places even pictures are provided for understanding.*

*I hope will reduce the gap between the bare Rules and Amendments. Also, there is little scope for dispute between the regulator and Packer or Importer or Manufacturer. While bringing this Edition 2020, the Government of India's recent advisory issued on April, 2020, on 'use of printed packing material' upto September 30th, 2020, which was not exhausted, is also examined.*

*Every effort has been made to bring accurate version of the Rules. However, one can also go through the Original Gazette Notifications of the Government of India.*

*It is a continuous process, which requires monitoring and to incorporate the amendments from time to time and making available in the form of yearly edition. This will helps the enforcement agencies and others in taking decisions and discharging duties without any ambiguity.*

*This Hand Book 3 on Prepackaged Commodities, is meant for official use only and not for sale. It is made available on the web site of the department: <http://www.aplm.gov.in>.*

*I hope this will serve and guides the enforcement official of the Legal Metrology.*

*We views and suggestions are welcome, to improve further and make meaningful.*

*Dr. M. Kantha Rao, IPS  
Inspector General of Police  
and  
Controller of Legal Metrology  
Andhra Pradesh  
India*



## CONTENTS

1. Labelling Requirements - Rule 2: Definitions
2. Labelling Requirements - Rule 3 - applicability of Rule 3- 23
3. Labelling Requirements - Rule 4 - Regulation for sale, distribution or delivery
4. Labelling Requirements - Rule 5 - To Pack in Standard Quantities
5. Labelling Requirements - Rule 6 - Mandatory Declarations



## DEFINITIONS

### Definitions:-

These definitions are in relation to enforcement of packaged commodities in India.

(a) **“Act”** means the Legal Metrology Act 2009, (1 of 2010);

(b) **“Consumer”** shall have the same meaning as assigned to it in Consumer Protection Act;

**Under said the “Consumer” means any person who—**

(i) buys any goods for a consideration which has been paid or promised or partly paid and partly promised, or under any system of deferred payment and includes any user of such goods other than the person who buys such goods for consideration paid or promised or partly paid or partly promised, or under any system of deferred payment, when such use is made with the approval of such person, but does not include a person who obtains such goods for resale or for any commercial purpose; or

(ii) hires or avails of any service for a consideration which has been paid or promised or partly paid and partly promised, or under any system of deferred payment and includes any beneficiary of such service other than the person who hires or avails of the services for consideration paid or promised, or partly paid and partly promised, or under any system of deferred payment, when such services are availed of with the approval of the first mentioned person, but does not include a person who avails of such service for any commercial purpose.

Further *Explanation* under this is :

(a) the expression "commercial purpose" does not include use by a person of goods bought and used by him exclusively for the purpose of earning his livelihood, by means of self-employment;

(b) the expressions "buys any goods" and "hires or avails any services" includes offline or online transactions through electronic means or by teleshopping or direct selling or multi-level marketing;

**Comment:**

(i) it does not include a person buys goods and sells under the Consumer Protection Act

(ii) it includes if a person buys goods through

(a) election means

(b) teleshopping

(c) direct selling

(d) multi-level marketing

**(c) “dealer”** in relation to any commodity in packaged form, means a person who, or a firm which, carries on directly or otherwise, the business of buying, selling, supplying or distributing any such commodity whether for cash or for deferred payment or for commission, remuneration or other valuable consideration, and includes a commission agent who carries on such business on behalf of any principal, but does not include a manufacturer who manufactures any commodity which is sold or distributed in a packaged form except where such commodity is sold by such manufacturer to any other person other than a dealer ;

**Comment:**

- (i) if Person buys and sells goods is a dealer
- (ii) If manufacturer or packer sells goods, will also be a dealer

**(c) “industrial consumer”** means the consumer who buys packaged commodities directly from the manufacturer or from an importer or from wholesale dealer for use that industry and the package shall have declaration ‘not for retail sale’;

**Comment:**

*Usually Industry buys goods in bulk through a negotiation on price and supply of goods, if will also sometimes forms a part of its raw material.*

*The object making of packaged commodities rules it is protect interest of consumer as defined above.*

**(bc) “institutional consumer”** means the institution which buys packaged commodities bearing a declaration ‘not for retail sale’, directly from the manufacturer or from an importer or from wholesale dealer for use by that institution and not for commercial or trade purposes;

**Comment:**

*Institutions like air lines, railways, corporate etc buys in bulk for its consumption say supply to its customers at free of cost, say.*

*Eg. IRCTC buys packaged drinking water bottles and supplies to the passengers in Rajdhani Express, then it is an Institutional Consumer. Because here no commercial or trade purpose directly involved.*

*If the IRCTC buys packaged drinking water bottles and supplies to the passengers in Satabdi Express at charge and collects price, then it is NOT an Institutional Consumer. Because here commercial or trade purpose directly involved.*

*An Airliner buys packaged drinking water bottles and supplies to the passengers in its charter, then it is an*



Doc. Title: Definitions	Doc. No. LM/HB/Rule 2	Packaged Commodities Rules	Sheet : 3 of 14
-------------------------	-----------------------	----------------------------	-----------------

*Institutional Consumer. Because here no commercial or trade purpose directly involved.*

*If the Airliner buys packaged drinking water bottles and supplies to the passengers in Satabdi Express at charge and collects price, then it is NOT an Institutional Consumer. Because here commercial or trade purpose directly involved.*

**(bd) “E-commerce”** means buying and selling of goods and services including digital products over digital and electronic network;

**Comment:**  
*Examples of ecommerce : Amazon, flip cart, Snap deal, Naaptol, Amway, Home Shopping etc*



Some examples of the e commerce companies

**(be) “E-commerce entity”** means a company incorporated under the Companies Act, 1956 or the Companies Act, 2013 or a foreign company covered under clause (42) of section 2 of the Companies Act, 2013, or an office, branch or agency in India covered under sub-clause (ii) of clause (v) of section 2 of the Foreign Exchange Management Act, 1999 (42 of 1999) owned or controlled by a person resident outside India and conducting e-commerce business;



E commerce process

***under clause (42) of section 2 of the Companies Act, 2013***

Issue No. : 01	Issue date:	Rev No. : 00	Effective date:
----------------	-------------	--------------	-----------------

(42) —foreign company means any company or body corporate incorporated outside India which— (a) has a place of business in India whether by itself or through an agent, physically or through electronic mode; and (b) conducts any business activity in India in any other manner.

***under sub-clause (ii) of clause (v) of section 2 of the Foreign Exchange Management Act, 1999 (42 of 1999)***

(v) “person resident in India” means— (i) a person residing in India for more than one hundred and eighty-two days during the course of the preceding financial year but does not include— (A) a person who has gone out of India or who stays outside India, in either case— (a) for or on taking up employment outside India, or (b) for carrying on outside India a business or vocation outside India, or (c) for any other purpose, in such circumstances as would indicate his intention to stay outside India for an uncertain period; (B) a person who has come to or stays in India, in either case, otherwise than— (a) for or on taking up employment in India, or (b) for carrying on in India a business or vocation in India, or (c) for any other purpose, in such circumstances as would indicate his intention to stay in India for an uncertain period; ***(ii) any person or body corporate registered or incorporated in India,*** (iii) an office, branch or agency in India owned or controlled by a person resident outside India, (iv) an office, branch or agency outside India owned or controlled by a person resident in India;

***Comment:***

An **entity** is a facility that allows electronic communication of goods.

There are different sorts of **e-commerce entities**

e.g. manufacturers, retailers and businesses that are set up just should trade on the internet these are named e-Tailers.

**Notes on ecommerce instructions issued by the Government of India:**

*1 Subject to provisions of FDI Policy, e-commerce entities would engage only in Business to Business (B2B) e-commerce and not in Business to Consumer (B2C) e-commerce,*

**2 Definitions:**

***E-commerce-***

*E-commerce means buying and selling of goods and services including digital products over digital & electronic network.*

***E-commerce entity-***

*E-commerce entity means a company incorporated under the Companies Act 1956 or the Companies Act 2013 or a foreign company covered under section 2 (42) of the Companies Act, 2013 or an office, branch or agency in India as provided in section 2 (v) (iii) of FEMA 1999, owned or controlled by a person resident outside India and conducting the e-commerce business.*

***Inventory based model of e-commerce-***

*Inventory based model of e-commerce means an e-commerce activity where inventory of goods and*

*services is owned by e-commerce entity and is sold to the consumers directly.*

### **Marketplace based model of e-commerce-**

*Marketplace based model of e-commerce means providing of an information technology platform by an e-commerce entity on a digital & electronic network to act as a facilitator between buyer and seller.*

### **3 Guidelines for Foreign Direct Investment on e-commerce sector**

- i. 100% FDI under automatic route is permitted in marketplace model of e-commerce.*
- ii. FDI is not permitted in inventory based model of e-commerce.*

### **4 Other Conditions**

*Digital & electronic network will include network of computers, television channels and any other Internet application used in automated manner such as web pages, extranets, mobiles etc.*

- i. Marketplace e-commerce entity will be permitted to enter into transactions with sellers registered on its platform on B2B basis.*
- ii. E-commerce marketplace may provide support services to sellers in respect of warehousing, logistics, order fulfillment, call centre, payment collection and other services.*
- iii. E-commerce entity providing a marketplace will not exercise ownership or control over the inventory i.e. goods purported to be sold. Such an ownership or control over the inventory will render the business into inventory based model. Inventory of a vendor will be deemed to be controlled by e-commerce marketplace entity if more than 25% of purchases of such vendor are from the marketplace entity or its group companies.*
- iv. An entity having equity participation by e-commerce marketplace entity or its group companies, or having control on its inventory by e-commerce marketplace entity or its group companies, will not be permitted to sell its products on the platform run by such marketplace entity.*
- v. In marketplace model goods/services made available for sale electronically on website should clearly provide name, address and other contact details of the seller. Post sales, delivery of goods to the customers and customer satisfaction will be responsibility of the seller.*
- vi. In marketplace model, payments for sale may be facilitated by the e-commerce entity in conformity with the guidelines of the Reserve Bank of India.*
- vii. In marketplace model, any warrantee/ guarantee of goods and services sold will be responsibility of the seller.*
- viii. E-commerce entities providing marketplace will not directly or indirectly influence the sale price of goods or services and shall maintain level playing field. Services should be provided by e-commerce marketplace entity or other entities in which e-commerce marketplace entity has direct or indirect equity participation or common control, to vendors on the platform at arm's length and in a fair and nondiscriminatory manner. Such services will include but not limited to fulfilment, logistics, warehousing, advertisement/ marketing, payments, financing etc. Cash back provided by group companies of marketplace entity to buyers shall be fair and non-discriminatory. For the purposes of this clause, provision of services to any vendor on such terms which are not made available to other vendors in similar circumstances will be deemed unfair and discriminatory.*
- ix. Guidelines on cash and carry wholesale trading as given in para 5.2.15.1.2 of Consolidated FDI Policy Circular 2017 will apply on B2B e-commerce.*
- x. e-commerce marketplace entity will not mandate any seller to sell any product exclusively on its platform only.*

Doc. Title: Definitions	Doc. No. LM/HB/Rule 2	Packaged Commodities Rules	Sheet : 6 of 14
-------------------------	-----------------------	----------------------------	-----------------

xi. e-commerce marketplace entity will be required to furnish a certificate along with a report of statutory auditor to Reserve Bank of India, confirming compliance of above guidelines, by 30th of September of every year for the preceding financial year.

Subject to the conditions of FDI policy on services sector and applicable laws/regulations, security and other conditionalities, sale of services through e-commerce will be under automatic route.

**(bf) “market place based model of e-commerce”** means providing of an information technology platform by an ecommerce entity on a digital and electronic network to act as a facilitator between buyer and seller;

**Comment:**  
 The company acts as a platform for buyers and sellers without storing goods. Sometimes they may offer shipping and payment assistance.  
 eg. Amazon, flipcart, Naaptol, ebay etc.

**(c) “lot”** means –

(i) in the case of packages which have been stored, the total number of such packages stored; and



example : storing

(ii) in the case of packages which are on or at the end of the packing line, the maximum hourly output of packages;’



example



production line

**Comment:**

*For the purpose of determining the quantity filled in the package, using a statistical system, a pooled or stacked packages selected are usually called a LOT. From the LOT, a few packages picked out randomly, is samples.*

*In the place of stored packages, production line packages can also picked out for the purpose. In this case, a lot is determined based on the hourly production rate.*

(d) **“manufacturer”** in relation to any commodity in packaged form, means a person who, or a firm which, produces, makes or manufactures such commodity and includes a person, firm which puts, or causes to be put, any mark on any packaged commodity, not produced, made or manufactured by him or it, and the mark claims the commodity in the package to be commodity produced, made or manufactured by such person or firm as the case may be;

**Comment:**

*Manufacturer is defined in 3 ways: if a person or firm*

- *originally produces, makes or manufactures*
- *just puts, or causes to be put, any mark, but not produced, made or manufactured him or it*
- *simply claims mark that the commodity in the package to be commodity produced, made or manufactured.*

(e) **“Maximum permissible error”**, in relation to the quantity contained in an individual package, means an error in deficiency which, subject to the provision of these rules, does not exceed the limits specified in the First Schedule;

**Comment:**

*Error in filling of quantity is allowed to take care of:*

- (a) *variations caused by unavoidable deviation in weighing, measuring or counting the contents of individual packages that may occur in good packaging practice;*
- (b) *variations caused by the ordinary and customary exposure to conditions, such as, climate, transport, storage or the like that normally occur in good distribution practice after the commodity is introduced in trade or commerce; and*
- (c) *variations due to the nature of packaging material or container.*

**Characteristics of Good Packaging practices:**

*A Good packaging should be convenient*

*A Good Package should be very attractive and fascinating*

*A Good Packaging is to be economical*

*A Good Packaging is to protect products from different risks such as  
A Good packaging should also be communicative*



*example of package*

**Good Distribution Practice:**

*Good distribution practices (GDP) are that part of quality assurance that ensure that the quality of products is maintained through adequate control throughout the numerous activities which occur during the **distribution** process.*

*Good Distribution Practice refers to the regulatory guidelines governing the wholesale distribution of products to ensure their quality and integrity is maintained throughout the supply chain from the manufacturer to the end user.*

*Good Distribution Practice extends beyond the distribution of the finished product and includes the sourcing, storage and transportation of APIs and other ingredients prior to manufacturing.*

*Failure to adhere to the guidelines at any point within the supply chain, including all intermediate points of storage and transport, can have a serious impact on the quality of the product.*



*Packaging machinery is equipment for uses such as canning; container cleaning, filling, and forming; bagging, packing, unpacking, bottling, sealing and placing of lid; inspection and check weighing; wrapping, shrink film and heat sealing; case forming, labelling and encoding; palletizing and depalletizing, and related uses. (US Dept of Commerce, 2009).*

*For example for 100 g tooth paste packages, not more than 4.5 g of deficiency allowed.*





(f) **“net quantity”**, in relation to commodity contained in a package, means the quantity by weight, measure or number of such commodity contained in that package, excluding the packaging or wrapper;

**Comment:**

*It is the actual quantity of commodity filled or kept in the package, but does not include weight of container or package with which commodity come in contact.*



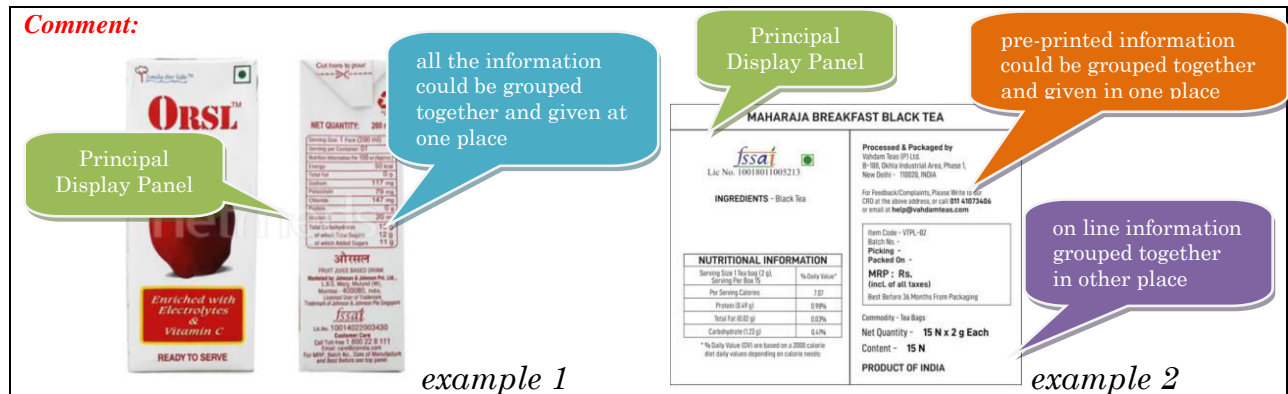
(g) **“packer”** means a person who, or a firm which pre-packs any commodity, whether in any bottle, tin, wrapper or otherwise, in units suitable for sale whether wholesale or retail;



Doc. Title: Definitions	Doc. No. LM/HB/Rule 2	Packaged Commodities Rules	Sheet : 10 of 14
-------------------------	-----------------------	----------------------------	------------------

(h) **“principal display panel”**, in relation to a package, means the total surface area of the package where the information required under these rules are to be given in the following manner, namely;

- (i) all the information could be grouped together and given at one place; or
- (ii) the pre-printed information could be grouped together and given in one place and on line information grouped together in other place;



(i) **“quantity”** in relation to commodity contained in a package, means the quantity by weight, measure or number of such commodity contained in that package;

(j) **“retail dealer”** in relation to any commodity in packaged form means a dealer who directly sells such packages to the consumer and includes, in relation to packages as are sold directly to the consumer, a wholesale dealer who makes such direct sale to customer;

**Comment:**

*a retail dealer is a person or a firm buys from a distributor or manufacturer and sells directly to the consumer from a fixed or mobile location.*

*Usually distributor is a wholesaler who sells to dealers and dealers usually retailers who sell directly to the consumer.*

*Sometimes distributors in other words wholesale dealer sell directly to consumer*





Examples of retail dealer

(k) **“retail package”** means the packages which are intended for retail sale to the ultimate consumer for the purpose of consumption of the commodity contained therein and includes the imported packages :

Examples of retail packages;



Provided that for the purpose or **“retail food package”**, the definition of the same contained in the rules or regulations made under the **Food Safety and Standards Act, 2006 (34 of 2006)** shall apply.

**Comment:**

Under **Food Safety and Standards Act, 2006 (34 of 2006)**, it is defined “package” means a pre-packed box, bottle, casket, tin, barrel, case, pouch, receptacle, sack, bag, wrapper or such other things in which an article of food is packed;

Under **Food Safety and Standards (Packaging and labelling) Regulations, 2011**, it is defined as **“pre-packaged or Pre-packed food”** .

“Pre-packaged” or “Pre-packed food”, means food, which is placed in a package of any nature, in such a manner that the contents cannot be changed without tampering it and which is ready for sale to the

consumer.

Note: The expression “package” wherever it occurs in these Regulations, shall be construed as package containing pre-packed food articles.

“multipice package” is available> “Multipiece package” means a package containing two or more individually packaged or labelled pieces of the same commodity of identical quantity, intended for retail either in individual pieces or packages as a whole.

(l) “**retail sale**”, in relation to a commodity, means the sale, distribution or delivery of such commodity through retail sales shops agencies or other instrumentalities for consumption by an individual or a group of individuals or any other consumer;



(m) “**retail sale price**” means the maximum price at which the commodity in packaged form may be sold to the consumer inclusive of all taxes; (n) “section” means a section of the Act;

**Comment:**

It is the price at consumer get from the retail dealer or with wholesale dealer.



**Cold Drink**

Rs 10/ Bottle



*Jays Overseas - offering Nescafe Cold Coffee,  
Packaging Size: 240 ML at Rs 55/unit in Delhi*

(o) “**Schedule**” means a Schedule appended to these rules;

**Comment:**

*Where certain information or instructions provided separately. Example it is instructed to pack certain commodities in fixed quantizes, for benefit of consumer.*

*Say Coffee is to be packed in quantities below 25g no restriction, 25g, 50g, 75g, 100g, 150g, 200g, 250g, 500g, 750g, 1kg, 1.5kg, and thereafter in multiples of 1kg.*

(p) **“standard package”** means a package containing the specified quantity of a commodity;

**Comment:**



Various sizes of coffee packages

2g

100 g

200 g

(q) **“wholesale dealer”** in relation to any commodity in packaged form means a dealer who does not directly sell such commodity to any consumer but distributes or sells such commodity through one or more intermediaries;



**Commerce:**


Wholesalers	Retailers
1. Wholesalers buy from the manufactures and sell goods to the retailers.	Retailers buy from the wholesalers and sell goods to the consumers.
2. Wholesalers usually sell on credit to the retailers.	Retailers usually sell for cash.
3. They specialise in a particular product.	They deal in different kinds of goods.
4. They buy in bulk quantities from the manufacturers and sell in small quantities to the retailers.	They buy in small quantities from the wholesalers and sell in smaller quantities to the ultimate consumers.
5. Wholesalers always deliver goods at the doorstep of the retailers.	Retailers usually sell at their shops. They provide door delivery only at the request of the consumers.



Doc. Title: Definitions	Doc. No. LM/HB/Rule 2	Packaged Commodities Rules	Sheet : 14 of 14
-------------------------	-----------------------	----------------------------	------------------

6. A wholesaler needs mainly a godown to stock the goods he handles.	A retailer needs a shop or a showroom to sell.
7. A wholesaler goes to different places to supply.	A retailer usually sells at a particular place. Sometime he may have branches in other places.
8. A wholesaler need not provide shopping comforts like luxurious, interiors, provision of air-condition, trolleys, etc.	A retailer usually provides shopping comforts mainly to attract customers.
9. As the wholesaler specialises in a particular product, he has to necessarily convince the retailers about the product quality. Only then the latter will place an order.	As the retailer deals in a variety of goods, he need not influence buyers. He can let the buyer choose any brand of product the he likes.
10. As per the custom of their trade, wholesalers allow the retailers trade discount each time the retailers buy.	The retailers normally do not allow any discount to their customers. Some of them may offer cash discount to bulk buyers. Sometimes, they may offer seasonal discounts.
<a href="https://accountlearning.com/top-10-differences-wholesalers-retailers/">https://accountlearning.com/top-10-differences-wholesalers-retailers/</a>	


(r) **“wholesale package”** means a package containing- (i) a number of retail packages, where such first mentioned package is intended for sale, distribution or delivery to an intermediary and is not intended for sale direct to a single consumer; or  
 (ii) a commodity sold to an intermediary in bulk to enable such intermediary to sell, distribute or deliver such commodity to the consumer in similar quantities or;  
 (iii) packages containing **ten or more than ten retail packages** provided that the retail packages are labeled as required under the rules.




**Black Coca Cola Cold Drink,**  
**Packaging Size: 750 ml, Packagin...**  
**Rs 490/ Box** [Get Latest Price](#)


Color: Black  
 Brand: Coca-Cola  
 Flavor: Cola  
 Packaging Type: Bottle  
 Form: Liquid  
 Packaging Size: 750 ml

[read more...](#)





Black Diet Coca Cola Cold Drink, Packaging Size: 300 ml, Packaging...  
**Rs 650/ Box**  
[Get Quote](#)



250ml Coca Cola Cold Drink, Packaging Size: 250 ml, Packaging...  
**Rs 360/ Box**  
[Get Quote](#)

(s) **words and expression** used herein and not defined but defined in the Act, shall have the meanings respectively assigned to them in the Act.

### Labeling requirements under Rule 3 to 23

**3. Application of Chapter.-** The provisions of this chapter shall not apply to-  
(a) packages of commodities containing quantity of more than 25 kilogram or 25 litre;

Under this provision, mandatory declarations are to be made on the packages, whose net quantity is 25 kg or below, when quantity is measured in weight.

Eg. Rice a packet of 5 kg, 10 kg or 25 kg




It the net quantity is 25 L or less, when quantity is measured in volume.

Eg. Packaged Drinking Water of 5L, 10 L or 25 L

#### Comment:

*From the above, it can be inferred that when quantity is to be measured in terms of count viz. in number, there is no restriction. It means mandatory declarations are to be made irrespective of net quantity of a package meant for retail sale.*

#### Examples:

<i>a pencil box</i>	<i>a Napkin pouch</i>	<i>a bundle of white paper</i>
		
10 pencils	200 sheets (100 pulls)	500 sheets

**3. Application of Chapter.-** The provisions of this chapter shall not apply to-  
 (b) cement, fertilizer and agricultural farm produce sold in bags above 50 kilogram;  
 and

This but general does not limit the commodities such as cement, fertilizer and agricultural farm produce, to make mandatory declarations on these packages, when the net quantity is above 25 kg, but below 50 kg.

cement	fertilizer	agricultural farm produce
		
50 kg	50 kg	30 kg

**3. Application of Chapter.-** The provisions of this chapter shall not apply to-  
 (c) packaged commodities meant for industrial consumers or institutional consumers.

The mandatory declarations to be made on retail packages, does not applicable to the packaged commodities meant for industrial consumer or institutional consumer

Industrial consumers	Institutional consumer
	
Eg. IRCTC – Rajdhani Express	Eg. Raw material

### Labeling requirements under Rule 3 to 23

**4. Regulation for pre-packing and sale etc. of commodities in packaged form.** - On and from the commencement of these rules, no person shall pre-pack or cause or permit to be pre-packed any commodity for sale, distribution or delivery unless the package in which the commodity is pre-packed bears thereon or , a label is securely affixed thereto, and such declarations as are required to be made under these rules.

Whoever pre-pack or cause or permit to be pre-packed any commodity for

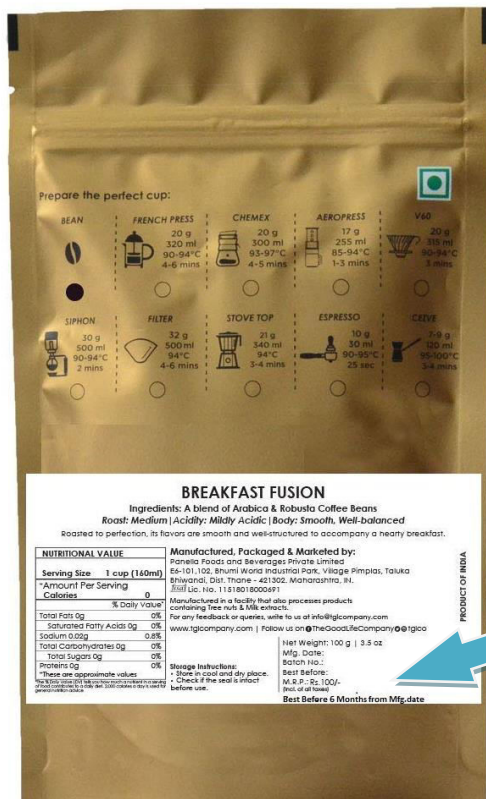
- sale,
- distribution or
- delivery

are requires to mark mandatory declarations to be made on retail packages either on the package itself or on a label is securely affixed to it.



**Explanation.-** *The existence of packages without the declaration of retail sale price within the manufacturer’s premises shall not be construed as a violation of these rules and it shall be ensured that all packages leaving the premises of manufacturer for their destination shall have declaration of retail sale price on them as required in this rule.*

Simply presence packages without Retail Sale Price at the manufacturing premises is not a violation.



MPR is not Printed

Laying at the packing premises



### Labeling requirements under Rule 3 to 23

Under Rule 5, there are 4 categories:

- Standard packages under sub rule 1 of Rule 5
- Standard quantity packages under Essential Commodities Act, read proviso under sub rule 1 of Rule 5
- Promotional Packages under sub rule 2 of Rule 5
- Value Based Package under sub rule 3 of Rule 5








**5. Specific commodities to be packed and sold in recommended Standard Packages.** - (1) The commodities specified in the Second **Schedule** shall be packed for sale, distribution or delivery in such standard quantities as are specified in that Schedule:

Under this provision, specified quantities of certain commodities are to be filled in packages. The commodities are generally food grains and certain Fast Moving Goods and Commodities' (FMGC) items. This will help the consumer to compare price and quantity of different manufacturers or packers, and purchase at of their choice. Thus there is little chance of confusion in picking up.






The list of items are listed in the Second Schedule.

In the Second Schedule, the following are the items are included and quantities to be packed are shown against each item.










Sl. No.	Commodities	Quantities in which to be packed
1.	2.	3.
1.	Baby food	25g, 50g, 100g, 200g, 300g, 350g, 400g, 450g, 500g, 600g, 700 g, 800 g, 900g, 1 kg, 2kg, 5 kg and 10 kg.

		
2.	Weaning food 	below 50g no restriction, 50g, 75g, 100g, 125g, 150g, 200g, 250g, 300g, 400g, 500g, 600g, 700g, 800g, 900g, 1 kg, 2 kg, 5 kg and 10 kg.
3.	Biscuits 	25g, 50g, 60g, 75g, 100g, 120g, 150g, 200g, 250g, 300g, 350g, 400g and thereafter in multiples of 100g up to 1 kg and thereafter in multiples of 500g upto 5 kg,
4.	Bread including brown bread  but excluding bun. 	50g and thereafter in of multiples 50g upto 500g and above 500g in multiples of 100g.
5.	Un-canned packages of butter  and margarine 	below 25 g no restriction, 25g, 50 g, 100 g, 200 g, 500 g, 1 kg, 2 kg, 5 kg, and thereafter in multiples of 5 kg.
6.	Cereals and Pulses	below 100g no restriction, 100g, 200g, 500g, 1 kg, 2






Doc. Title: Labeling requirements	Doc. No. LM/HB/Rule 5	Packaged Commodities Rules	Sheet : 3 of 9
-----------------------------------	-----------------------	----------------------------	----------------

		kg, 5 kg and thereafter multiples of 5 kg
7.	Coffee 	below 25g no restriction, 25g, 50g, 75g, 100g, 150g, 200g, 250g, 500g, 750g, 1kg 1.5kg, and thereafter in multiples of 1kg.
8.	Tea 	below 25g no restriction, 25g, 50g, 75g, 100g, 125g, 150g, 200g, 250g, 500g, 750g, 1kg, 1.5 kg, 2kg and thereafter in multiples of 1kg
9.	Materials which may be constituted or reconstituted as beverages. 	below 50 g no restriction, 50g, 75g, 100 g, 125g, 200 g, 250g, 400g, 450g, 500 g, 750g, 1 kg and thereafter in multiples of 1 kg. ( 56g and 61 g for medical purpose only)
		<b>Comment:</b> usually beverage constituents especially soft drinks contains: sweetener, carbon dioxide , acidulants , flavorings, colorings, preservatives, antioxidants, foaming agents (e.g., saponins).
10	Edible Oils 	below 50g no restriction, 50 g, 100 g, 175g, 200 g, 250g, 300g, 500 g, 550 g, 600 g, 650 g, 750g, 1 kg, 2 kg, 3 kg, 5 kg and thereafter in multiples of 5 kg.  If net quantity is declared by volume then below 50ml no restriction, 50ml, 100ml, 175ml, 200ml, 250ml, 300 ml, 500ml, 550 ml, 600ml, 650 ml, 750ml, 1 litre, 2litre, 3 litre and 5 litre and thereafter in multiples of 5 litre and the net quantity must be declared by mass also in the same








Issue No. : 01	Issue date:	Rev No. : 00	Effective date:
----------------	-------------	--------------	-----------------



	<p>ghee,</p>  <p>butter oil</p> 	<p style="color: red;">size of letters / numerals</p> <div style="display: flex; align-items: center; justify-content: center;"> <div style="border: 1px solid black; background-color: #4a86e8; color: white; padding: 5px; margin-right: 10px;">Volume 1 L</div>  <div style="border: 1px solid black; background-color: #6a3d9a; color: white; padding: 5px; margin-left: 10px;">Weight 905 g</div> </div> <div style="text-align: center; margin-top: 10px;">  <p style="color: orange;">when quantity is declared in Volume</p> </div>
11.	<p>Milk Powder.</p> 	<p>Below 50g no restriction, 50 g, 100g, 150g, 200g, 250g, 500 g, 1 kg and thereafter in multiples of 500 g.</p>
12.	<p>Non-soapy detergents</p>  <p>(powder)</p>	<p>Below 50g no restriction, 50 g, 75g, 100g, 150g, 200g, 250g, 400g, 500 g, 700g, 750g, 1 kg 1.5kg, 2kg and thereafter in multiples of 1kg.</p>
13.	<p>Rice(powdered)</p>  <p>, flour</p>  <p>, atta,</p>  <p>rawa</p> <p>and suji.</p>	<p>100g, 200g, 500g, 1kg, 1.25kg, 1.5kg, 1.75kg, 2kg, 5 kg and thereafter in multiples of 5 kg.</p>

Doc. Title: Labeling requirements	Doc. No. LM/HB/Rule 5	Packaged Commodities Rules	Sheet : 5 of 9
-----------------------------------	-----------------------	----------------------------	----------------

14.	Salt 	Below 50g in multiples of 10g, 50g, 100g, 200g, 500g, 750g, 1 kg, 2 kg, 5 kg and thereafter in multiples of 5 kg.
15.	Soaps	
	(a) Laundry Soap 	25g, 50g, 75g, 100g, 125g, 150g, and thereafter in multiples of 50g.
	(b) Non-soapy detergent cakes/ bars. 	below 50g no restriction, 50g, 75g, 100g, 125g, 150g, 200g, 250g, 300g and thereafter in multiples of 100g
	(c) Toilet Soap including all kinds of bath soap (cakes). 	15g, 25g, 50g, 60g, 75g, 100g, 125g, 150g and thereafter in multiples of 50g.
16.	Aerated soft drinks  , non-alcoholic beverages.	65 ml (fruit based drinks only), 100 ml, 125ml (fruit based drinks only), 150 ml, 160ml, 175ml, 180ml, 200 ml, 240ml, 250 ml, 300 ml, 330ml, 350ml, 400ml, 475ml, 500 ml, 600ml, 750 ml, 1 litre, 1.2 litre, 1.25 litre, 1.5 litre, 1.75 litre, 2 litre, 2.25 litre, 2.5 litre, 3 litre, 4 litre and 5 litre.
17.	Mineral water	100 ml, 150 ml, 200 ml, 250 ml, 300 ml, 500 ml, 750 ml, 1 litre, 1.5 litre, 2 litre, 3 litre, 4 litre and 5 litre

Issue No. : 01	Issue date:	Rev No. : 00	Effective date:
----------------	-------------	--------------	-----------------

	 <p>and drinking water</p> 	and in multiples of 5 litre.
18.	<p>Cement in bags.</p> 	1 kg, 2 kg, 5 kg, 10 kg, 20 kg, 25 kg, 40 kg (for White cement only) and 50 kg.
19.	<p>Paint varnish etc.</p> <p>(a) Paint (other than paste paint or solid paint) varnish</p>  <p>, varnish</p>  <p>stains</p>  <p>enamels</p>  <p>.</p>	50 ml, 100 ml, 200 ml, 500 ml, 1 litre, 2 litre, 3 litre, 4 litre, 5 litre and thereafter in multiples of 5 litre.
	(b) Paste paint	500g, 1 kg, 1.5 kg, 2 kg, 3 kg, 5 kg, 7kg and

	 <p>and solid paint</p>	thereafter multiple of 5 kg.
	<p>(c) Base paint:</p> 	100ml, 250ml, 400ml, 450 ml, 500 ml, 900 ml, 925 ml, 950 ml, 975 ml, 1 litre, 1.5 litre, 2 litre, 2.5 litre, 3.5 litre, 3.6 litre, 3.7 litre, 3.8 litre, 3.9 litre and 4 litre and no restriction above 4 litre.'

### 5. Specific commodities to be packed and sold in recommended Standard Packages. –

“Provided that if the Competent Authority under the Essential Commodities Act, 1955 (10 of 1955) fixed and notified the standard quantity of any essential commodity, the standard quantity of such essential commodities as fixed and notified shall prevail.”

#### Standard quantity under Essential Commodities Act, 1955:

**Comment:** When ordered to pack certain commodities in a quantity under Essential Commodities Act, 1955, the manufacturer or packer is required to fill only in that quantity. In such case, the Second Schedule does not apply.

### 5. Specific commodities to be packed and sold in recommended Standard Packages. –

(2) when **one or more packages** are intended for retail sale are **grouped together** for



being sold as a retail package on promotional offer, every package of group shall comply with provisions of Rule 6.

**Promotional Packages:**

For instance, an edible oil packet is associated with atta (Flour) or sugar packet, as promotional pack, in such case every pack should bear the mandatory declarations required under Rule 6.

 <p>10 kg Atta 5L edible oil Grouped together</p>	 <p>5L edible oil pack Declarations under Rule 6</p>
 <p>250 ml Get 75 ml Free</p>	 <p>declarations on both packs</p>

**5. Specific commodities to be packed and sold in recommended Standard Packages. –**  
 (3) notwithstanding anything contained in the Second Schedule, the manufacturer or importer may sell the value based package in terms of Rs.1/-, Rs.2/-, Rs.3/-, Rs.4/-,



Rs.5/-, Rs.6/-, Rs.7/-, Rs.8/-, Rs.9/-, and Rs.10/- after making other declarations specified in the Rule 6.

### Value based package:

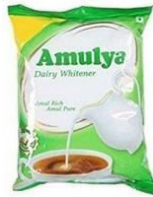
Usually retail sale price is declared based quantity filled in the package. But a raises, where consumer prefer to have commodity in terms of rupees in small denominations such as Rs.1/-, Rs.2/-, Rs.3/-, Rs.4/-, Rs.5/-, Rs.6/-, Rs.7/-, Rs.8/-, Rs.9/-, and Rs.10/-. Such pack are termed under this provision as value based package.

The value is limited upto rupees TEN only.

Eg. Coffee pouch at Rs.2/-,



milk powder at Rs.4/-



tomato ketchup at Rs. 2/-



### Labeling requirements under Rule 3 to 23

The Rule 6 (Declarations to be made on every package) – is a principal rule, which mandates all retail packages should bear declarations as detailed in this provision. All other rules, from 7 to 23 refers about manner or how to declare and certain prohibitory instructions to the packer or retailer.

Examples of different packages:



Under sub rule (1) of Rule 6, every retail package should bear declarations on it or on [label securely affixed](#) it.

The declarations should be:

- a definite,
- plain, and
- conspicuous made in accordance with the provisions.

What are the declarations are to be made on the retail packages:

**6. Declarations to be made on every package.** - (1) Every package shall bear thereon or on [label securely affixed](#) thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as to-

(a) the name and address of the manufacturer, or where the manufacturer is not the packer, the name and address of the manufacturer and packer and for any imported package the name and address of the importer shall be mentioned.

Under clause (a) of sub rule (1) of Rule 6:

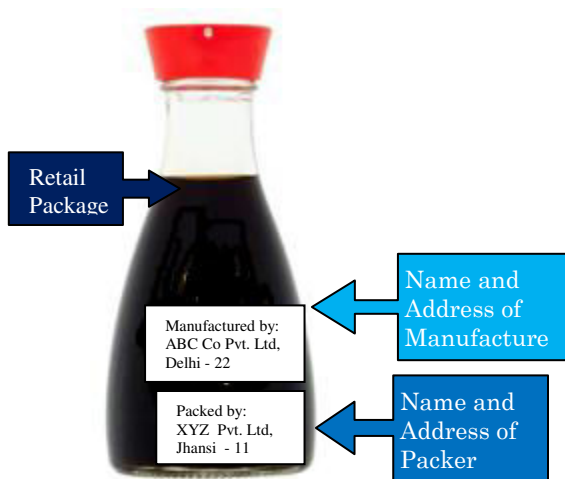
- name and address of :
  - manufacturer, or
  - manufacturer and packer, where manufacturer is NOT a packer
  - importer

**Case 1: Name and Address of Manufacturer:** it means where manufacturer not only make but also packs. In such case, it is sufficient to declare as name and address of the manufacturer. Also, when declaring manufacturer, indicates both manufacturing and packing.

Doc. Title: Labeling requirements	Doc. No. LM/HB/Rule 6	Packaged Commodities Rules	Sheet : 3 of 60
-----------------------------------	-----------------------	----------------------------	-----------------



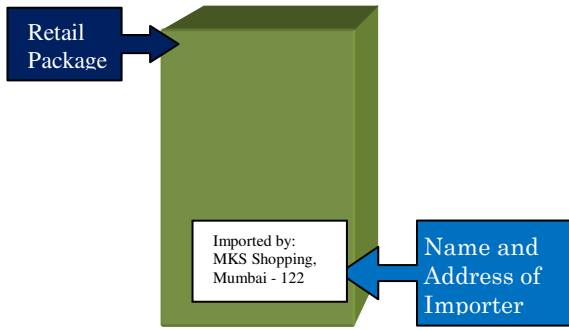
**Case 2: Name and Address of Manufacturer and Packer:** it means one is manufacturing and other is packing the commodity. Hence name and address of both manufacturer and packer is required.



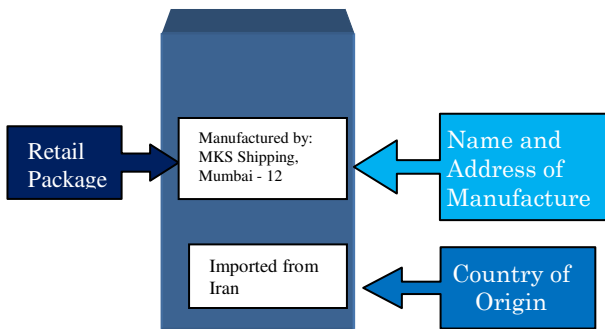
**Case 3: Name and Address of Importer:** in this case, manufactured and packed in other countries (outside India), and are imported in the country. Even though there may be name and address of the manufacturer and packer, on the package, the provision made it clear that name and address of who has brought these commodities into the country is also to be made. By making declaration of name and address of the importer mandatory, the government fixed responsibilities of the product on the Importer.

Issue No. : 01	Issue date:	Rev No. : 00	Effective date:
----------------	-------------	--------------	-----------------

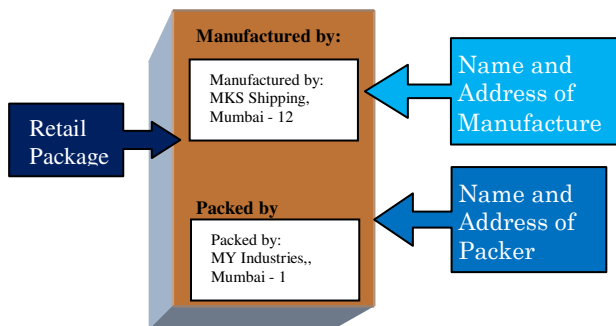
Doc. Title: Labeling requirements	Doc. No. LM/HB/Rule 6	Packaged Commodities Rules	Sheet : 4 of 60
-----------------------------------	-----------------------	----------------------------	-----------------



**Case 4:** Sometimes it so happens that the product or commodity is imported from other countries, and packed in the country. In such cases, the packer or the marketer is declaring the country of origin of the commodity.



**Case 5:** As far as law applicable in the Country, it is mandatory to declare name and address of the manufacturer. Certain commodities are grow in the farms or naturally available in the Nature. In such cases, instructions given under CODEX are better to adopt or else we have left to the discretion of the packer. Then in whatever manner packer declares, enforcement agencies have to accept.



Who is responsible for declarations?

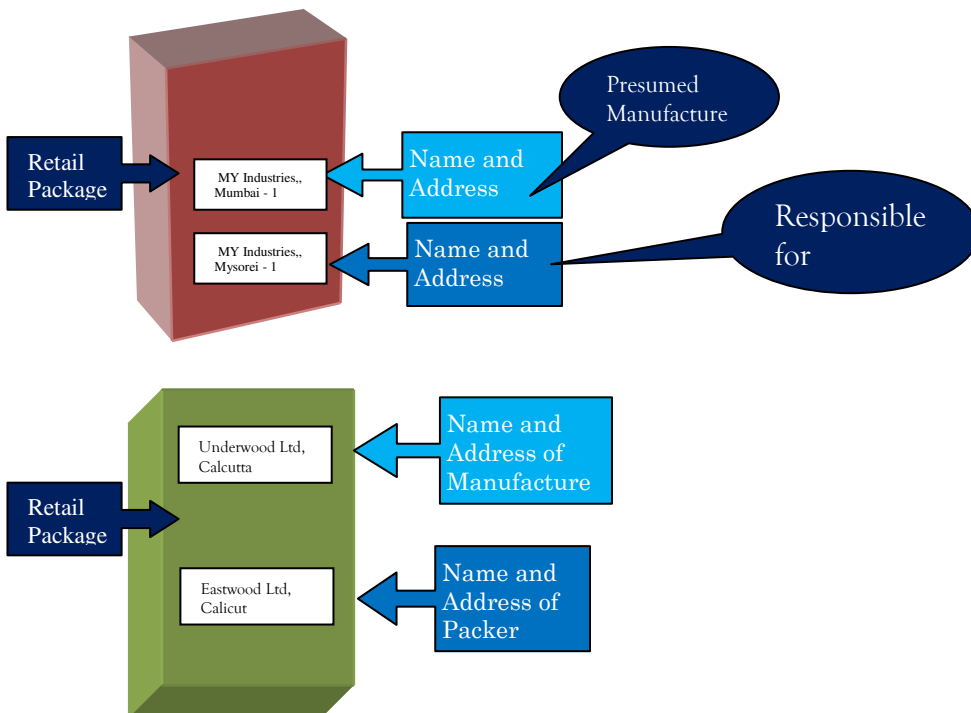
**6. Declarations to be made on every package.** - (1) Every package shall bear thereon or on label **securely affixed** thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as to-

**Explanation I.**- If any name and address of a company is mentioned on the label without any qualifying words 'manufactured by' or 'packed by', it shall be presumed that such name and address shall be that of the manufacturer and the liability shall be determined accordingly;

Under **Explanation I** of clause (a) of sub rule (1) of Rule 6:

(i) Responsibility - when not used words 'manufactured by' or 'packed by' -:

On the retail packages name and address is declared without mentioning the words 'manufactured by' or 'packed by'. In these cases, it is presumed that it is manufactured by the company declared name and address on the package. All liabilities will on that company. When packer is not manufactured and to limit the liability, the name and address of company which is packed is to be declared, in addition to Manufacturer.



**6. Declarations to be made on every package.** - (1) Every package shall bear thereon or on label **securely affixed** thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as to-

**Explanation II.** - If the brand name and address of the brand owner appear on the label as a marketer, then the brand owner shall be held responsible for any violation of these rules and action as may be required shall be initiated against the deemed manufacturer and in the event of more than one name and address appearing in the label, prosecution shall be launched against the manufacturer indicated on the label in the first place and not against all of them.

Under **Explanation II** of clause (a) of sub rule (1) of Rule 6:

(ii) Responsibility - when brand name and address as Marketer:

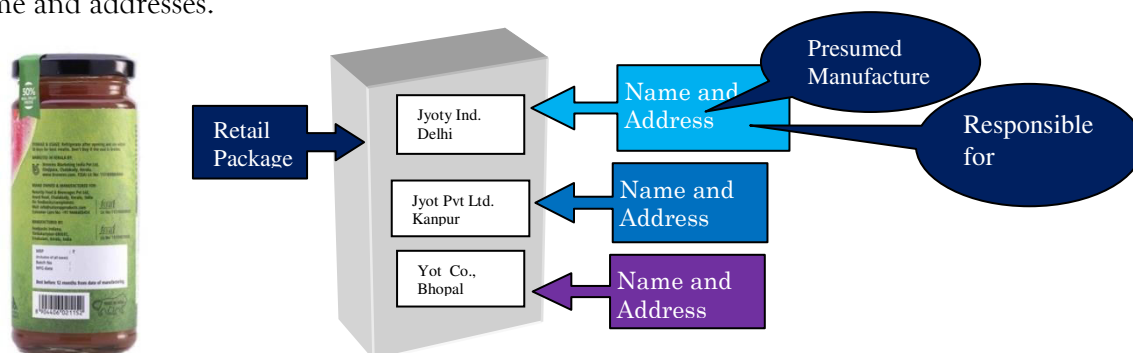
When brand name and address of the brand owner appear on the label as a marketer, then the brand owner is responsible for declarations.





(iii) Responsibility - when more than one name and address in the label:

when more than one name and address in the label, first name and address in place, is responsible for declaration. Prosecution will be only on the first name and address and not against all other name and addresses.



**6. Declarations to be made on every package.** - (1) Every package shall bear thereon or on label securely affixed thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as to-

**Explanation III.** - In respect of packages containing food articles, the provisions of this clause shall not apply, but the provisions of, and the requirements specified in the Food Safety and Standards Act, 2006 (34 of 2006) and the rules made thereunder shall apply.

Under Explanation III of clause (a) of sub rule (1) of Rule 6:

(ii) Responsibility - when packages containing food:

In case of food packages, declaration of name and address of Manufacturer, Manufacturer & Packer or importer is in accordance with the provisions of the Food Safety and Standards Act, 2006 (34 of 2006)

**Notes:**

Under Food Safety and Standards Act, 2006 (34 of 2006), provisions:

Some definitions:

(o) "food business operator" in relation to food business means a person by whom the business is carried on or owned and is responsible for ensuring the compliance of this Act, rules and regulations made thereunder;



(zc) “manufacture” means a process or adoption or any treatment for conversion of ingredients into an article of food, which includes any sub-process, incidental or ancillary to the manufacture of an article of food;

(zd) “manufacturer” means a person engaged in the business of manufacturing any article of food for sale and includes any person who obtains such article from another person and packs and labels it for sale or only labels it for such purposes;

Name and complete address of the manufacturer under FOOD SAFETY AND STANDARDS (PACKAGING AND LABELLING) REGULATIONS, 2011

### 2.2.2: Labelling of Pre-packaged Foods

#### 6. Name and complete address of the manufacturer

(i) The name and complete address of the manufacturer and the manufacturing unit if these are located at different places and in case the manufacturer is not the packer or bottler, the name and complete address of the packing or bottling unit as the case may be shall be declared on every package of food;



(ii) Where an article of food is manufactured or packed or bottled by a person or a company under the written authority of some other manufacturer or company, under his or its brand name, the label shall carry the name and complete address of the manufacturing or packing or bottling unit as the case may be, and also the name and complete address of the manufacturer or the company, for and on whose behalf it is manufactured or packed or bottled;



(iii) Where an article of food is imported into India, the package of food shall also carry the name and complete address of the importer in India.

Provided further that where any food article manufactured outside India is packed or bottled in India, the package containing such food article shall also bear on the label, the name of the country of origin of the food article and the name and complete address of the importer and the premises of packing or bottling in India.



**Country of Origin:**

**6. Declarations to be made on every package.** - (1) Every package shall bear thereon or on label securely affixed thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as to-

(aa) The name of the country of origin or manufacture or assembly in case of imported products shall be mentioned on the package.

**Comment:** When commodities imported, which made or assembled outside the country, requires to declare the 'Country of Origin'

Example: If a mobile phone is made in Taiwan and imported into the country, the retail packages of the mobile phone, should bear name of the country in which it is manufactured, 'Made in Taiwan'

Sometimes, foods such as 'Dates' are imported and packed in India, then the retail package should bear 'Country of Origin: Bahrain'



## Name of the Commodity:

**6. Declarations to be made on every package.** - (1) Every package shall bear thereon or on label **securely affixed** thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as to-

(b) The **common or generic names of the commodity** contained in the package and in case of packages with **more than one product**, the **name and number or quantity of each product** shall be mentioned on the package.

## i) Common Name:

Under this provision, the retail package requires to bear name of the commodity. The commodity name that commonly identified by the consumer is to be made declared on the retail package.

Eg. Atta or Flour or Wheat Flour.

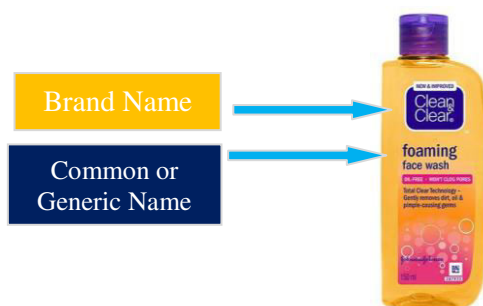
## ii) Generic Name:

When commodity name is not commonly known, the generic name or any other appropriately descriptive term such as function requires to be declared.

Eg. Face wash. Not to be confused with the name say 'clean & clear'. The name 'clean & clear' is brand name. it is a brand name of a company product.

It is not to be confused with the name say 'clean & clear'. The name 'clean & clear' is brand name.

That it is a brand name of a company product.



Because of popularity of the product, sometimes consumer may call a tooth paste as 'Pepsodent' or 'CloseUp'. Both are brand names of a company products. In fact, the commodity is tooth paste, an oral hygiene product.

### iii) When the retail package contains more than one commodity:

When the retail package contains more than one commodity, this provision makes to declare the common name of all products together with its quantity



### Declaration of Quantity:

**6. Declarations to be made on every package.** - (1) Every package shall bear thereon or on [label securely affixed](#) thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as to-

(c) The [net quantity](#), in terms of the [standard unit of weight or measure](#), of the commodity contained in the package or where the commodity is packed or sold by [number](#), the number of the commodity contained in the package shall be mentioned.

- It is the quantity of the identified commodity in prepackage.
- It does not include of packing material

- Packing material includes wrappers and any other material packed with such commodity

Packing material is everything of the prepackage that is intended to be left over after use of the product, but not of for items naturally in the commodity or product

- The term 'Use' refers to consumption.

The purpose and use of packing material is to:

- contain,
- protect,
- handle (e.g. lollipop stick),
- deliver,
- preserve (e.g. ice or glazing),
- transport,
- inform about and
- serve as an aid (e.g. food serving tray)

while the commodity or product it contains is being used.

The packing material includes:

- the container, ice (not naturally in the product, e.g. glazing),
- solid items that were put in the prepackage together with the commodity, such as wrappers, lollipop sticks, wax around cheese, and
- a medium that was put in the prepackage together with the product and that is intended to be left over after use of the product.

The packing material is sometimes referred to as:

- individual package,
- tare,
- packaging,
- packaging material.

The quantity of commodity is to be declared in terms of the standard unit of weight or measure, of the commodity contained in the package or where the commodity is packed or sold by number, the number of the commodity contained in the package, in standard numeration.



Net Quantity in Weight



Net Quantity in Number

Net Quantity in Volume



Notes:

Under FOOD SAFETY AND STANDARDS (PACKAGING AND LABELLING) REGULATIONS, 2011

The Net Quantity is defined as:

(i) Net quantity by weight or volume or number, as the case may be, shall be declared on every package of



food; and

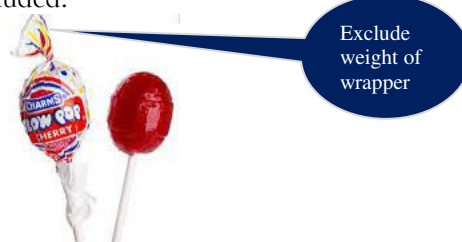
(ii) In addition to the declaration of net quantity, a food packed in a liquid medium shall carry a declaration of the drained weight of the food.

**Comment:** Product like Rasogulla or Gulab Jamun, is packed together with sugar syrup or solution. Hence, it is the responsibility of the Packer to declare drained weight in addition the net weight.

**Explanation 1.**— For the purposes of this requirement the expression “liquid medium” include water, aqueous solutions of sugar and salt, fruit and vegetable juices or vinegar, either singly or in combination. The following labelling can be found:



**Explanation 2.**— In declaring the net quantity of the commodity contained in the package, the weight of the wrappers and packaging materials shall be excluded:



(iii) Where a package contains a large number of small items of confectionery, each of which is separately wrapped and it is not reasonably practicable to exclude from the net weight of the commodity, the weight of such immediate wrappers of all the items of the confectionery contained in the package, the net weight declared on the package containing such confectionery or on the label thereof may include the weight of such immediate wrapper if the total weight of such immediate wrapper does not exceed –

(a) eight per cent, Where such immediate wrapper is a waxed paper or other paper with wax or aluminium foil under strip; or



In case of :  
Waxed paper or  
Other paper with wax or  
Aluminium foil under strip



Wrapper  
Weight NOT  
exceed 8 %

(b) six per cent. In case of other paper of the total net weight of all the items of confectionery contained in the package minus the weight of immediate wrapper.

In case of :  
Other paper



Wrapper  
Weight NOT  
exceed 6 %

### Declaration of date of manufacture or packing:

**6. Declarations to be made on every package.** - (1) Every package shall bear thereon or on [label securely affixed](#) thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as to-

(d) The [month and year](#) in which the commodity is [manufactured or pre-packed or imported](#) shall be mentioned in the package.

It is important information. Date of manufacturing packing indicates date on which the product was bottled or tined or put into the pack. As the day passes, the age of the product increases. It gives the consumer about age of the product, how old it is. It also indicates the freshness of the product.

Doc. Title: Labeling requirements	Doc. No. LM/HB/Rule 6	Packaged Commodities Rules	Sheet : 17 of 60
-----------------------------------	-----------------------	----------------------------	------------------

The date of packing or manufacturing indicates date on which product placed in the pack. It is not the exact date of making of the product or commodity itself.

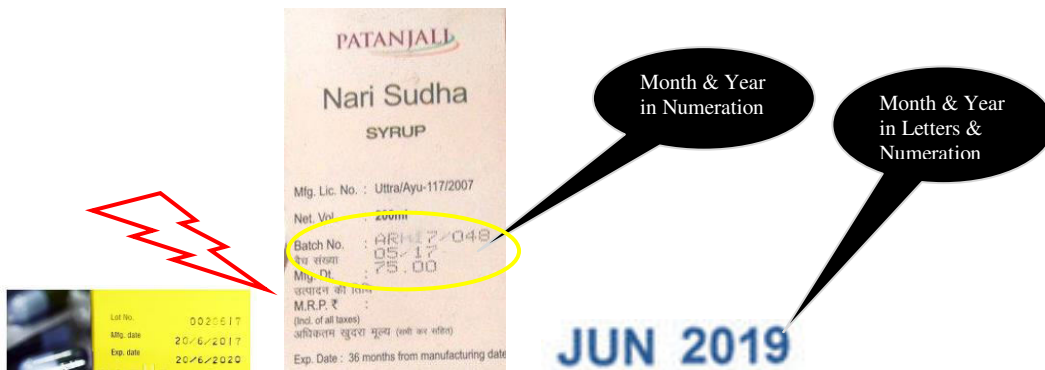
In fact the date of manufacturing is on which it is produced and became product.

The date of packing means date on which the product is placed in the product.

Eg. Coffee beans are roasted and ground and ready to pack, the coffee beans become coffee product on that day. It is the date of manufacture

When this coffee powder, a beverage product placed in a package, is the date of packing .

The date of packing or manufacturing is to be declared in a specified manner. Under the Legal Metrology packaged commodities rules month and year is mandatory in the form of numerical or combination of numeration and letter s.





The declaration of month and year this provision is generally applicable to products, except for those commodities or products for specifically stated in these rules;

Food packages: Declaration of date of packing or manufacture:

**6. Declarations to be made on every package.** - (1) Every package shall bear thereon or on label securely affixed thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as to-

(d) The month and year in which the commodity is manufactured or pre-packed or imported shall be mentioned in the package.

Provided that for packages containing food articles, the provisions of the Food Safety and Standards Act 2006 (34 of 2006) and the rules made there under shall apply;

Under *FOOD SAFETY AND STANDARDS (PACKAGING AND LABELLING) REGULATIONS, 2011*

*The date of Manufacture or packing is defined as:*

**9. Date of manufacture or packing.—**

*The date, month and year in which the commodity is manufactured, packed or pre-packed, shall be given on the label:*

*Provided that the month and the year of manufacture, packing or pre-packing shall be given if the “Best Before Date” of the products is more than three months:*

*Provided further that in case any package contains commodity which has a short shelf life of less than three months, the date, month and year in which the commodity is manufactured or prepared or pre-packed shall be mentioned on the label.*

**10. Best Before and Use By Date**

(i) the month and year in capital letters upto which the product is best for consumption, in the following manner, namely:—

“BEST BEFORE ..... MONTHS AND YEAR  
OR  
“BEST BEFORE ..... MONTHS FROM PACKAGING  
OR  
“BEST BEFORE .....MONTHS FROM MANUFACTURE

(Note: – blank be filled up)

(ii) In case of package or bottle containing sterilised or Ultra High Temperature treated milk, soya milk, flavoured milk, any package containing bread, dhokla, bhelpuri, pizza, doughnuts, khoa, paneer, or any uncanned package of fruits, vegetable, meat, fish or any other like commodity, the declaration be made as follows:—

“BEST BEFORE .....DATE/MONTH/YEAR”  
OR  
“BEST BEFORE.....DAYS FROM PACKAGING”  
OR  
“BEST BEFORE ..... DAYS FROM MANUFACTURE”

Note:

(a) blanks be filled up

(b) Month and year may be used in numerals

(c) Year may be given in two digits

(iii) On packages of Aspartame, instead of Best Before date, Use by date/recommended last consumption date/expiry date shall be given, which shall not be more than three years from the date of packing;

(iv) In case of infant milk substitute and infant foods instead of Best Before date, Use by date/ recommended last consumption date/expiry date shall be given,



Provided further that the declaration of best before date for consumption shall not be applicable to

(i) wines and liquors



(ii) alcoholic beverages containing 10 percent or more by volume of alcohol.



Provided further that above provisions except net weight/net content, nutritional information, manufacturer's name and address, date of manufacture and "best before" shall not apply in respect of carbonated water (plain soda and potable water impregnated with carbon dioxide under pressure) packed in returnable glass bottles

Under FOOD SAFETY AND STANDARDS (PACKAGING AND LABELLING) REGULATIONS, 2011, the date of manufacture or packing is the date, month and year of manufacture or packing or pre-packing of the commodity.

When the shelf of the commodity is above THREE months of BEST BEFORE DATE, the Month and Year of manufacture or packing or pre-packing of the commodity is to be declared.

Under the FSS labeling provisions, the Month and year can be declared in numerals and Year could be given in two digits.

eg. For the year 2020 as 20

If the shelf of the commodity is below *THREE* months, the date, month and year of manufacture or prepared or pre-packing of the commodity, is to be declared.



#### Declaration of Date of Packing – Seeds:

**6. Declarations to be made on every package.** - (1) Every package shall bear thereon or on label securely affixed thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as to-

(d) The month and year in which the commodity is manufactured or pre-packed or imported shall be mentioned in the package.

Provided further that nothing in this sub-clause shall apply in case of packages containing seeds which are labeled and certified under the provisions of the Seeds Act, 1966 (54 of 1966) and the rules made there under;

In case of Seeds , the date of packing is to be declared as per the provisions of the Seeds Act, 1966.



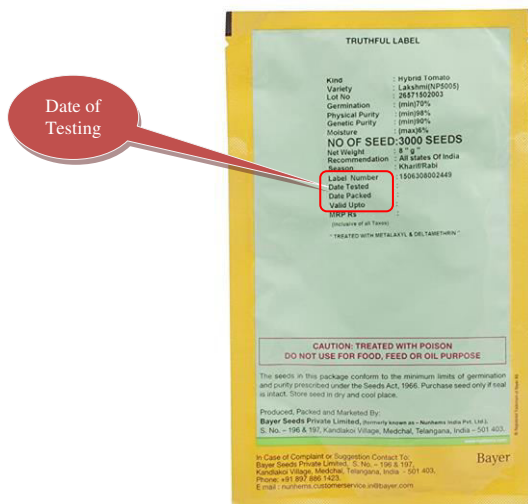


FINE TEXTURED GRASSES	ORIGIN	GERMINATION
③ 30% 'Challenger'	Oregon	⑤ 85%
④ Kentucky bluegrass	Oregon	87%
37.20% 'Unique' Kentucky bluegrass	Oregon	95%
31.75% 'Brittany' creeping red fescue		
<b>OTHER INGREDIENTS:</b>		
⑦ 0.00% Crop Seed		
⑧ 0.05% Weed Seed		
⑨ No Noxious Weeds		
⑩ 1.00% Inert Matter		
⑥ Tested: 7-19-98		① Super Seed Co.
		② Lot: 231-1

The Rule 8 of the Seeds Rules, 1968 is

Contents of the mark or label. – There shall be specified on every mark or label-

- (i) particulars, as specified by the Central Government under clause (b) of section 6 of the Act; (ii) a correct statement of the net content in terms of weight and expressed in metric system;
- (iii) date of testing;**
- (iv) if the seed in container has been treated-
- (v) the name and address of the person who offers for sale, sells or otherwise supplies the seed and who is responsible for its quality;
- (vi) the name of the seed as notified under section 5 of the Act.



The definition of 'seed' under Seed Ac, 1966 is "seed" means any of the following classes of seeds used for sowing or planting- (i) seeds of food crops including edible oil seeds and seeds of fruits and vegetables; (ii) cotton seeds; (iii) seeds of cattle fodder; and includes seedlings, and tubers, bulbs, rhizomes, roots, cuttings, all types of grafts and other vegetatively propagated material, of food crops or cattle fodder;

**Regulation of sale of seeds of notified kinds or varieties under section 7 of the Seeds Act, 1966:**

7. No person shall, himself or by any other person on his behalf, carry on the business of selling, keeping for sale, offering to sell, bartering or otherwise supplying any seed of any notified kind or variety, unless- (a) such seed is identifiable as to its kind or variety; *(b) such seed conforms to the minimum limits of germination and purity specified under clause (a) of section 6;* (c) the container of such seed bears in the prescribed manner, the mark or label containing the correct particulars thereof, specified under clause (b) of section 6; and (d) he complies with such other requirements as may be prescribed.

***Comment:***

Under the Seeds Act, minimum limits of germination and purity is required and Under Seeds Rules, 1968, date of testing, is required.

**Declaration of Date of Packing – Cosmetics products:**

**6. Declarations to be made on every package.** - (1) Every package shall bear thereon or on label securely affixed thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as to-

(d) The month and year in which the commodity is manufactured or pre-packed or imported shall be mentioned in the package.

Provided also that for packages containing cosmetics products, the provisions of the Drugs and Cosmetics Rules, 1945 shall apply.

In case of cosmetics products, the date of packing is to be declared as per the provisions of the Drugs and Cosmetics Rules, 1945.



**What is cosmetic?**

Under Section: 3 (aaa) of the Drugs and Cosmetics Rules, 1945, it is defined as:

—cosmetic means any article intended to be rubbed, poured, sprinkled or sprayed on, or introduced into, or otherwise applied to, the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, and includes any article intended for use as a component of cosmetic.

**148. Manner of labelling.**—Subject to other provisions of the rules, a cosmetic shall carry.—

(1) on both the inner and outer labels; (a) the name of the cosmetic, (b) the name of the manufacturer and complete address of the premises of the manufacturer where the cosmetic has been manufactured.

Provided that if the cosmetic is contained in a very small size container where the address of the manufacturer cannot be given, the name of the manufacturer and his principal place of manufacture shall be given along with pin code.

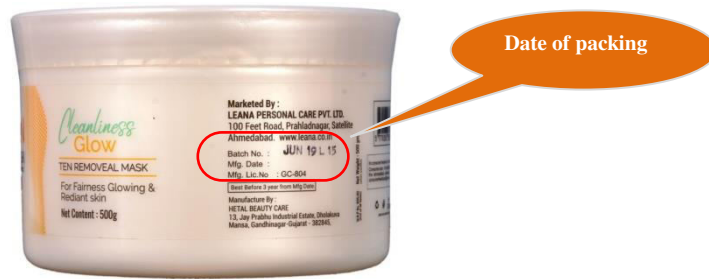
(2) On the outer label.— A declaration of the net contents expressed in terms of weight for solids, fluid measure for liquids, weight for semi-solids, combined with numerical count if the content is sub-divided:

Provided that this statement need not appear in case of a package of perfume, toilet water or the like the net content of which does not exceed 60 ml or any package of solid or semisolid cosmetic the net content of which does not exceed 30 grams.

(3) On the inner label, where a hazard exists— (a) adequate direction for safe use, (b) any warning, caution or special direction required to be observed by the consumer, (c) a statement of the names and quantities of the ingredients that are hazardous or poisonous.

(4) A distinctive batch number, that is to say, the number by reference to which details of manufacture of the particular batch from which the substance in the container is taken are recorded and are available for inspection, the figures representing the batch number being preceded by the letter — ‘B’;

Doc. Title: Labeling requirements	Doc. No. LM/HB/Rule 6	Packaged Commodities Rules	Sheet : 25 of 60
-----------------------------------	-----------------------	----------------------------	------------------



Provided that this clause shall not apply to any cosmetic containing 10 grams or less if the cosmetic is in solid or semi-solid state, and 25 millilitres or less if the cosmetic is in a liquid state: Provided further that in the case of soaps, instead of the batch number, the month and year of manufacture of soap shall be given on the label.

(5) manufacturing licence number, the number being preceded by the letter ‘M’.

(6) Where a package of a cosmetic has only one label, such label shall contain all the information required to be shown on both the inner and the outer labels, under these Rules. 5

(7) The list of ingredients, present in concentration of more than one percent shall be listed in the descending order of weight or volume at the time they are added, followed by those in concentration of less than or equal to one percent, in any order, and preceded by the words ‘INGREDIENTS’.

Provided that this statement need not appear for packs of less than 60 ml of liquid and 30 gm of solid and semi-solids.

(8) Labeling requirement, if any, specified in the relevant Indian standard as laid down by the ‘Bureau of Indian Standards’ for the cosmetics covered under Schedule S.



Issue No. : 01	Issue date:	Rev No. : 00	Effective date:
----------------	-------------	--------------	-----------------

Doc. Title: Labeling requirements	Doc. No. LM/HB/Rule 6	Packaged Commodities Rules	Sheet : 26 of 60
-----------------------------------	-----------------------	----------------------------	------------------

49A. Special provisions relating to toothpaste containing fluoride.- (i) Fluoride content in tooth paste shall not be more than 1000 ppm and the content of fluoride in terms of ppm shall be mentioned on the tube and carton. (ii) Date of expiry should be mentioned on tube and carton.



SCHEDULE S

See Rule 150-A

STANDARDS FOR COSMETICS Standards for cosmetics in finished form -

The following cosmetics in finished form shall conform to the Indian Standards specifications laid down from time to time by the Bureau of Indian Standards (BIS). 1. Skin Powders. 2. Skin Powder for infants. 3. Tooth Powder. 4. Toothpaste. 5. Skin Creams. 6. Hair Oils. 7. Shampoo, Soap-based. 8. Shampoo, Synthetic-Detergent based. 9. Hair Creams. 10. Oxidation hair dyes, Liquid. 11. Cologne.12. Nail Polish (Nail Enamel). 13. After Shave Lotion. 14. Pomades and Brilliantines. 15. Depliatories Chemical. 16 Shaving Creams. 17. Cosmetic Pencils. 18. Lipstick.19. Toilet Soap. 20. Liquid Toilet Soap. 21. Baby Toilet Soap. 22. Shaving Soap. 23. Transparent Toilet Soap.24.

Issue No. : 01	Issue date:	Rev No. : 00	Effective date:
----------------	-------------	--------------	-----------------

Lipsalve IS:10284. 25. Powder Hair Dye IS: 10350. 26. Bindi (Liquid) IS: 10998. 27. Kum Kum Powder IS: 10999. 28. Henna Powder IS: 11142.29. Bathing Bars IS: 13498: 1997 30. Sindoor IS: 14649: 1999 31. Liquid Foundation makeup IS 14318 32. Cold Wax Hair remover IS 15152 33. Face pack IS 15153 34. Kajal IS 15154 35. Oxidation Hair Dyes (Emulson Type) IS 15205 36. Cream Bleach IS 15608

The BIS specified standards for certain cosmetics. Under the BIS standards there is a labeling requirement. The labeling requirement of say Sindoor under BIS IS 14649:1999 is

**IS 14649 : 1999**

- b) Manufacturer's name and/or his recognized trade-mark, if any;
- c) Net mass of the material;
- d) Batch or lot number in code or otherwise;
- e) Shade name or shade number; if any;
- f) Best use before .....
- g) Month and year of manufacturing/packing; and
- h) List of ingredients.

**Declaration of Best before Date or Use by Date:**

**6. Declarations to be made on every package.** - (1) Every package shall bear thereon or on label securely affixed thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as to-

(da) If a package contains a commodity which may become unfit for human consumption after a period of time, the 'best before or use by the date, month and year' shall also be mentioned on the label:

Provided that nothing in this clause shall apply if a provision in this regard is made in any other law.

Explanation.- 1. For the purposes of this sub-rule,-

(a) the expression "best before" means the date which signifies the end of the period under any

stated storage conditions during which the product shall remain fully marketable and shall retain any specific qualities for which tacit or express claims have been made and beyond the date commodity may still be safe for consumption;

(b) the expression “Use by Date” means the date which signifies the end of the estimated period under any stated storage conditions after which the product shall not have the quality attributes normally expected by the consumers and after this date, the commodity should not be regarded as marketable.’

Under proviso of this clause, if a package contains a commodity which becomes unfit for human consumption after a period of time, rules made under *FOOD SAFETY AND STANDARDS (PACKAGING AND LABELLING) REGULATIONS, 2011* are applicable.

Under *FOOD SAFETY AND STANDARDS (PACKAGING AND LABELLING) REGULATIONS, 2011*, the provision is *Best Before and Use By Date*;

Under *FOOD SAFETY AND STANDARDS (PACKAGING AND LABELLING) REGULATIONS, 2011*:

**10. Best Before and Use By Date**

(i) the month and year in capital letters upto which the product is best for consumption, in the following manner, namely:—

“BEST BEFORE ..... MONTHS AND YEAR

OR

“BEST BEFORE ..... MONTHS FROM PACKAGING

OR

“BEST BEFORE .....MONTHS FROM MANUFACTURE

(Note: – blank be filled up)

(ii) In case of package or bottle containing sterilised or Ultra High Temperature treated milk, soya milk, flavoured milk, any package containing bread, dhokla, bhelpuri, pizza, doughnuts, khoa, paneer, or any uncanned package of fruits, vegetable, meat, fish or any other like commodity, the declaration be made as follows:—

“BEST BEFORE .....DATE/MONTH/YEAR”

OR

“BEST BEFORE.....DAYS FROM PACKAGING”

OR

“BEST BEFORE ..... DAYS FROM MANUFACTURE”

Note:

(a) blanks be filled up

(b) Month and year may be used in numerals

(c) Year may be given in two digits

(iii) On packages of Aspartame, instead of Best Before date, Use by date/recommended last consumption date/expiry date shall be given, which shall not be more than three years from the date of packing;

(iv) In case of infant milk substitute and infant foods instead of Best Before date, Use by date/ recommended last consumption date/expiry date shall be given,



Provided further that the declaration of best before date for consumption shall not be applicable to

(i) wines and liquors



(ii) alcoholic beverages containing 10 percent or more by volume of alcohol.



Provided further that above provisions except net weight/net content, nutritional information, manufacturer’s name and address, date of manufacture and “best before” shall not apply in respect of carbonated water (plain soda and potable water impregnated with carbon dioxide under pressure) packed in returnable glass bottles

Doc. Title: Labeling requirements	Doc. No. LM/HB/Rule 6	Packaged Commodities Rules	Sheet : 30 of 60
-----------------------------------	-----------------------	----------------------------	------------------

*Best for consumption, the month and year:*

- When the product is best for consumption, the month and year be declared in the following manner, namely:-

“BEST BEFORE ..... MONTHS AND YEAR”  
 OR  
 “BEST BEFORE ..... MONTHS FROM PACKAGING”  
 OR  
 “BEST BEFORE .....MONTHS FROM MANUFACTURE”



*Sterilised or Ultra High Temperature treated...products:*

- When a package or bottle containing sterilised or Ultra High Temperature treated milk, soya milk, flavoured milk, any package containing bread, dhokla, bhelpuri, pizza, doughnuts, khoa, paneer, or any uncanned package of fruits, vegetable, meat, fish or any other like commodity, the date, month and year be declaration in the following manner:

“BEST BEFORE .....DATE/MONTH/YEAR”  
 OR  
 “BEST BEFORE.....DAYS FROM PACKAGING”  
 OR  
 “BEST BEFORE ..... DAYS FROM MANUFACTURE”



*Aspartame Products;*

- When products contains Aspartame, instead of Best Before date, it is recommended to Use by date/recommended last consumption date/expiry date shall be given. But it shall not be more than three years from the date of packing;

*What is an Aspartame:* Aspartame is an artificial sweetener. It is as a sugar. It is a derivative of aspartic acid and phenylalanine. It stimulates the taste buds on the tongue in the same way as sugar.

It is used in foods, beverages, desserts, sweets, breakfast cereals, chewing gums and chiefly in low-calorie products such as weight-control products

*Infant milk..*

- In case of infant milk substitute and infant foods it is recommended to declare Use by date/ recommended last consumption date/expiry date, instead of Best Before date,





Wine and Liquors:

- Declaration of best before date not applicable to (i) wines and liquors and (ii) alcoholic beverages containing 10 percent or more by volume of alcohol, when meant for consumption.



Carbonated water:

- It is not applicable to carbonated water (plain soda and potable water impregnated with carbon dioxide under pressure) packed in returnable glass bottles.



Difference:

Use by Date	Best before Date
It is too risky to eat after end of this date	Can eat beyond this date, but not at its best quality





**6. Declarations to be made on every package.** - (1) Every package shall bear thereon or on label securely affixed thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as to-

(e) the retail sale price of the package;

“shall clearly indicate that it is the maximum retail price inclusive of all taxes and the price in rupees and paise be rounded off to the nearest rupee or 50 paise;

Illustrations.- for declaration of retail sale price:

- (a) Maximum or Max. retail price Rs. or xx.xx (inclusive of all taxes), or
- (b) Maximum or Max. retail price Rs. or xx.xx inclusive of all taxes, or
- (c) MRP Rs. or xx.xx incl. of all taxes, or
- (d) MRP Rs. or xx.xx (incl. of all taxes):

The retail sale price of the packaged commodity is the price to be paid by the consumer. The sale price includes all taxes and it is ultimate price to be paid by the consumer to buy the package. But it is not bar the consumer to negotiate and get the package at a price lower than it. Also the consumer does not require to pay more the price printed or marked on the package.

It also does not bar the retailer to lower the price and sell at price lower than the printed or marked on the package. But it bars the retailer to change price to higher side of the retail sale price printed or marked.

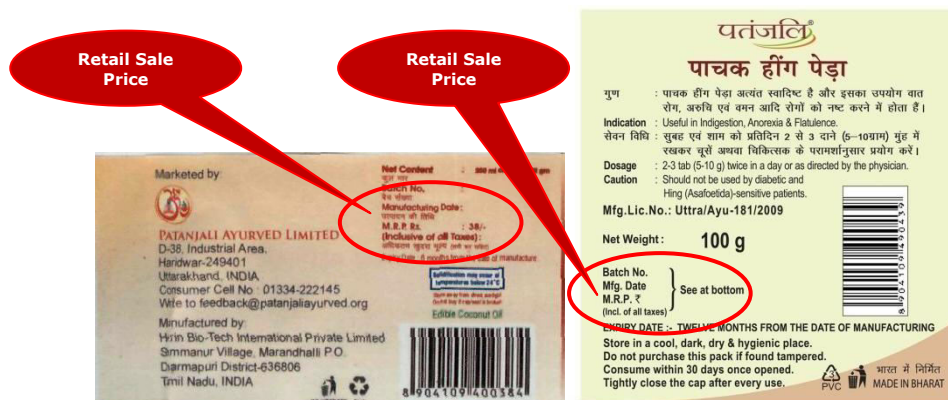
The price is to be declared in the form specified in the rule by the packer or manufacturer or importer, who is responsible for making declarations on the package.

#### Forms of declaration of retail sale price:

There are four forms specified under this rule.

- (a) Maximum or Max. retail price Rs. or ₹ xx.xx (inclusive of all taxes), or

- (b) Maximum or Max. retail price Rs. or ₹ xx.xx inclusive of all taxes, or  
 (c) MRP Rs. or ₹ xx.xx incl. of all taxes, or  
 (d) MRP Rs. or ₹ xx.xx (incl. of all taxes):



### Rounding of retail sale price:

The retail sale price is in Indian currency, in rupees and paise. If the paise is to be rounded off to the nearest rupee or 50 paise;



**6. Declarations to be made on every package.** - (1) Every package shall bear thereon or on label securely affixed thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as to-

- (e) the retail sale price of the package;

Provided that for packages containing alcoholic beverages or spirituous liquor, the State Excise Laws and the rules made there under shall be applicable within the State in which it is

manufactured and where the state excise laws and rules made there under do not provide for declaration of retail sale price, the provisions of these rules shall apply.

Applicability of State Excise Laws in respect of MRP:

- a) When State Excise Laws and the rules having provision for declaration of retail sale price of the packages containing alcoholic beverages or spirituous liquor, then the provisions of the State Excise Laws when made or manufactured in the state.
- b) These State Excise Laws and the rules in respect of MRP are applicable only for the state, when manufactured in the state
- c)

Andhra Pradesh Beverages Corporation Limited Price List						
ITEMCODE	ITEMDESC	PURRATE	SALRATE	CATG	LANDRATE	MRP
101R10N	OFFICER'S CHOICE XXX RUM	634.81	1599.00	A	634.81	42.50
101R11N	8PM BERMUDA DELUXE XXX RUM	991.20	2554.00	B	991.20	64.00
101R11P	8PM BERMUDA DELUXE XXX RUM	998.75	2574.00	B	998.75	128.50
101R11Q	8PM BERMUDA DELUXE XXX RUM	988.75	2548.00	B	988.75	255.00
101R12N	OLD ADMIRAL XXX RUM	634.81	1599.00	A	634.81	42.50
101R12P	OLD ADMIRAL XXX RUM	643.25	1621.00	A	643.25	86.00
101R12Q	OLD ADMIRAL XXX RUM	626.48	1578.00	A	626.48	167.00
101R13N	BIG HIT XXX RUM	690.80	1740.00	N	690.80	46.00
101R13P	BIG HIT XXX RUM	693.50	1747.00	N	693.50	92.50
101R13Q	BIG HIT XXX RUM	693.50	1747.00	N	693.50	185.00
101R14N	8PM BERMUDA DELUXE XXX RUM	1023.60	2638.00	M	1023.60	66.00
101R14P	8PM BERMUDA DELUXE XXX RUM	1032.50	2661.00	M	1032.50	133.00
101R14Q	8PM BERMUDA DELUXE XXX RUM	1022.50	2635.00	M	1022.50	263.50
101R15N	OLD ADMIRAL XXX RUM	634.81	1599.00	N	634.81	42.50
101R15P	OLD ADMIRAL XXX RUM	643.25	1621.00	N	643.25	86.00
101R15Q	OLD ADMIRAL XXX RUM	626.48	1578.00	N	626.48	167.00
101R16N	OLD ADMIRAL XXX RUM	634.81	1599.00	N	634.81	42.50
101R16P	OLD ADMIRAL XXX RUM	643.25	1621.00	N	643.25	86.00
101R16Q	OLD ADMIRAL XXX RUM	626.48	1578.00	N	626.48	167.00
101R17N	OLD ADMIRAL XXX RUM	634.94	1600.00	J	634.94	42.50
101R17P	OLD ADMIRAL XXX RUM	643.25	1621.00	J	643.25	86.00

MRP fixed by AP Excise Dept

- d) When State Excise Laws and the rules are having provision for retail sale price of the packages containing alcoholic beverages or spirituous liquor, then those provisions, then Legal Metrology (Packaged Commodities) Rules are applicable in declaring the MRP.



**6. Declarations to be made on every package.** - (1) Every package shall bear thereon or on label securely affixed thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as to-

(e) the retail sale price of the package;

“Provided further that if the retail sale price of any essential commodity is fixed and notified by the Competent Authority under the Essential Commodities Act, 1955 the same shall apply.”;

If price of Essential Commodities is fixed by the Competent Authority, under Essential Commodities Act, 1955, the MRP will be as fixed. It prohibits, the packer or manufacturer or importer to print or mark the retail sale price at their will.

The packer or manufacturer or importer to print or mark the retail sale price as fixed by the Competent Authority, under Essential Commodities Act.

#### What is Essential Commodity?

**Under Section 2A of Essential Commodities Act, 1955, it is defined as :“2A Essential commodities declaration, etc.—(1) For the purposes of this Act, “essential commodity” means a commodity specified in the Schedule.”**

*The Essential Commodities Under the Act Are (as on 01.04.2020):*

THE SCHEDULE  
(See section 2A)  
ESSENTIAL COMMODITIES

(1) drugs.

*Explanation.*—For the purposes of this Schedule, “drugs” has the meaning assigned to it in clause (b) of section 3 of the Drugs and Cosmetics Act, 1940;

(2) fertilizer, whether inorganic, organic or mixed;

(3) foodstuffs, including edible oilseeds and oils;

(4) hank yarn made wholly from cotton;

(5) petroleum and petroleum products;

(6) raw jute HI jute textiles;

(7) (i) seeds of food-crops and seeds of fruits and vegetables;

(ii) seeds of cattle fodder; and

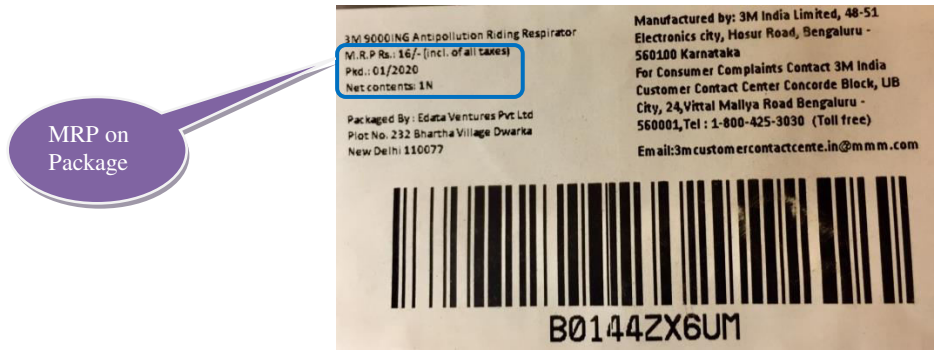
(iii) jute seeds

(8) masks(2 ply & 3 ply surgical masks, N 95 masks) & hand sanitizer;

Under Section 2A of the Essential Commodities Act, 1955, the Government of India declared - masks(2 ply & 3 ply surgical masks, N 95 masks) & hand sanitizer as Essential Commodities in the SO 1087 (E) dt. 13<sup>th</sup> March, 2020.

The Competent Authority fixed the price:

- a) The retail sale price of masks (3 ply surgical mask) at not more than Rs.10/- per piece
- b) The retail sale price of masks (2 ply) at not more than Rs.8/- per piece
- c) The retail sale price of hand sanitizer at not more than Rs.100/- per 200 ml bottle
- d) The retail sale price of Melt Blown non-Woven Fabric used in manufacturing masks (2 ply & 3 ply) at not more than retail sale price prevailing on 12.02.2020;



MRP on Package



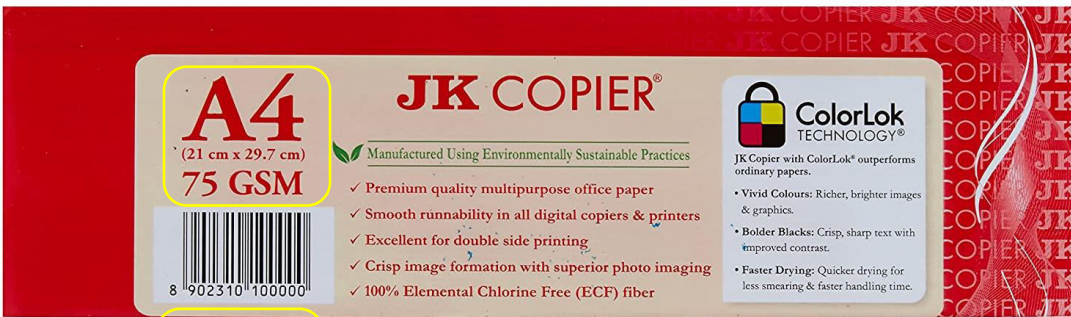
**6. Declarations to be made on every package.** - (1) Every package shall bear thereon or on label securely affixed thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as to-



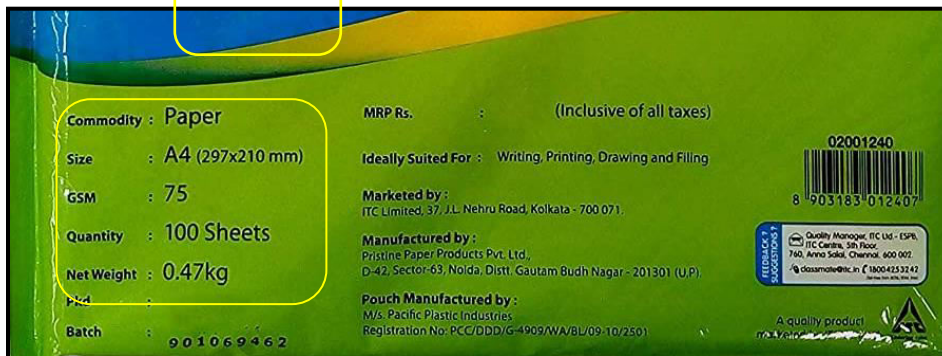
(f) Where the sizes of the commodity contained in the package are relevant, the dimensions of the commodity contained in the package and if the dimensions of the different pieces are different, the dimensions of each such different piece shall be mentioned.

- When a package of contains different sizes of the commodity, dimensions of the commodity contained in the package are to be declared on the package.

eg: Size of white paper in bundle is declared on the package as A4 (21 cm x 29.7 cm) as under:



Size of white paper in bundle is declared on the package as A4 (297 mm x 210 mm) as under:



- If package contains different pieces, then dimensions of the different pieces are to be declared on the package.

Size of white paper in bundle is declared on the package as A4 (21 cm x 29.7 cm) as under:



**6. Declarations to be made on every package.** - (1) Every package shall bear thereon or on [label securely affixed](#) thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as to-

(g) such other matter as are specified in these rules:

Under these rules, the Government specified to declare:

- Swatch Bharat icon
- Make in India
- E mark
- Bar code

i) The Swatch Bharat



It is **Clean India Mission** of the Government of India. It is a country-wide campaign started in 2014. It is intended to eliminate open defecation and improve solid waste management (SWM) in urban and rural areas. Its objectives also included eradication of manual scavenging, generating

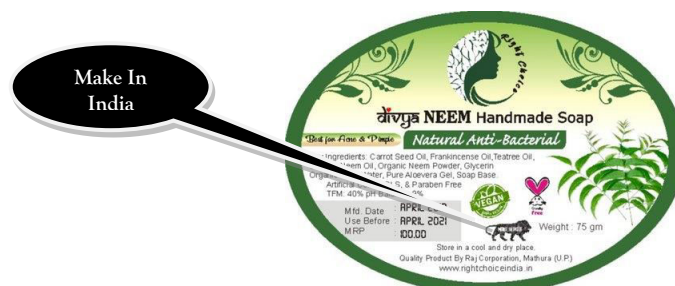


awareness and bringing about a behavioral change regarding sanitation practices, and augmentation of capacity at the local level. (source; Wikipedia)

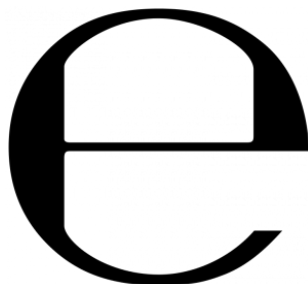
## ii) Make in India:



The Make in India initiative was launched by Government of India on 25<sup>th</sup> in September 2014 as part of a wider set of nation-building initiatives. It is a type of Swadeshi movement covering 25 sectors of the Indian economy, to encourage companies to manufacture their products in India and entuse with dedicated investments into manufacturing. Devised to transform India into a global design and manufacturing hub, Make in India was a timely response to a critical situation. By 2013, the much-hyped emerging markets bubble had burst, and India's growth rate had fallen to its lowest level in a decade. The promise of the BRICS Nations (Brazil, Russia, India, China and South Africa) had faded, and India was tagged as one of the so-called 'Fragile Five'. Global investors debated whether the world's largest democracy was a risk or an opportunity. India's 1.2 billion citizens questioned whether India was too big to succeed or too big to fail. India was on the brink of severe economic failure, desperately in need of a big push.



## iii) E mark:



The e-mark was introduced in 1976 on 20 January 1976 to the making-up by weight or by volume of certain prepackaged products.

It indicates a *nominal value* of a packaged commodity. It is an *average quantity*. Consumer receive not less than the value stated before the e-mark. But it allows a *tolerable negative error*, that is allowed *legally*. The object of it to take of variation in tare weight of packing material or container. (source; Wikipedia)



**C** Mark  
Package  
along with  
NetQuantity

For example Soy Sauce of 150 mL carries a negative tolerance of 4.5 % means 6.75 mL negative error allowed. The Consumer gets not less than 143.25 mL. Assured a minimum of 143.25 mL and Average of 150mL

#### iv) Bar code and QR code



Instantly-recognizable, EAN/UPC barcodes are printed on virtually every consumer product in the world. They are the longest-established and most widely-used of all GS1 barcodes.

The most widely used GS1 identification key is the Global Trade Item Number (GTIN), which is used to identify products. The GTIN can be used to uniquely identify types of products at any packaging level [e.g., primary (consumer unit), secondary (inner pack), tertiary (carton/pallet) etc.]. Supply chain standards save time and money by reducing administration and slashing paperwork. Largely unseen, yet tremendously important, GS1 standards ensure key processes run smoothly in some of the world's biggest industries.

GS1 standards facilitate unique and universal identification, capture and share of information on products and services, from point-of-origin to point-of-sale or dispensation. Most commonly, our standards are used in barcoding of consumer items and they enable important applications such as product authentication, track & trace, product recall, real-time stocks monitoring, online selling and more.

When industries use GS1 standards, consumers benefit from enhanced product availability, safety & security and making better purchasing decisions whether shopping online or offline.

### Types of barcodes;

There are Two types of barcodes:

- (1) One Dimensional barcodes;
- (2) Two Dimensional barcodes;

#### (1) One Dimensional barcodes;

##### 1D barcodes used in general distribution and logistics:

GS1-128 and ITF-14 are highly versatile 1D barcodes that enable items to be tracked through global supply chains. The GS1-128 barcode can carry any of the GS1 ID keys, plus information like serial numbers, expiration dates and more. The ITF-14 barcode can only hold the Global Trade Item Number (GTIN) and is suitable for printing on corrugated materials



#### (2) Two-dimensional (2D) barcodes :

It look like squares or rectangles that contain many small, individual dots.

A single 2D barcode can hold a significant amount of information and may remain legible even when printed at a small size or etched onto a product. 2D barcodes are used in a wide range of industries, from manufacturing and warehousing to logistics and healthcare.



(01) 0 8901072 00025 2  
(8200) <http://www.gs1india.org>

**Applications of barcodes:****Retail:**

Retailers can track products at every stage of the supply chain, meeting changing consumer demands with minimal wastage and maximum cash flow

**Health care:**

Monitoring medication to ensuring optimal use of critical resources like MRI scanners, GS1 standards revolutionizing healthcare services

**Transport and Logistics:**

Make sure things are in the right place at the right time, and then communicate the status to customers? GS1 standards provide a framework for real-time tracking, traceability and supply chain optimization. (source: GS1)

**Certain exceptions on applicability of Rules:**

There are 3 exceptions and 1 manner of declaration of month & year.

They are:

- i) month & year
- ii) retail sale price
- iii) use of printed packing material
- iv) manner of declaration of month & year.

**A) Month & Year: Not required on:**

**6. Declarations to be made on every package.** - (1) Every package shall bear thereon or on label securely affixed thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as to-

Provided that --

(A) no declaration as to the month and year in which the commodity is manufactured or pre-packed shall be required to be made on--

- (i) any package containing bidi or incense sticks;
- (ii) any domestic liquefied petroleum gas cylinder of 14.2kg or 5kg, bottled and marketed by a public sector undertaking;

- On Bidi and Incense Sticks does NOT require marking: Date of Packing or Manufacture.



- Domestic LPG cylinder of 14.2 kg or 5 kg capacity marketing by the PSUs, s does NOT require marking: Date of Packing or Manufacture.



The picture represents Domestic LPG cylinder of 14.2 kg or 5 kg capacity of THREE public sector undertakings (PSUs). The three PSUs are Indian Oil Corporation, Hindustan Petroleum, and Bharat Petroleum.

### B) Use of Printed Packing Material:

**6. Declarations to be made on every package.** - (1) Every package shall bear thereon or on label securely affixed thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as to-

(B) where any packaging material bearing thereon the month in which any commodity was expected to have been pre-packed is not exhausted during that month, such packaging material may be used for pre-packing the concerned commodity produced or manufactured during the next





It means packer or manufacture can use the March marked packing material in the month of April. In this case one month freshness will be lost.

(b) if the packaging material was not exhausted during the succeeding, month, the manufacturer is requires to obtain permission from the Central Government. The Central Government may, if it is satisfied may be extend the time during which such packaging material may be used.

It means packer or manufacture can use the March or any other month marked packing material till month upto which Central Government permitted.

**(ii) where printed packing material exhausted:**

If the packaging material is exhausted before the expiry of the month, the packaging material intended to be used during the next succeeding month can be used.

It means packer or manufacture can use the May marked packing material in the month of April. In this case one month freshness will be added.

**(iii) Where printed packing material is meant for Food Products:**

But these exceptions are applicable to the packages containing food products, where the 'Best before or Use before' period is ninety days or less from the date of manufacture or packing is marked.

In the case of Food Packages, packer or manufacturer is required to use the printed packing material intended for the month of packing. Not permitted to use either previous month or next month printed packing material.

**C) Retail Sale Price: Not required on:**

**6. Declarations to be made on every package.** - (1) Every package shall bear thereon or on label securely affixed thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as to-



- (C) no declaration as to the retail sale price shall be required to be made on
- (i) any package containing bidi;
  - (ii) any domestic liquefied petroleum gas cylinder of which the price is covered under the Administrative Price Mechanism of the Government.

No retail sale price declaration is required on:

- (i) any package containing bidi;



- (ii) domestic liquefied petroleum gas cylinder of which the price is covered under the Administrative Price Mechanism of the Government.



At present 14.2 kg and 5 kg domestic LPG cylinders are under Administrative Price Mechanism of the Government.

D) Manner of declaration of Month & Year:

**6. Declarations to be made on every package.** - (1) Every package shall bear thereon or on label securely affixed thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as to-

- (C) no declaration as to the retail sale price shall be required to be made on
- (i) any package containing bidi;
- (ii) any domestic liquefied petroleum gas cylinder of which the price is covered under the Administrative Price Mechanism of the Government.

Explanation I: The month and the year in which commodity is pre-packed may be expressed either in words, or by numerals indicating the month and the year, or by both.

Date of packing or manufacturing is to be marked in the form of month and year. The Month and Year in which commodity is pre-packed to be expressed either in words, or by numerals or by both. If the commodity is packed in March: the date of Packing is: March 2020 or 03 2020



### Declarations for Consumer Complaints;

**6. Declarations to be made on every package.** - (2) Every package shall bear the name, address, telephone number, email address of the person who can be or the office which can be contacted, in case of consumer complaints.

To facilitate the consumer to make complaints, if any, the manufacture or packinger or importer whose responsible to mark on the packages:

- name,
- address,
- telephone number,
- email address of the person who can be or the office which can be contacted.



**6. Declarations to be made on every package.** - (3) It shall not be permissible to affix individual stickers on the package for altering or making declaration required under these rules:

#### Prohibition:

It is prohibited to affix individual stickers on the package either to:

- altering or
- making declaration.

#### Exception:

in case to reduce MRP printed or marked on the package, the manufacturer or packer may affix a revised MRP sticker, without cover the MRP already existed.



## 6. Declarations to be made on every package. -

(4) it shall be permissible to use stickers for making any declaration other than the declaration required to be made under these rules.

However , it is permissible to affix a sticker to give any information or declaration other than the declaration required to be made under the packaged commodities rules.

For instance, the declarations on the package such as;

- product key sticker
- warranty or guarantee sticker
- quality check sticker
- how make a sambar or rasam
- making of Gulab Jamun,
- preparation of refreshing drinks

in order to promote the commodity etc. of manufacturer or packer.

This provision facilitates the manufacturer or packer to make additional declarations if any for the benefit of the consumer, even though the law does not required to do so.



## 6. Declarations to be made on every package. -

(4A) Nothing in this rule shall preclude a manufacturer or packer or importer to declare the following on the package, **in addition to the mandatory declarations-**

- (a) Barcode or GTIN or QR Code;
- (b) 'e-code' for net quantity assurance of the commodity and other required declarations, after obtaining the same in the manner as specified by the Central Government;
- (c) logos of Government schemes, such as Swatch Bharat Mission, where such use is authorised by the Central Government.

In addition to the declarations referred in Rule 6(1), (2), (3) and (4), the following instructions are also to be complied.

They are:

- Bar Code or GTIN or QR Code
- e - code
- Swatch Bharat Mission logo

- (a) Barcode or GTIN or QR Code;

The Global Trade Item Number is an identifier for trade items, developed by GS1. Such identifiers are used to look up product information in a database which may belong to a retailer, manufacturer, collector, researcher, or other entity. Wikipedia

Doc. Title: Labeling requirements	Doc. No. LM/HB/Rule 6	Packaged Commodities Rules	Sheet : 51 of 60
-----------------------------------	-----------------------	----------------------------	------------------

The GTIN can be encoded in a barcode or an EPC/RFID tag. By scanning the barcode or EPC/RFID tag, companies can efficiently and accurately process products and related information; for example, at billing counter in a store, when receiving goods in a warehouse, and when administering medication in a hospital.

GTINs can be used to unambiguously identify trade items online, for example in catalogues, in electronic messages such as purchase orders and invoices, and embedded in web pages to optimise use by search engines and other information consumers.

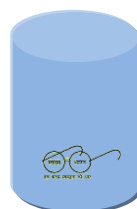




(b) 'e-code' for net quantity assurance of the commodity and other required declarations, after obtaining the same in the manner as specified by the Central Government;



(c) logos of Government schemes, such as Swatch Bharat Mission, where such use is authorised by the Central Government.



## 6. Declarations to be made on every package. -

(5) Where a commodity consists of a number of components and these components are packed in two or more units, for sale as a single commodity, the declaration required to be made under sub-rule (1) shall appear on the main package and such package shall also carry information about the other accompanying packages or such declaration may be given on individual packages and intimation to that effect may be given on the main package and if the components are sold as spare parts, all declarations shall be given on each package.

There are instances that a product is having several components and are packaged into different packages. In such a case, the details of all individual are to be declared on main package. Or necessary declarations are to be made on all individual packages and an indication that these are belongs to a single product.

If these individual packages can be sold as spare parts, in such case, all individual component packages should bear all mandatory declarations as required on the prepackages.



Eg. A Ceiling Fan, An Audio System, A Vacuum Cleaner, A Grinder, A Grater and Chopper of different patterns, etc



#### 6. Declarations to be made on every package. -

(6) Any packing material or wrapper which could not be exhausted by the manufacturer or packer may be used for packing of the material upto 31<sup>st</sup> March 2012 or till such date the packing material of wrapper is exhausted, whichever is earlier, after making the corrections required under these rules by way of stamping or putting sticker or online printing, as the case may be

The Packaged Commodities Rules are framed and into effect on April 1<sup>st</sup>, 2011.

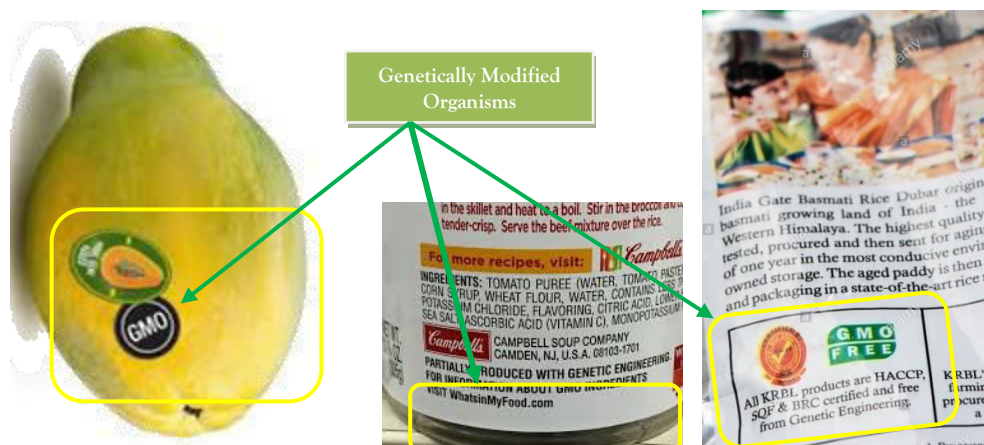
There are certain new features to comply by the Packers and Manufacturers. As there is a possibility of having printed package material according to the Packaged Commodities Rules 1977 and such package material could not exhausted. Hence, the Central Government have allowed to use the packing material or wrapper which could not be exhausted by the manufacturer or packer may be used for packing of the material upto 31<sup>st</sup> March 2012 or till such date the packing material of wrapper is exhausted, whichever is earlier.

The Central Government has also permitted to effect the corrections to suit to the Current Packaged Commodities Rules 2011. The Manufacturer or Packer can effect the corrections either by stamping or putting sticker or online printing, whichever convenient to them.

#### 6. Declarations to be made on every package. -

(7) Every package containing the genetically modified food shall bear there at the top of its principal display panel with the words "GM".

(7) Every package containing the **genetically modified food** shall bear there **at the top of its principal display panel** with the words **“GM”**.



### Present State affairs in the Country:

The Food Safety and Standards Authority of India (FSSAI) has decided to labelling packaged food products with over one per cent of Genetically Modified ingredients.

The scientific committee of the food regulator has green-signalled labelling of GM food items for manufacture, sale and distribution in India with a threshold value of one per cent.

If the maximum residue level (MRL) of GM ingredients reaches one per cent, food products will have to display a message on their packaging that they contain GM food.

Earlier, the threshold of five per cent was being considered. However, the scientific committee zeroed in on one per cent following consultations with all the stakeholders.

Labelling of GM food is required in Europe, Australia, New Zealand, Japan, South Korea, Brazil and China.

The Centre for Science and Environment (CSE) reported in July last year that 21 of the randomly picked 65 food products, including that for newborns, from different retail outlets in the country were found GM positive in its lab tests.

Industry petitioned that antibiotics in products generally come from primary sources such as through fodder or medical treatment. They also need time to set up lab test facilities.

He said some antibiotics would be allowed but their presence in food products should be below the prescribed MRL.

(source : IANS)

ELSEWHERE IN THE WORLD	
<p><b>EU</b> If a food contains GMOs or ingredients produced from GMOs, this must be labelled. It covers all GM food and animal feed, regardless of the presence of any GM material in final product. Threshold for accidental presence of GM material in non-GM food is 0.9%</p> <p><b>AUSTRALIA</b> GM foods, ingredients and additives containing novel DNA or protein must be labelled as 'genetically modified' next to the name of the food. Labelling is also required</p>	<p>when genetic modification results in an altered characteristic in a food</p> <p><b>JAPAN</b> Thirty foods including soy and corn-based products like tofu and soymilk are subjected to mandatory GM labelling. If the GM content of these foods exceeds 5%, they must carry tag 'GM Ingredients Used' or 'GM Ingredient Not Segregated'</p> <p><b>U.S.</b> FDA doesn't require labelling of GM food, but advocates of labelling have been fighting for it</p>

## Top 10 Genetically Modified Foods



Corn



Soy



Cotton



Papaya



Rice



Rapeseed  
(Canola)



Potatoes



Tomatoes



Dairy products



Peas

### 6. Declarations to be made on every package. -

(8) Every package containing soap, shampoos, tooth pastes and other cosmetics and toiletries shall bear at the top of its principal display panel a red or as the case may be, brown dot for products of non-vegetarian origin and a green dot products of vegetarian origin

(8) Every package containing soap, shampoos, tooth pastes and other cosmetics and toiletries shall bear at the top of its principal display panel a red or as the case may be, brown dot for products of non-vegetarian origin and a green dot products of vegetarian origin



#### 6. Declarations to be made on every package. -

(9) without prejudice to the provisions contained in this rule, it shall be permissible to affix a label on imported packages for making the declarations required under these rules.

(9) without prejudice to the provisions contained in this rule, it shall be permissible to affix a label on imported packages for making the declarations required under these rules.



## 6. Declarations to be made on every package. -

(10) An E-Commerce entity shall ensure that the mandatory declarations as specified in sub-rule (1), **except the month and year** in which the commodity is manufactured or packed, **shall be displayed on the digital and electronic network** used for e-commerce transactions:

Provided that in case of **market place model of e-commerce**, **responsibility of the correctness of declarations shall lie with the manufacturer or seller or dealer or importer if,-**

(a) the **function of the e-commerce entity** is limited to **providing** access to a **communication system** over which information made available by the manufacturer or seller or dealer or importer is transmitted or temporarily stored or hosted; or

(b) the **entity does not-**

(i) initiate the **transmission**; (ii) **select the receiver** of the transmission; and (iii) **select or modify the information** contained in the transmission;

(c) the **entity observes due diligence while discharging its duty as an intermediary under the Information Technology Act, 2000** and also observes such other guidelines as the **Central Government** may prescribe in this behalf:

Provided further that there **shall not be any protection** to the **market place e-commerce entity if,-**

(a) the entity has **conspired or abetted or aided or induced**, whether by threats or promise of otherwise in the commission of the unlawful act;

(b) **upon receiving actual knowledge, or on being notified by the appropriate Government or its agency** that any information, data or communication link residing in or connected to a computer resource controlled by the entity **is being used to commit the unlawful act**, the **entity fails to expeditiously remove or disable access** to that material on that resource **without vitiating the evidence** in any manner.

**Explanation.-** For the removal of doubts it is hereby clarified that the provision of this sub-rule shall **not provide exemption from the declarations** required to be made under these rules **on pre-packaged commodities** delivered to the consumers



(10) An E-Commerce entity shall ensure that the mandatory declarations as specified in sub-rule (1), except the month and year in which the commodity is manufactured or packed, shall be displayed on the digital and electronic network used for e-commerce transactions:

Provided that in case of market place model of e-commerce, responsibility of the correctness of declarations shall lie with the manufacturer or seller or dealer or importer if,-

(a) the function of the e-commerce entity is limited to providing access to a communication system over which information made available by the manufacturer or seller or dealer or importer is transmitted or temporarily stored or hosted; or

(b) the entity does not-

(i) initiate the transmission; (ii) select the receiver of the transmission; and (iii) select or modify the information contained in the transmission;

(c) the entity observes due diligence while discharging its duty as an intermediary under the Information Technology Act, 2000 and also observes such other guidelines as the Central Government may prescribe in this behalf:

Provided further that there shall not be any protection to the market place e-commerce entity if,-

(a) the entity has conspired or abetted or aided or induced, whether by threats or promise of otherwise in the commission of the unlawful act;

(b) upon receiving actual knowledge, or on being notified by the appropriate Government or its agency that any information, data or communication link residing in or connected to a computer resource controlled by the entity is being used to commit the unlawful act, the entity fails to expeditiously remove or disable access to that material on that resource without vitiating the evidence in any manner.

**Explanation.-** For the removal of doubts it is hereby clarified that the provision of this sub-rule shall not provide exemption from the declarations required to be made under these rules on pre-packaged commodities delivered to the consumers



It is the **responsibility of the e-COMMERCE ENTITY**, to display mandatory declarations on Pre-packaged Commodities under sub-rule (1) of the rule 6; such as

- **name and address** of the manufacturer, or
- where the manufacturer is not the packer, the name and address of the manufacturer and packer and
- for any imported package the name and address of the importer
- name of the country of origin or manufacture or assembly
- in case of imported products **common or generic names** of the commodity
- **net quantity**, in terms of the standard unit of weight or measure
- **except month and year**
- **retail sale price** in the form : **MRP Rs. or xx.xx incl. of all taxes**
- **sizes of the commodity**, if applicable

on the digital and electronic network used for e-commerce transactions.

In case of market place model of e-commerce, responsibility of the correctness of declarations lies with the manufacturer or seller or dealer or importer.

**What is e-commerce?**

“E-commerce” means buying and selling of goods and services including digital products over digital and electronic network; (inserted - clause, wef 01.01.2018, GSR No.629(E) dt.23.06.2017)

**What is e-commerce entity?**



Doc. Title: Labeling requirements	Doc. No. LM/HB/Rule 6	Packaged Commodities Rules	Sheet : 60 of 60
-----------------------------------	-----------------------	----------------------------	------------------

“E-commerce entity” means a company incorporated under the Companies Act, 1956 or the companies Act, 2013 or a foreign company covered under clause (42) of section 2 of the Companies Act, 2013, or an office, branch or agency in India covered under sub-clause (ii) of clause (v) of section 2 of the foreign Exchange Management Act, 1999 (42 of 1999) owned or controlled by a person resident outside India and conducting e-commerce business; (inserted - clause, wef 01.01.2018, GSR No.629(E) dt.23.06.2017)

**What is market place based model of e-commerce?**

“market place based model of e-commerce” means providing of an information technology platform by an e-commerce entity on a digital and electronic network to act as a facilitator between buyer and seller; (inserted - clause, wef 01.01.2018 ,GSR No.629(E) dt.23.06.2017)

Issue No. : 01	Issue date:	Rev No. : 00	Effective date:
----------------	-------------	--------------	-----------------





**Dr.M.Kantha Rao, IPS**

### *About the Author:*

Dr.M.Kantha Rao, IPS, is an Veterinarian, joined Police Service, after working for a brief stint as Vet. As a Police Officer, he has investigated several sensitive cases and solved mysteries. Resulted to take a decision in resolving contentious issues. There are several accolades at his credit.

Though a Police Officer, but always kind and benevolent to his subordinates and of course a loyal, devoted and subordinate to his Superiors.

Presently, Dr.Rao is working as a Controller of Legal Metrology, Andhra Pradesh, India. After assuming charge a State Head of Legal Metrology of Andhra Pradesh, introduced a 4 A's Concept in enforcement of legal metrology regulations in the state.

The 4 A's Concept envisages: Awareness , Advice, Admonish and Action. In other words, the enforcement officer should prefer to advice and admonish to taking a penal action, after enlightenment of Legal Metrology regulations. He popularized 'No Less - No More - Just Exact' slogan, which means a fair deal in transactions.

Present work is his effort to bring a Hand Book on packaged commodities. In the Hand Book I, incorporated all regulations which were amended, since its inception that is update upto March 31st, 2020.

With a view make available in Enforcement Rule on Packaged Commodities, showing current status as date of release of the Hand Book. The Hand Book will be edited every year and made available.

