



Packaged Goods Regulations 2006

24<sup>th</sup> January 2023

# Overview



The objectives for today's webinar are:

- To introduce and discuss some important legal metrology concepts
- To give an overview of the implications of the UK and EU's Packaged Goods legislation for UKWF members
- To outline the instrument requirements within relevant pieces of regulation
- An opportunity for questions and discussion

# Why does this matter to UKWF members?



- Instruments produced by UKWF Members are often used by customers that are involved in packing goods. These include:
  - Non-automatic Weighing Instruments
  - Checkweighers
  - Weigh-price Labelers
  - Automatic Gravimetric Filling Instruments
  - Multi-head weighers
- These instruments will be covered by various legislation depending upon what they are used for, and the market
- There are also expected potential changes to regulation driven by BREXIT

# Law relating to packages



- Legislation is based on OIML Documents:
  - OIML R87 – Quantity of Products in Packages
  - OIML R79 – Labelling requirements for Pre-packages
- These were implemented as a Directive 76/211 -Council Directive 76/211/EEC of 20 January 1976, as an approximation of the laws of the Member States relating to the making-up by weight or by volume of certain pre-packaged products
- They are backed up by a wide range of other documents produced by WELMEC
- <https://www.welmec.org/>

# The law relating to packages



- The legal requirements relating to packages are implemented in different member states in national legislation, and
  - In GB: The Packaged Goods Regulations 2006
  - In NI: The Packaged Goods Regulations(Northern Ireland) 2011
- These contain specific requirements as to the type and nature of the instruments that can be used for the packing of products
- There will also be simultaneous requirements brought about by the Measuring Instruments Directive 2014/32 and now the Measuring Instruments Regulations 2016 (Different for NI and GB)
- These create obligations on the instruments that are used by packers

# The law relating to packages

- The packer must meet the three packer's rules:
  1. **No packages must on average be below the nominal**
  2. **There must be the prescribed number of packages between the values known as T1 and T2** (*These are known as non-standard packages*)
  3. **There shall be no-packages below T2** (*These are known as inadequate packages*)

# Making up packages or checking packages



- Legal requirements create an obligation for instruments used for ***making packages*** up or ***checking packages***:
  - Making up- each package is determined on a legally controlled instrument – which will be type examined and verified instruments
  - If each package is not made up on a legally controlled instrument, each packer **MUST** have equipment which is suitable for the purpose for which it is used **AND** have a sufficiently rigorous checking system to ensure that the contents requirements for the packages are met
- What does this mean ?

# Making up packages



- Many of your customers will use weighing instruments for making up packages
- If that instrument is type examined and verified it can be used for the purpose of making packages up
- This could be:
  - Non-automatic weighing instrument
  - Automatic Weighing Instrument
    - Weigh-price labeler
    - Automatic Gravimetric Filling Instrument



## Making up packages - records

- If the instrument is type-examined **and** verified it can be used for making up-packages
- No further records are required
- Always a sensible legal action to maintain sufficient records to demonstrate compliance
- Known as taking all reasonable precautions and exercising all due diligence

# Checking packages



- If the instrument is not type-examined **and** verified there must be checks in the packing process:
  - Suitable equipment must be used
  - Sufficiently rigorous records are required to show that the packages meet the requirements of the legislation
  - Could be a NAWI
  - Could be a check-weigher

# Checking packages - NAWI



- The instrument used for checking the packages must be type-examined **and** verified
- Does not need to be all the instruments used but those used for making records must meet these requirements
- Should have daily checks for accuracy
- Should have annual checks by an outside body

# Checking packages - Checkweighers

- In the UK (GB and NI) check weighers are not controlled
- This means there is no weights and measures legislation that applies to them
- *They must still be suitable*
- This is most easily demonstrated by placing instruments on the market / putting into service that are in compliance with R51
- This would mean a type-examination and a verification
- Must be remembered that in the UK this is not an obligation and the packer (customer) can choose other routes
- The suitability will be decided by the local weights and measures inspector
- In the EU27 check weighers are controlled and must have:
  - A type-examination certificates from an EU27 notified body
  - An initial verification when first used
  - A re-qualification after repair
  - The type examination certificate will be based on OIML R51

# Sufficiently rigorous checks - Reporting software



- If the packer is making use of a checkweigher:
  - Must have a sufficiently robust record system, which must be able to show compliance with the packer's rules
  - Nominal must be above the mean
  - Sufficiently small number between T1 and T2
  - No products below T2
  - This software is not controlled by legislation, but must have sufficient software control and procedures in place – software validation
  - However, it does not need to be approved by a 3<sup>rd</sup> party
  - This is in contrast with the software used in the weighing instruments