
STATUTORY INSTRUMENTS

2006 No. 659

The Weights and Measures (Packaged Goods) Regulations 2006

Duty of packers and importers to mark outer containers

6.—(1) It shall be the duty of the packer or the importer of an outer container, to ensure that an outer container 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 of the packages contained in the outer container, being the predetermined constant quantity in which those packages are made up (including any additional quantity to which any statement on the package or outer container refers), or where the packages have different nominal quantities, each distinct nominal quantity, marked in accordance with regulation 8;
- (b) the number of packages contained in the outer container, or where the packages have different nominal quantities, the number of packages corresponding to each nominal quantity; and
- (c) the name and address of a person established in the United Kingdom who is either—
 - (i) the packer or the importer of the packages contained in the outer container, or
 - (ii) the person who arranged for the packer to make up, or the importer to import, those packages,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 an outer container is packed or imported the outer container is not marked with the nominal quantities and number of packages as mentioned in paragraphs (1)(a) and (b), it shall be the duty of the packer or the importer of the outer container—

- (a) to decide what he proposes to mark on the outer container in pursuance of those subparagraphs, and
- (b) to make at that time, and to maintain until such time as the outer container is so marked, a record of the same.

(3) If an outer container contains one or more packages which are, or could lawfully be, marked with the E-mark, then the outer container may also be marked with the E-mark—

- (a) is affixed in such a way that it refers only to, and is in the same field of vision as, the nominal quantity of the package or packages which are, or could lawfully be, marked with an E-mark; and
- (b) is indelible, easily legible and visible in normal conditions of presentation.

(4) Where an outer container is sold or supplied to a consumer by the packer of the outer container from the packer's own premises, or from a vehicle used solely by him, paragraph (1)(c) shall only apply to that outer container if it is marked with the E-mark.

(5) A packer or an importer of an outer container need not mark the outer container with the information required by paragraphs (1)(a) to (c) above if information is marked on inner packaging

which can be viewed without opening the outer container and the information required by paragraphs (1)(a) to (c) can be readily ascertained from such information.

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