

Government Notice No. 125 of 1994.

THE LEGAL METROLOGY ACT 1985
Regulations made by the Minister under section 14 of the
Legal Metrology Act 1985

1. These regulations may be cited as the Legal Metrology (Prepacked Commodities) Regulations 1994.
2. In these regulations:
 - “Act” means the Legal Metrology Act 1985;
 - “batch”, in relation to a package in which a commodity is prepacked, means
 - (a) in the case of packages from a packing line, the number of packages produced during one hour;
 - (b) in the case of packages stored, the number of packages, not exceeding 10,000 of the same type taken from the same production run;
 - “drained weight”, in relation to a solid commodity contained in a free flowing liquid, means the net weight to the solid commodity after the liquid has been drained for a period of 2 minutes;
 - “negative error” means the quantity by which the actual net quantity of a prepacked commodity is less than the nominal quantity;
 - “nominal quantity” means the net quantity of a prepacked commodity as declared on the package;
 - “package” includes wrapper or container;
 - “principal display panel” means the part of a label which is most likely to be displayed, presented, shown or examined under normal and customary conditions of display for retail sale;
 - “tolerable negative error”, in relation to a particular nominal quantity, means the limit of negative error specified in the First Schedule.
3.
 - (1) Every label required to be affixed to, attached to or printed on a package of a prepacked commodity shall be prominent, legible and indelible and shall be conspicuous as to the size and style of letters.
 - (2) The letters and numbers contained in a label shall be presented in a colour that contrasts conspicuously with the colour of the background unless where the letters and numbers are blown, embossed or moulded on a glass or plastic surface.
 - (3) No label shall be made so as to require it to be read through any liquid commodity contained in the package.
 - (4) Where a package in which a commodity is prepacked is provided with an outside container or wrapper, the container or wrapper shall bear a label similar to the one appearing on the package unless the container or wrapper is itself transparent and the label on the package can be read easily through the container or wrapper.

(5) The language used for the label shall be English and/or French.

- 4
- (1) The declaration of quantity shall appear on the principal display panel, and shall be so positioned that it can be read easily by any person when the package is exposed for sale.
 - (2) The declaration of quantity blown, embossed or moulded on a glass or plastic surface is permissible only where all label information is blown, embossed or moulded on the surface.
 - (3) The letters and numbers contained in a label shall not in any way be hidden, obscured or interrupted by any other written or pictorial matter.
 - (4) Subject to paragraph (50), the label shall, in terms of weight, bear the words “net weight” or “Net” which may either precede or follow the declaration of weight.
 - (5) Where a solid commodity is contained in a liquid to be sold as such the declaration of quantity shall be deemed to be in terms of the drained weight of the commodity, and the label shall bear the words “drained weight” in lieu of the words “net weight” or “net”.
 - (6) The height of letters and numbers contained in a label shall be not less than that specified in the second or third column of the Second Schedule, as the case may be.
 - (7) The declaration of quantity shall –
 - (a) in terms of weight, be in kilograms or grams;
 - (b) in terms of volume, be in litres, centilitres or millimetres;
 - (c) in terms of linear measure, be in metres, centimetres or millimetres;
 - (d) in terms of area measure, be in square metres or square centimetres;
 - (e) in terms of count, be in whole number.
 - (8) The units of weight or measure in a declaration of quantity shall be as specified in the Third Schedule.

- (9) (a) The units of measurement specified in the first column of the Fourth Schedule which are contained in a label may be indicated by the corresponding symbols specified in that Schedule.
- (b) Symbols shall be written in singular form and shall not be followed by a full stop.
- (10) Except in the cases of commodities specified in the Fifth Schedule, the declaration of quantity shall be expressed in term of the unit of –
 - (a) weight, where the commodity is solid, semi-solid or viscous, or a mixture of solid and liquid;
 - (b) volume, where the commodity is liquid;
 - (c) length, where the commodity is sold by linear measure;
 - (d) area, where a commodity is sold by area measure; or
 - (e) count, where the commodity is sold by number.

5.(1) The label of a commodity specified in the Sixth Schedule, which is prepacked for sale in a package other than an hermetically sealed container, may bear the words “when packed”.

- (2) No label of a commodity which is not specified in the Sixth Schedule shall bear the words “when packed” or words to the like effect.

6(1) Subject to paragraph(2), the commodities specified in the first column of the Seventh Schedule shall be prepacked according to the corresponding standard quantities specified in the second column of that Schedule.

- (2) The standard quantities specified in the second column of the Seventh Schedule which are marked with an asterisk(*) shall cease to be standard quantities after a period of 3 years from the commencement of these regulations.

7.(1) Any authorised officer may enter the premises of any packer or importer of commodities and draw at random any number of prepacked commodities to be used as samples for the purpose of verification.

- (2) The packages drawn as samples from a batch size specified in the first column of the Eighth Schedule shall be of the corresponding sample size specified in the second column of that Schedule and shall –
 - (a) have a net quantity, the average of which shall not be less than the nominal quantity minus the figure specified in the third column of the Eighth Schedule;
 - (b) where the net quantity is less than the nominal quantity minus the tolerable negative error, not be more than the number specified in the fourth column of the Eighth Schedule;

- (c) not have a net quantity less than the nominal quantity minus twice the tolerable negative error.
 - (3) The extent of deficiency in the net quantity of any prepacked commodity offered for sale or being in possession for sale shall not be more than twice the tolerable negative error.
8. Every packer of prepacked commodities shall –
- (a) verify or cause to be verified by a duly assized instrument the net quantity of prepacked commodities on the packing line at regular intervals everyday;
 - (b) maintain or cause to maintain a record of verifications made under paragraph (a);
 - (c) on request, present the record book to an authorised officer and provide him with such assistance as he may require.
9. These regulations shall not apply to a prepacked commodity having a net quantity of 5 grams/millilitres or less, if sold by weight or volume.
10. Any person who sells a prepacked commodity with a label affixed to, attached to or printed on it, which falsely indicates the nominal quantity of the commodity or is otherwise calculated to mislead any consumer as to its quantity, shall commit an offence unless he proves that he did not know or could not with reasonable diligence have ascertained that the label was of such a character.
11. Regulations 3,4 ,5 and 6 shall come into operation on 1 January 1995.

Made by the Minister on 28 June 1994.

FIRST SCHEDULE

(regulation 2)

TABLE 1

Tolerable negative error on nominal quantity expressed in terms of weight or volume

<i>Nominal quantity in grams or millilitres</i>	<i>Tolerable negative error</i>	
	<i>As a percentage of Nominal quantity</i>	<i>g or ml</i>
5 to 50	9	-
50 to 100	-	4.5
100 to 200	4.5	-
200 to 300	-	9
300 to 500	3	-
500 to 1000	-	15
1000 to 10000	1.5	-
10000 to 15000	-	150
Over 15000	1.0	-

Note : The value of tolerable negative error specified as percentage shall be rounded up to the nearest one-tenth of a gram or millilitre.

TABLE 2

Tolerable negative error on nominal expressed in terms of length, area or count

<i>Nominal quantity</i>	<i>Tolerable negative error as a percentage of nominal quantity</i>
In units of length	2 per cent up to 10 metres and thereafter 1 per cent
In unit of area	4 per cent up to 10 square metres and thereafter 1 per cent
By number	2 per cent

SECOND SCHEDULE

(regulation 4(6))

Table showing minimum height of letters and numbers

<i>Maximum dimension of package</i>	<i>Minimum height of letter or number, if printed</i>	<i>Minimum height of letter or number if blown, embossed or moulded on a glass or plastic surface</i>
Not exceeding 100 mm	2 mm	4 mm
Exceeding 100 mm but not exceeding 300 mm	3 mm	6 mm
Exceeding 300 mm	5 mm	10 mm

THIRD SCHEDULE

(regulation 4(8))

Units of weight or measure in the declaration of quantity

<i>Quantity</i>	<i>Unit</i>
One kilogram or more	Kilogram and its decimal fraction to not more than 2 places
Less than one kilogram	Gram
One litre or more	Litre and its decimal fraction to not more than 2 places
Less than one litre	Centilitre or millilitre
One metre or more	Metre and its decimal fraction to not more than 2 places
Less than one metre	Centimetre or millilitre
One square metre or more	Square metre and its decimal fraction to not more than 2 places
Less than one square metre	Square centimetre and its decimal fraction

FOURTH SCHEDULE

(regulation 4(9))

Symbols of units of measurement

<i>Unit of measurement</i>	<i>Symbol</i>
Kilogram	kg
Gram	g
Litre	l or L
Centilitre	Cl or cL
Millilitre	ml or mL
Metre	m
Centimetre	cm
Millimetre	mm
Square metre	m ²
Square centimetre	cm ²

FIFTH SCHEDULE

(regulation 4(10))

Exceptions

<i>Commodities</i>	<i>Whether declaration to be expressed in terms of weight, measure or number, or any combination of them</i>
Cooking oil	Volume if the quantity is not more than 5 litres; weight or volume of the quantity is more than 5 litre
Cosmetic creams	Volume
Curd/Yoghurt (without fruit)	Volume
Electric cables	Length
Fencing wire	Length
Honey	Weight
Hair care products in liquid & paste form	Volume
Ice cream	Volume
Lubricating oil	Volume
Liquified petroleum gas	Weight
Liquid adhesive	Volume
Nails, screws and pins	Number or weight
Ready-to-use paints & varnishes	Volume
Sauces of all kinds	Volume
Tea bags	Total weight and number of bags
Tooth paste	Volume
Viscous liquor	Volume
Yarn	Weight or length

SIXTH SCHEDULE

(regulation 5)

Commodities in relation to which the label bears the words “when packed”

1. Alcoholic liquors
2. Bread
3. Cake
4. Camphor
5. Detergents
6. Fruits
7. Knitting yarn
8. Spirituous product
9. Soap cakes/bars of all kinds
10. Soap powder
11. Tobacco

SEVENTH SCHEDULE

(regulation 6)

Ranges of standard quantities in relation to certain commodities

Commodities	Standard quantities in which to be packed
-------------	---

A. FOODSTUFFS

1. Cereals, pulses, cereal flours and pulse flours	125 g, 250 g, 500 g, 1 kg, 2 kg, 2.5 kg, 5 kg and thereafter in integral multiples of 5 kg
2. Cooking oils	200 ml, 500 ml, 1 litre, 2 litre, no restriction thereafter
3. Mineral or table water	250 ml, 500 ml, 1 litre, 1.5 litre, 2 litre, 3 litre, 4 litre, 5 litre
4. Milk liquid excluding flavoured milk	250 ml, 500 ml, 1 litre, 1.5 litre, 2 litre, 3 litre, 4 litre, 5 litre
5. Milk powder (for uncanned packages only)	250 g, 500 g, 750 g, 1 kg, 2 kg, 5 kg and thereafter in integral multiples
6. Pasta products (except for instant noodles with soup powder)	100 g, 250 g*, 250 g, 500 g, 750 g, 1 kg, 2 kg
7. Sugar	125g, 250 g, 500 g, 1 kg, 2 kg, 5 kg, 10 kg
8. Table or cooking salt	125 g, 250 g, 500 g, 1 kg, 2 kg, 5 kg, 10 kg
9. Tea	50 g, 75g, 100 g, 125 g, 250 g, 500 g, 1 kg, 2 kg, 5 kg
10. Yoghurt or curd (without fruit)	125 ml, 250 ml, 500 ml, 1 litre, no restriction thereafter

B. NON-FOODSTUFFS

Cement	20 kg, 50 kg
Detergent powder	250 g, 400 g*, 500 g, 750 g, 850 g*, 1 kg, 1.5 kg, 2 kg and thereafter in integral multiples of 1 kg
Liquid washing, creaming scouring products	250 ml, 400 ml*, 500 ml, 600 ml*, 750 ml, 1 litre and thereafter in integral multiples of 1 litre
Liquified petroleum gas	0.5 kg, 1 kg, 2 kg, 3 kg, 4 kg, 5 kg, 6 kg, 12 kg, 15 kg, 17 kg*, 20 kg, 40 kg, 50 kg
Ready-to-use paints and varnishes	125 ml, 250 ml, 500 ml, 1 litre, 2 litre, 2.5 litre, 4 litre, 5 litre, 6 litre, 10 litre, 15 litre, 20 litre, 25 litre.
Solid toilet soap	25 g, 50 g, 75 g, 80g*, 90g*, 97g*, 100 g, 125 g, 130 g*, 140g*, 150 g, 200g, 250g, 300g, 400g, 500g
Scouring powder/including lavatory cleaning powder	250 g, 500 g, 600 g, 700g*, 750g, 1 kg, thereafter in integral multiples of 1 kg
Toothpaste	30 ml, 38 ml*, 39 ml*, 50 ml, 65 ml*, 75 ml, 88 ml*, 90 ml*, 100 ml, 125 ml, 150 ml, 200 ml, 250 ml, 300 ml

EIGHTH SCHEDULE

(regulation 7)

Table

Batch size	Sample size	Figure to be deducted from Q	Number of packages having net quantity less than (Q-T)
Less than 150	same as batch size	nil	nil
150 to 4000	32	$0.485 \times S$	2
Above 4000 up to 10,000	80	$0.295 \times S$	5

In the above Table

Q – nominal quantity

T - tolerable negative error

S – standard deviation of the actual values of the net quantity contained in the packages drawn as samples