

The Weights and Measures (Packaged Goods) Regulations 2006

These Regulations apply to packages which are packed in predetermined constant nominal quantities by weight or volume, not less than 5 g or 5 ml, and not more than 25 kg or 25 L (subject to certain exceptions). They also apply to "outer containers" containing at least one package, and to bread which is unwrapped.

Goods that are sold in packages by weight or volume which are outside these ranges, or where the quantity in each pack varies, are packed to minimum quantity. For minimum quantity each pack must contain at least the quantity marked on the pack (the nominal quantity).

The aim of the average weight system is to define acceptable limits of variation to packaging processes, accepting that some packages will be slightly below their stated quantity and others above, whilst ensuring no consumer or trade detriment.

For average quantity, there are certain rules that must be followed - the Packers' Rules. To show compliance with these Rules, checks have to be carried out using suitable equipment, and records of these checks kept. The rules refer to Tolerable Negative Errors (TNEs); for information on how these are calculated, please refer to the table at the end of this guidance.

The Packers' Rules

In a group of packages, some packs may contain less than the marked quantity, but the group must comply with the following rules:

- The actual contents of the group must, on average, be at least the nominal quantity
- The batch must pass a defined test for defective packs (previously referred to as non-standards). A defective pack is one weighing less than the nominal weight by more than one TNE (The Regulations set out, in detail, sampling plans to be used, for testing, including batch rejection criteria).
- No package in the group may be inadequate. An inadequate package is one that contains less than the nominal quantity by more than twice the TNE.

Checks

Checks must be carried out on the contents of packages to ensure that the above rules are being complied with.

Checks can either be made by implementing a sampling and testing system to ensure compliance with the Packers' Rules, (The number of packages which need to be checked depends on the number in the group and the accuracy of the packing process) and making and keeping records of these checks

or

Checks can involve checking every package, in which case there are no specific requirements concerning records.

Please ask if you need further advice.

Equipment

The equipment used to carry out the checks must be suitable for the use to which it is put.

If weighing equipment is used, it must comply with the provisions of the Non-Automatic Weighing Machines Regulations (i.e. it must have been tested and approved for trade use e.g. EC verified or UK stamped). The weighing equipment must also have a suitable scale division for the size of the packs. It is advisable to test the weighing machine for accuracy before and during use, using standards that are traceable to national or international standards, e.g. stamped weights.

There are special provisions for weighing machines, which were in use for checking packages, before 6 April 2006 and which are not approved for trade use to enable them to continue in the same use whilst still serviceable.

Please ask if you require advice on a particular piece of equipment.

Records

You must make records of the checks you have carried out. These records must show that you have complied with the rules. As a minimum, you should record the product, the batch number, the date, the number of packs in the batch, the number checked and the results of the check. It is also advisable to keep records of any action taken to correct defective packages.

The records must be kept for, at least, 12 months or the shelf life of the product, whichever is the earliest.

Markings

You must mark the packs with the following;

1. A statement of the nominal quantity.
This statement must be in metric and the size of the marking and format of any abbreviations is prescribed, e.g. for a 500g pack, the marking must be at least 4mm high
2. A name and address.
This must be a name and address in the UK (or EC for cosmetic products and products e-marked in other member states) and may be that of the packer, importer or other person who arranged for the packages to be made up.

You may mark the packs with the 'e' mark:



It must be at least 3mm high and appear in the same field of vision as the statement of quantity.

The 'e' mark acts as a metrological passport for goods sold throughout the European Community.

If you are a packer or importer or import from outside the EC) and want to mark goods with the 'e' mark, with the intention of exporting from the United Kingdom then you must first notify the local Trading Standards Service of the premises where this will take place (or the place of importation).

Importers and Average Quantity

If you import goods from outside the EC or from the EC which are not 'e' marked, you are responsible for ensuring that the packs comply with the Packers' Rules and that they are marked correctly. However, you may obtain and keep suitable documents from the packer (before the packages leave your possession) instead of carrying out checks.

More detailed guidance on the application of the Regulations can be found on the [BIS - National Measurement Office](#) website

Tolerable Negative Errors Table

Nominal Quantity (g or ml)	Tolerable Negative Error (TNE)
5 to 50	9% of nominal quantity
from 50 to 100	4.5g or ml
from 100 to 200	4.5% of nominal quantity
from 200 to 300	9g or ml
from 300 to 500	3% of nominal quantity
from 500 to 1,000	15g or ml
from 1,000 10,000	1.5% of nominal quantity
from 10,000 to 15,000	150g or ml
above 15,000	1% of nominal quantity

This advice is designed to provide basic guidance to traders. It is not a complete or authoritative statement of the law. For further assistance on this or any other Trading Standards legislation, please contact your nearest office. We will be pleased to offer this information in larger print or translated into any language on request.

For further information and advice contact your local area Trading Standards Officer on the following;

Telephone 01546 605519
Email tradingstandards@argyll-bute.gov.uk

Bute and Cowal - 22 Hill Street, Dunoon, PA23 7AP
Helensburgh and Lomond - Blairvadach, Shandon, Helensburgh, G84 8ND
Mid Argyll, Kintyre and Islands - Area Office, Manse Brae, Lochgilphead, PA31 8QU
Oban, Lorn and the Isles - Municipal Buildings, Albany Street, Oban, PA34 4AW

Office Hours: 9.00am-5.00pm Monday-Friday