
STATUTORY INSTRUMENTS

2006 No. 659

The Weights and Measures (Packaged Goods) Regulations 2006

Duty of packers and importers to mark packages

5.—(1) It shall be the duty of the packer or the importer of a package to ensure that the package is marked, in such a manner as to be indelible, easily legible and visible in normal conditions of presentation, with the following—

(a) the nominal quantity, being the predetermined constant quantity in which that package is made up (including any additional quantity to which any statement on the package refers) in accordance with regulation 8; and

(b) the name and address of a person established in the United Kingdom who is either—

(i) the packer or the importer of the package, or

(ii) the person who arranged for the packer to make up, or the importer to import, the package,

or a mark which enables the name and address of such a person to be readily ascertained by his local weights and measures authority.

(2) If at the time when a package is made up or imported the package is not marked with the nominal quantity as mentioned in paragraph (1)(a), it shall be the duty of the packer or the importer of the package—

(a) to decide what he proposes to mark on the package in pursuance of that sub-paragraph, and

(b) to make at that time, and to maintain until such time as the package is so marked, a record of the same.

(3) A packer or importer may mark a package which—

(a) is made up to comply with the requirements in regulation 4; and

(b) has a nominal quantity not exceeding 10 kilograms or 10 litres,

with the E-mark, in which case the mark shall be indelible, easily legible and visible in normal conditions of presentation and be placed in the same field of vision as the indication of nominal quantity required by paragraph (1)(a).

(4) Paragraphs (1) and (2) above shall not apply to milk which is sold or supplied to a consumer in a returnable container.

(5) Where a package is sold or supplied to a consumer by a packer from his own premises, or from a vehicle used solely by him, paragraph (1)(b) shall only apply to that package if it is marked with the E-mark.

(6) A packer or importer is not obliged to mark a package which is contained within an outer container and which is not intended, and would not normally be regarded as appropriate, for sale to an ultimate consumer as a separate item.

(7) Where regulation 7(2)(a) of the Cosmetic Products (Safety) Regulations 2004 requires a package to be marked with information about the manufacturer or supplier established in a member State then the requirement in paragraph (1)(b) to mark the name and address of a packer or importer who is established in the United Kingdom shall not apply.