



MINISTRY OF COMMERCE
AND CONSUMER PROTECTION

« LEGAL METROLOGY ACT 1985 »
**THE LEGAL METROLOGY
(PRE-PACKED COMMODITIES)
REGULATIONS 2006**



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INTRODUCTION

The Legal Metrology (Pre-packed Commodities) Regulations 2006 (GN 233 of 2006) and subsequent amendments provide for the labelling and accuracy requirements of pre-packed commodities. These regulations have replaced the previous regulations GN 125 of 1994 and are effective as from 01 January 2007. These regulations are not concerned about health and quality issues of the commodities which are covered by other legislations.

The Legal Metrology (Pre-Packed Commodities) Regulations 2006 is based on the international standards of the International Organisation of Legal Metrology (OIML) and SADC MEL Documents 1 and 4. Compliance of our local packers to these regulations would help them in meeting metrological requirements for prepackages in other foreign markets (EU, SADC, etc.).

These regulations are enforced by the Legal Metrology Services, Ministry of Industry, Commerce and Consumer Protection.

WHAT IS MEANT BY A PRE-PACKED COMMODITY?

“Pre-packed commodity” means any commodity which -

1. is made of an entity or unit and of which the quantity has been determined in advance and indicated on its label, prior to its being exposed for sale; and
2. is made up securely in a package in such a way that the contents cannot be altered without the package being opened or perceptibly modified.

LABELLING REQUIREMENTS FOR PRE-PACKED COMMODITIES

Section 11 of the Legal Metrology Act requires pre-packed commodities to bear a conspicuous label carrying a declaration of:

- a. the **name** of the commodity;
- b. the **net quantity** of the commodity;
- c. the **name and complete address** of the packer.

For commodities pre-packed outside Mauritius, the package should carry –

- (a) a mark or statement indicating the country in which it has been packed,
- (b) a declaration as to the net quantity of the commodity contained in the package.

The label of a commodity which is pre-packed outside Mauritius shall mention the name and address of the importer or distributor, preceded by the words **“Manufactured for”, “Distributed by”, “Marketed by”** or **“Imported by”**, as the case may be. Where the label of such a commodity makes no mention of the name and address of the importer and distributor, the retailer shall keep a record relating to the name and address of that importer and distributor for the period for which the commodity is sold or offered for sale.

The language used on the label shall be **English** or **French**.

QUANTITY DECLARATION

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. The 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 sale.

The height of the letters and numbers shall be not less than that specified in the regulations. For example, if the maximum dimension of the package exceeds 300 mm, the minimum height of letter or number is 5 mm, if printed and 10 mm if blown, embossed or moulded on a glass or plastic surface.

The words **“net weight”** or **“Net”** which may either precede or follow the declaration of weight, have to be indicated.

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” instead of the words “net weight” or “net”. Drained weight means the net weight of the solid commodity after the liquid has been drained for a period of 2 minutes.

The manner of quantity declaration (weight, volume, length, area or count, units and symbols) is specified in the regulations. Every symbol used in the quantity declaration shall be written in singular form and shall not be followed by a full stop. A single space used to separate the number from the unit of measurement is recommended.

Desiccating products

The label of certain commodities specified in the sixth schedule of the regulations, when pre-packed for sale in a package other than a hermetically-sealed container, shall bear the words “when packed” with the declaration of quantity. Such declaration is not allowed for other commodities.

Prescribed standard quantities

Commodities (cereals, flours, edible oil, sugar, tea, salt, milk powder, cement, LPG, etc.) listed in the seventh schedule of the regulations, when meant for sale to the general public at retail outlets, have to be pre-packed in the standard quantities

indicated in that schedule.

ACCURACY REQUIREMENTS

What is meant by “net quantity”, “nominal quantity”, “negative error” and “tolerable negative error” ?

“net quantity” means the quantity of the pre-packed commodity **contained** in the package, exclusive of the package or any other material packed with such package.

“nominal quantity” means the net quantity of a pre-packed commodity **declared** on the package.

“negative error” means the quantity by which the actual net quantity of a prepacked commodity is less than the nominal quantity.

“tolerable negative error” in relation to a particular nominal quantity means the limit of negative error specified in the First Schedule.

THE THREE ACCURACY REQUIREMENTS

There are three accuracy requirements for net contents of prepacked commodities, when test is done on a sample of the inspection batch as specified in the Eighth Schedule, namely:

1. The average net quantity shall not be less than the nominal quantity minus the product of a correction factor and the sample standard deviation.
2. The number of packages having net quantity less than the nominal quantity minus the tolerable negative error cannot exceed the number given in the Fourth column of the Eighth Schedule.
3. No package shall have a net quantity less than the nominal quantity minus twice the tolerable negative error.

The extent of deficiency in the net quantity of any prepacked commodity stocked or offered or exposed for sale shall not be more than twice the tolerable negative error.

RESPONSIBILITIES OF PACKER

Every packer of pre-packed commodities is responsible to :

- (a) verify, or cause to be verified, by a duly assized instrument the net quantity of his/her pre-packed commodities on the packing line at regular intervals everyday;
- (b) maintain, or cause to be maintained, a record of such verifications in a record-book; and
- (c) on request, present the record-book to an authorised officer and provide him with such assistance as he may require.

RESPONSIBILITIES OF IMPORTER, DISTRIBUTOR OR SUPPLIER OF PRE-PACKED COMMODITIES

Every importer, distributor or supplier of pre-packed commodities is responsible to :

- (a) take such steps as may be required to ensure the correctness of the declaration of the net quantity of pre-packed commodities in respect of each consignment;
- (a) maintain, or cause to be maintained, a record of verifications in a record-book; and
- (a) on request, present the record-book to an authorised officer and provide him with such assistance as he may require.

For more information on the Legal Metrology (Pre-packed Commodities) Regulations 2006, you are kindly invited to contact officers of the Legal Metrology Services, Old Moka Rd, Bell Village.

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