

Prepackaging of goods and the use of the e-Mark

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Welcome

- introduction
- e-marking legislation
 - reasons
 - history
 - overview
 - product requirements
- implementation in EU
 - harmonization
 - known issues
- national legislation <-> e-marking
- summary and discussion



Introduction: NMI



Dutch
Metrology
Institute



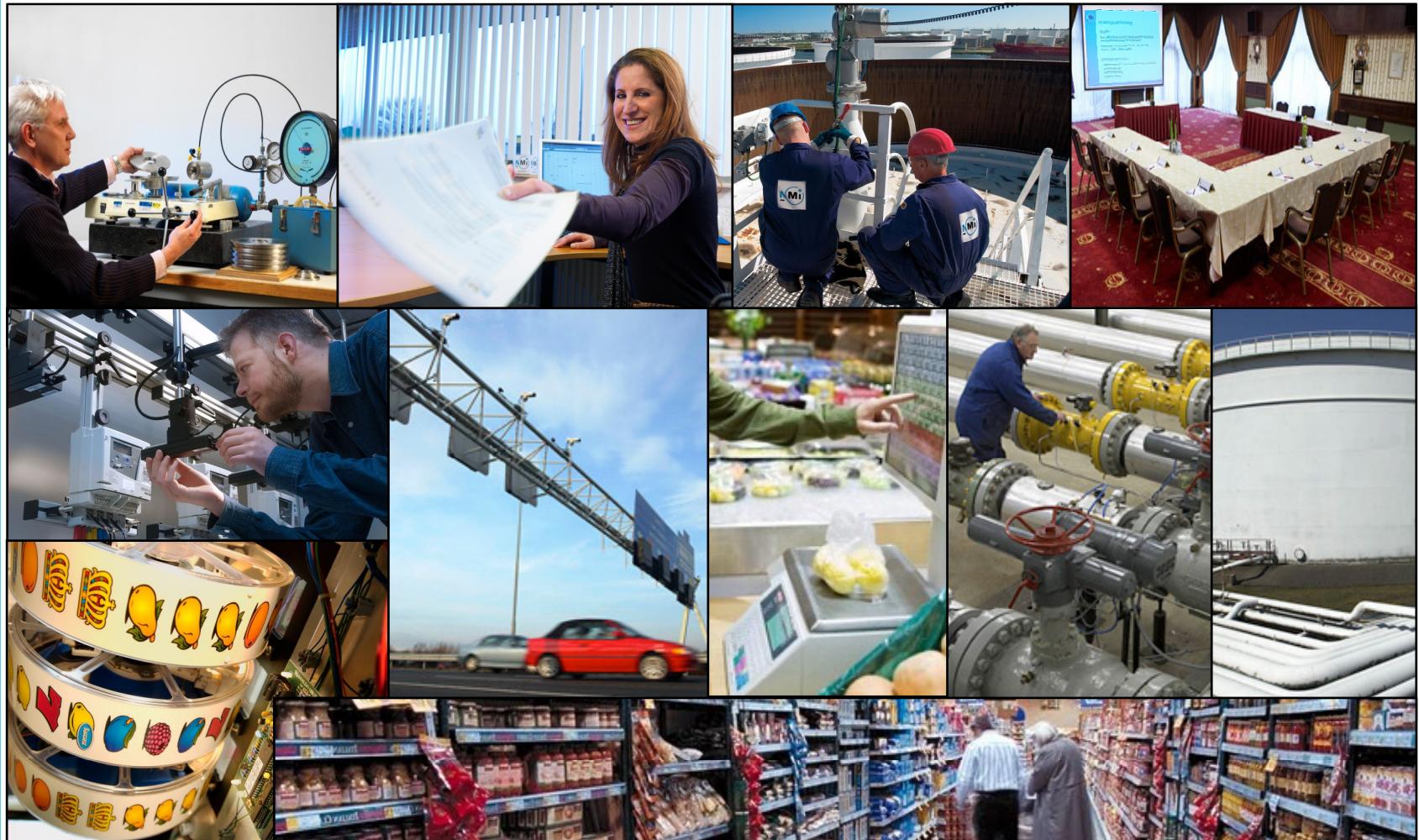
TRUE VALUE
+ Testing + + +
+ Certification + + +
+ Calibration + + +
+ Training + + +
+ + + + + + +



*“Assurance
through supervision”*

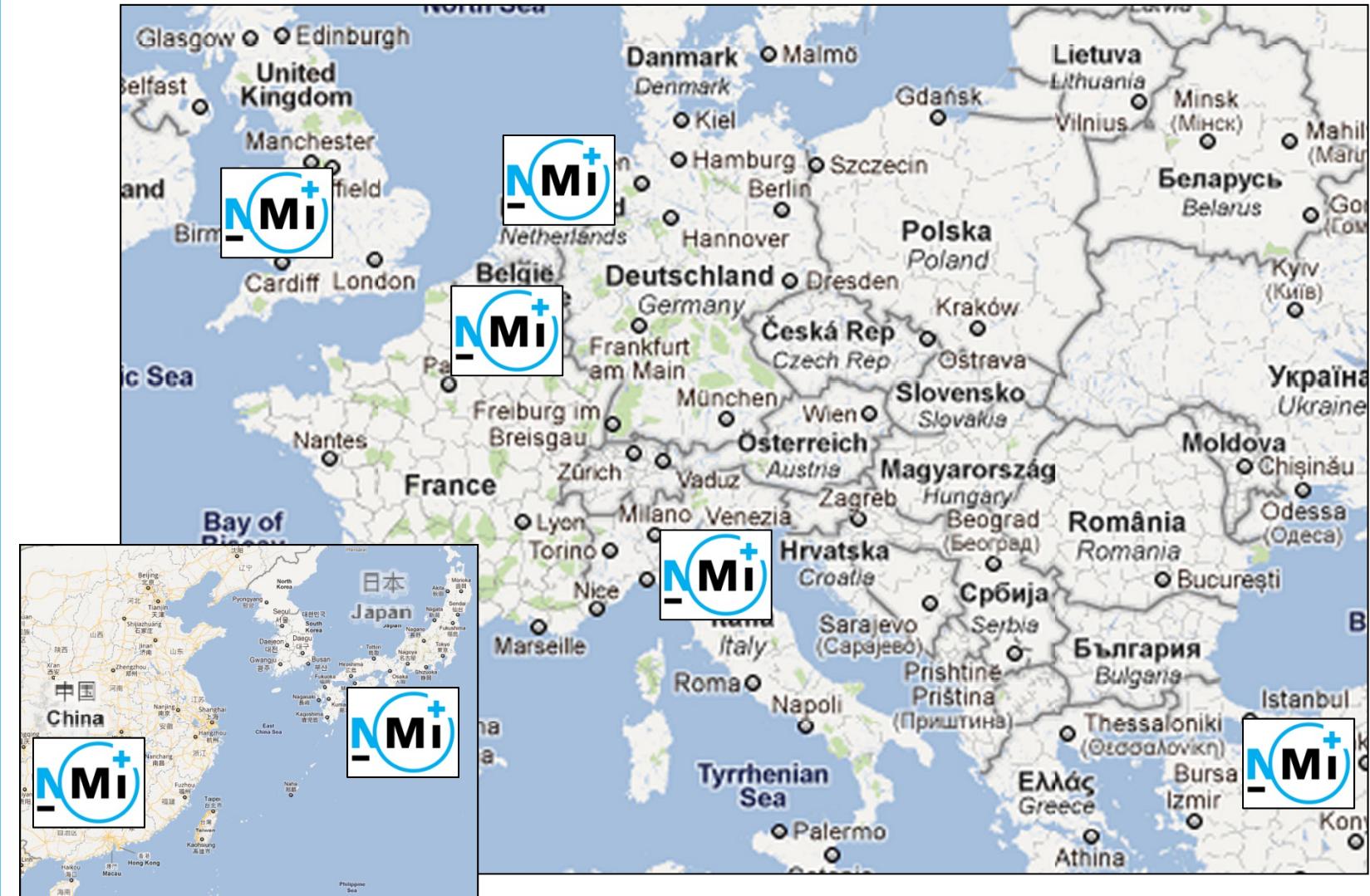
Introduction: NMI

calibration – certification – testing – training
energy – traffic – weighing – gas – oil – gaming – prepackages





NMi





Introduction



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NMi Certin B.V.

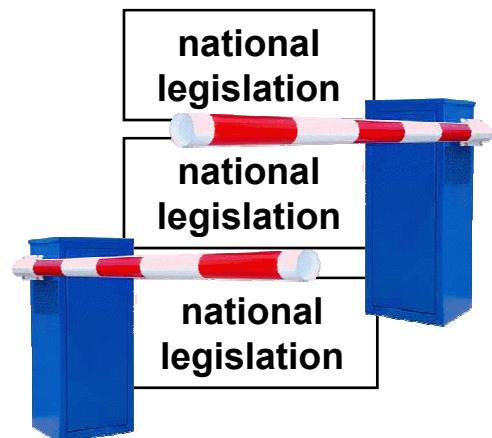
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- secretariat WELMEC Working Group 6
- expert OIML Technical Committee 6
- definitions in pre-packaging (OIML 2002)
- Business Impact Analysis on conformity assessment in prepackages (EU, 2003)
- the benefits of a dual legislative system for prepackages (OIML 2007)

Legislation history

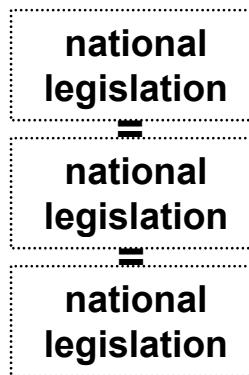
70's

'borders'



80's

'Cassis de Dijon'



90's

'Ruwet v Stassen'



00's

'new directive'



impact assessment

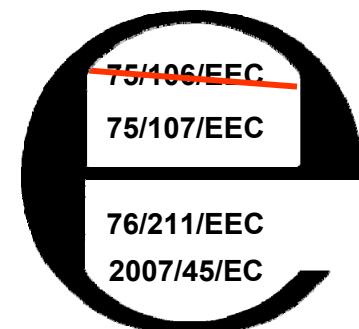
EU working document

public consultation



EU policy change

remove mandatory nominal quantities



=

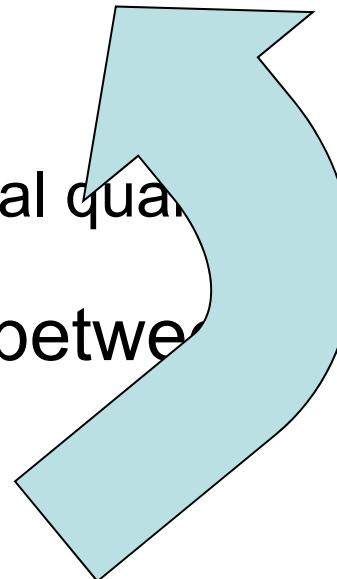
~~access to other member states~~

~~equal business opportunities~~ → $11 = 11$

~~consumer protection~~ → ~~mandatory nominal quantities~~

Reasons for legislation

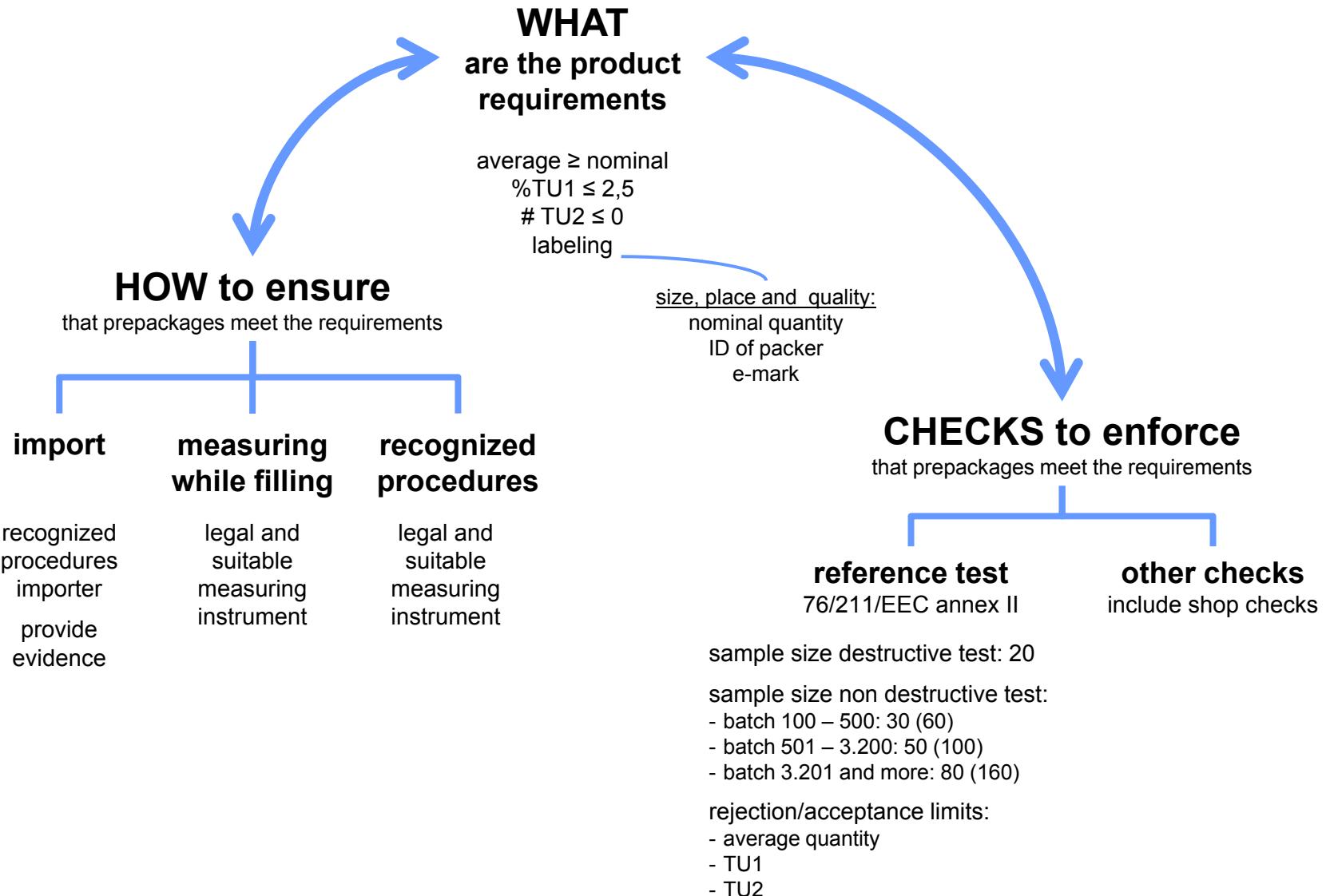
- consumer protection
 - labelling
 - avoid dumping
 - ranges of nominal quantity
- fair competition between packers
 - same rules
 - 1 litre = 1 litre
- open markets
 - EU, America's, Africa
 - global (OIML)



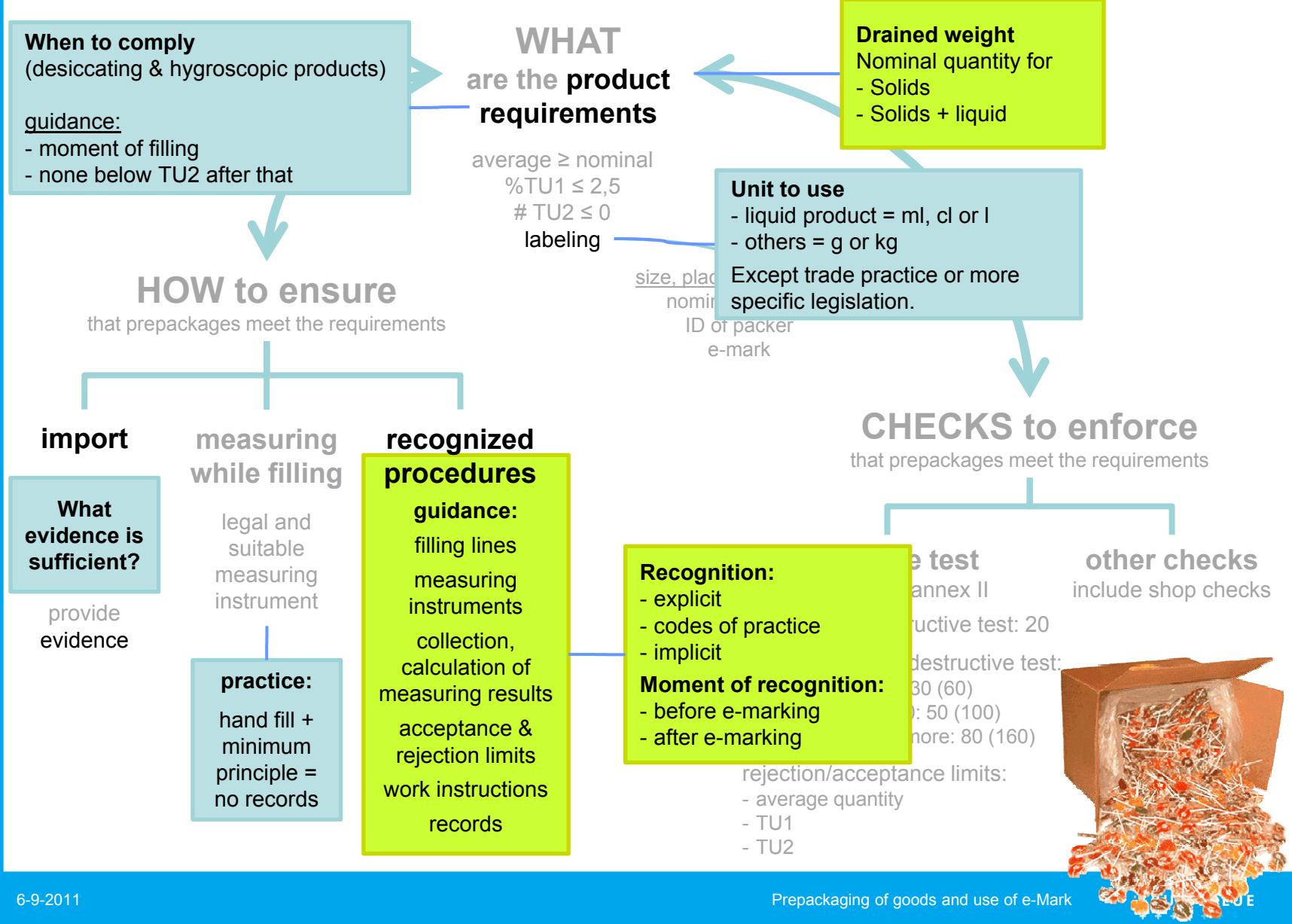
Legislation overview

- Prepackage:
 - consumer not present
 - nominal quantity
 - no change of quantity unless opening/damaging
- Scope: 5 g or ml – 10 kg or l
- Packer/importer is responsible
- Fair trade
- Enforcement relies on:
 - recognized procedures and
 - reference test

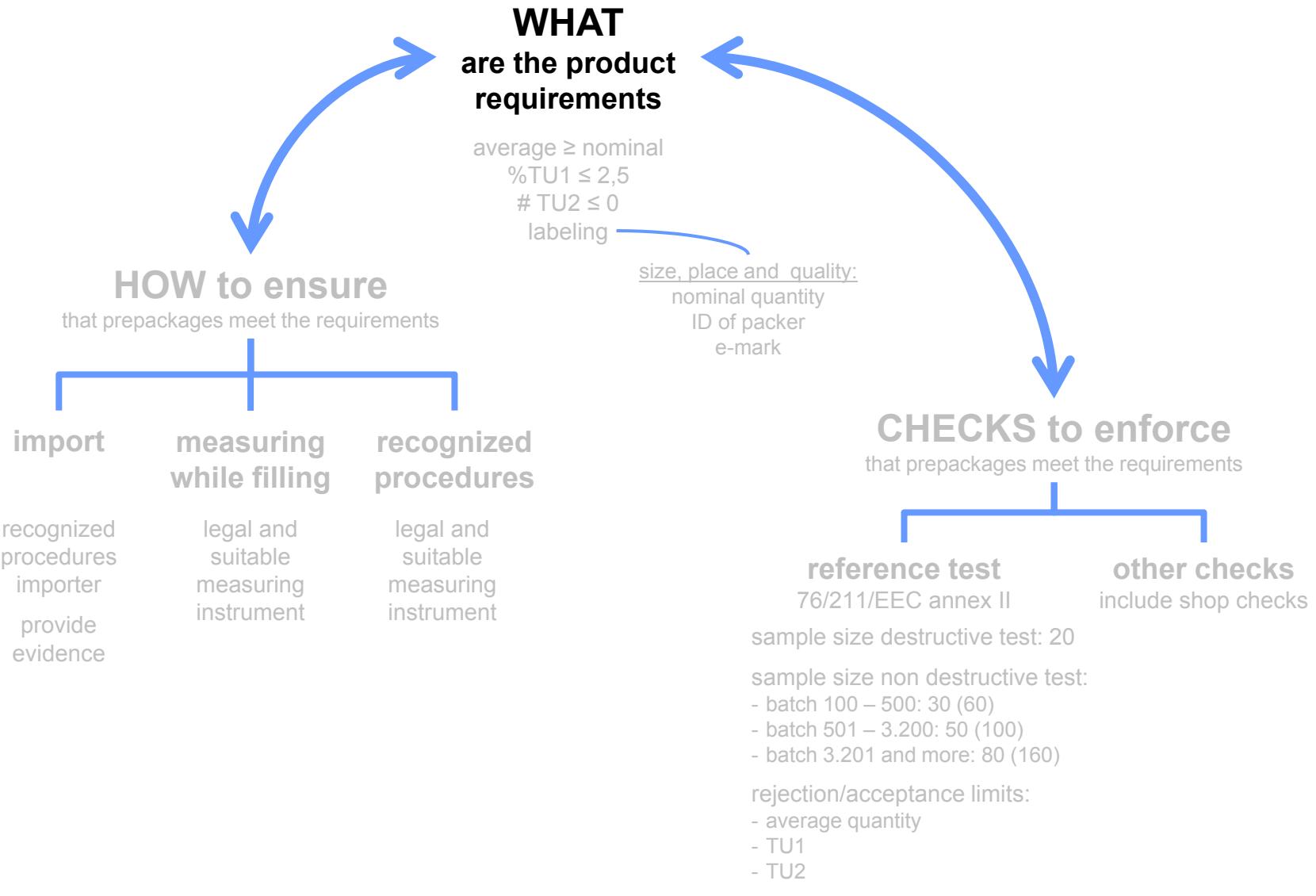
Legislation overview



Legislation overview, issues

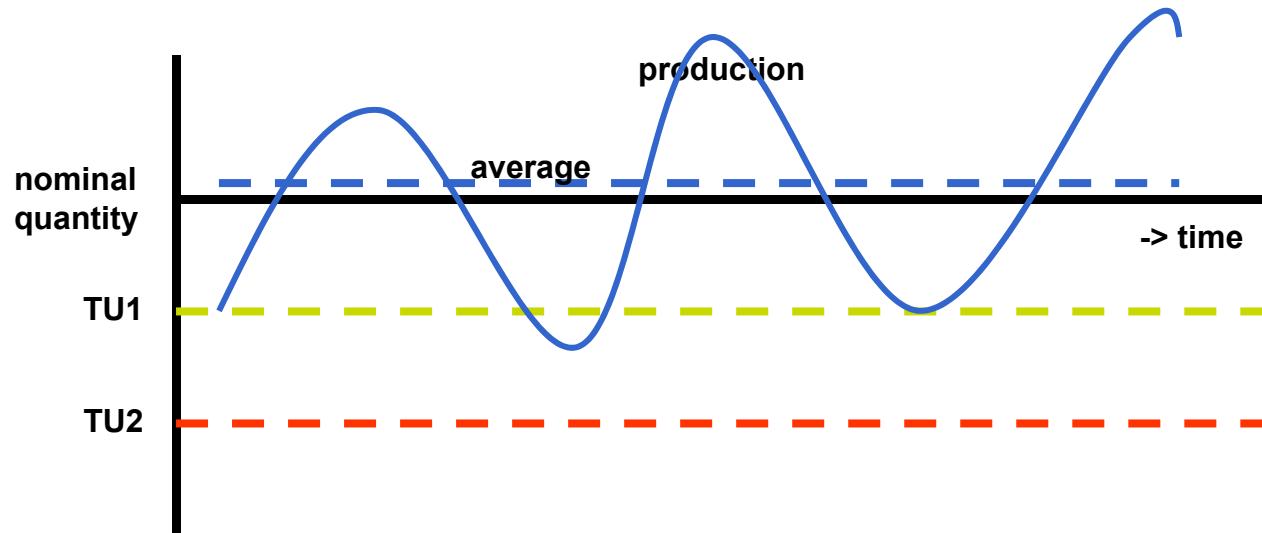


Product requirements



Product requirements: average

average actual quantity \geq nominal quantity



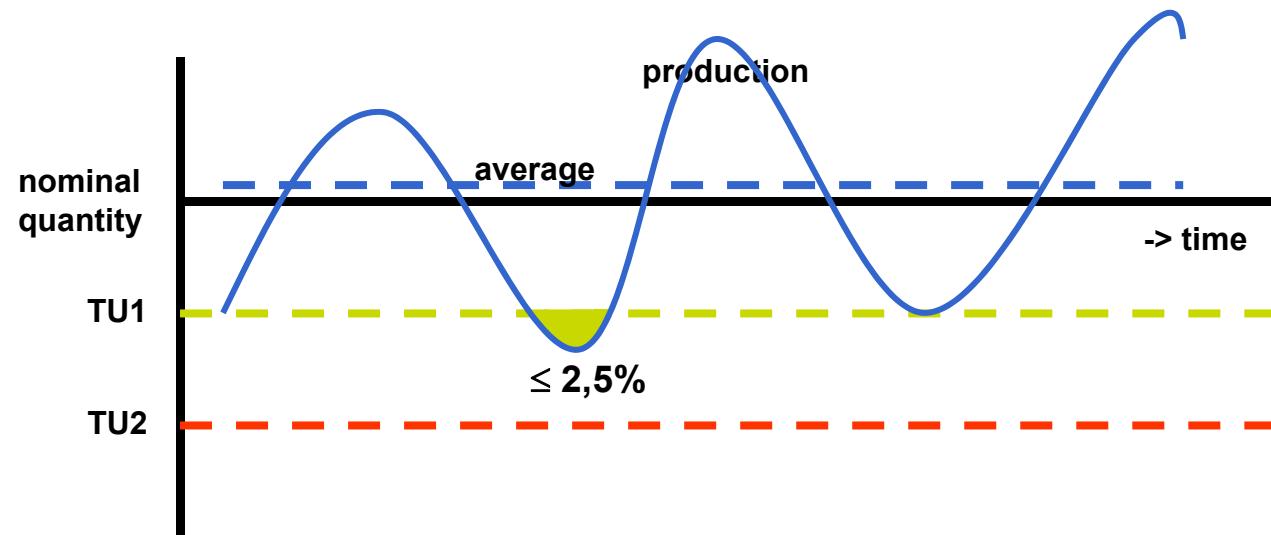
No e-mark:

- minimum principle, or
- e-mark rules

~~average actual quantity < nominal quantity~~

Product requirements: TU1

TU1: small percentage in batch ($\leq 2,5\%$)

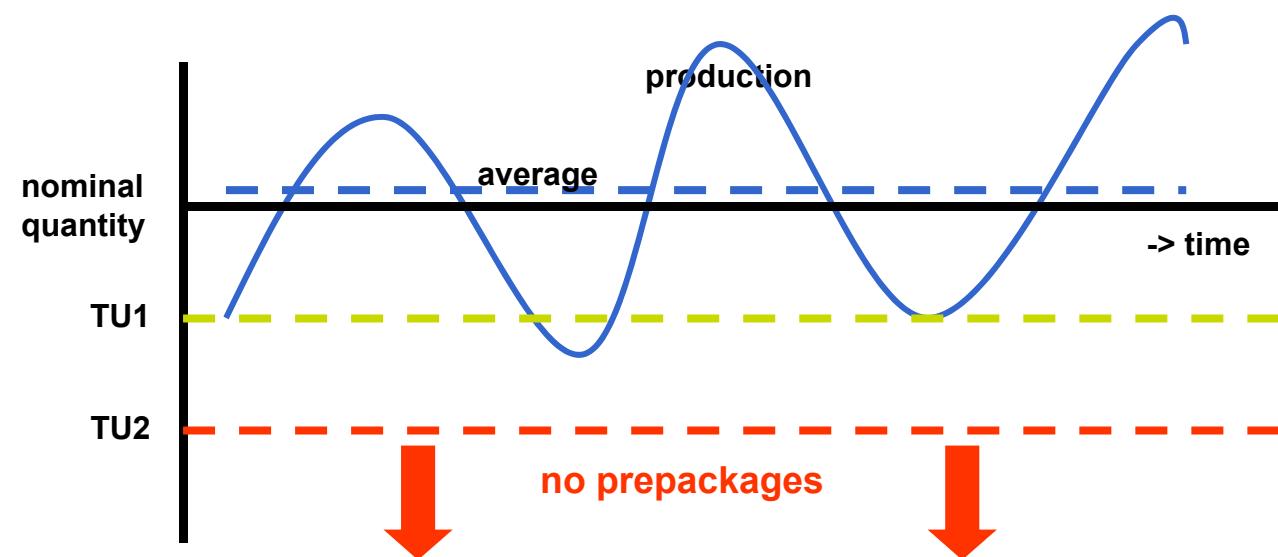


nominal quantity (Qn) in g or ml	maximum tolerable negative error In % of Qn	in g or ml
5 - 50	9	-
50 - 100	-	4,5
100 - 200	4,5	-
200 - 300	-	9
300 - 500	3	-
500 - 1.000	-	15
1.000 - 10.000	1,5	-

Product requirements: TU2

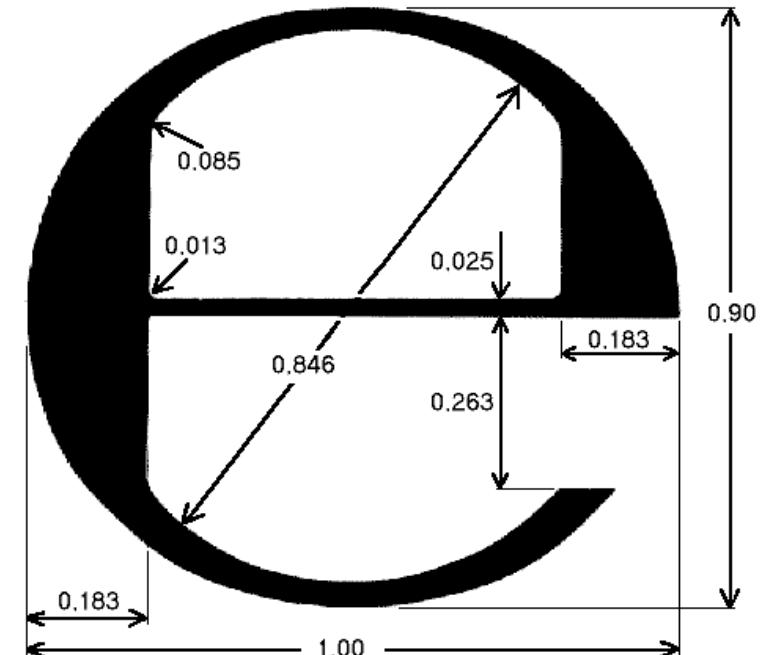
$$TU2 = TU1 \times 2$$

TU2: no prepackages

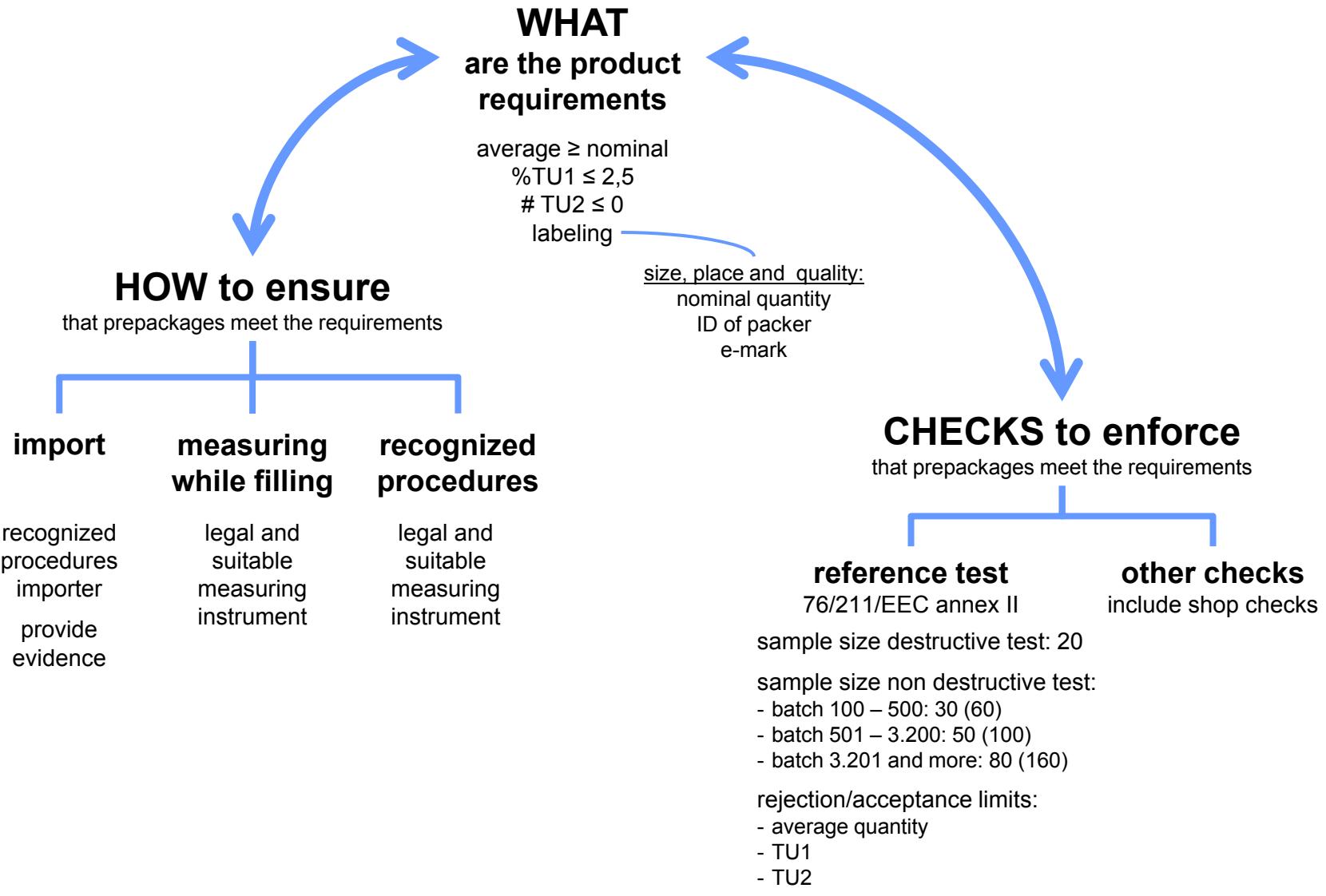


Product requirements: label

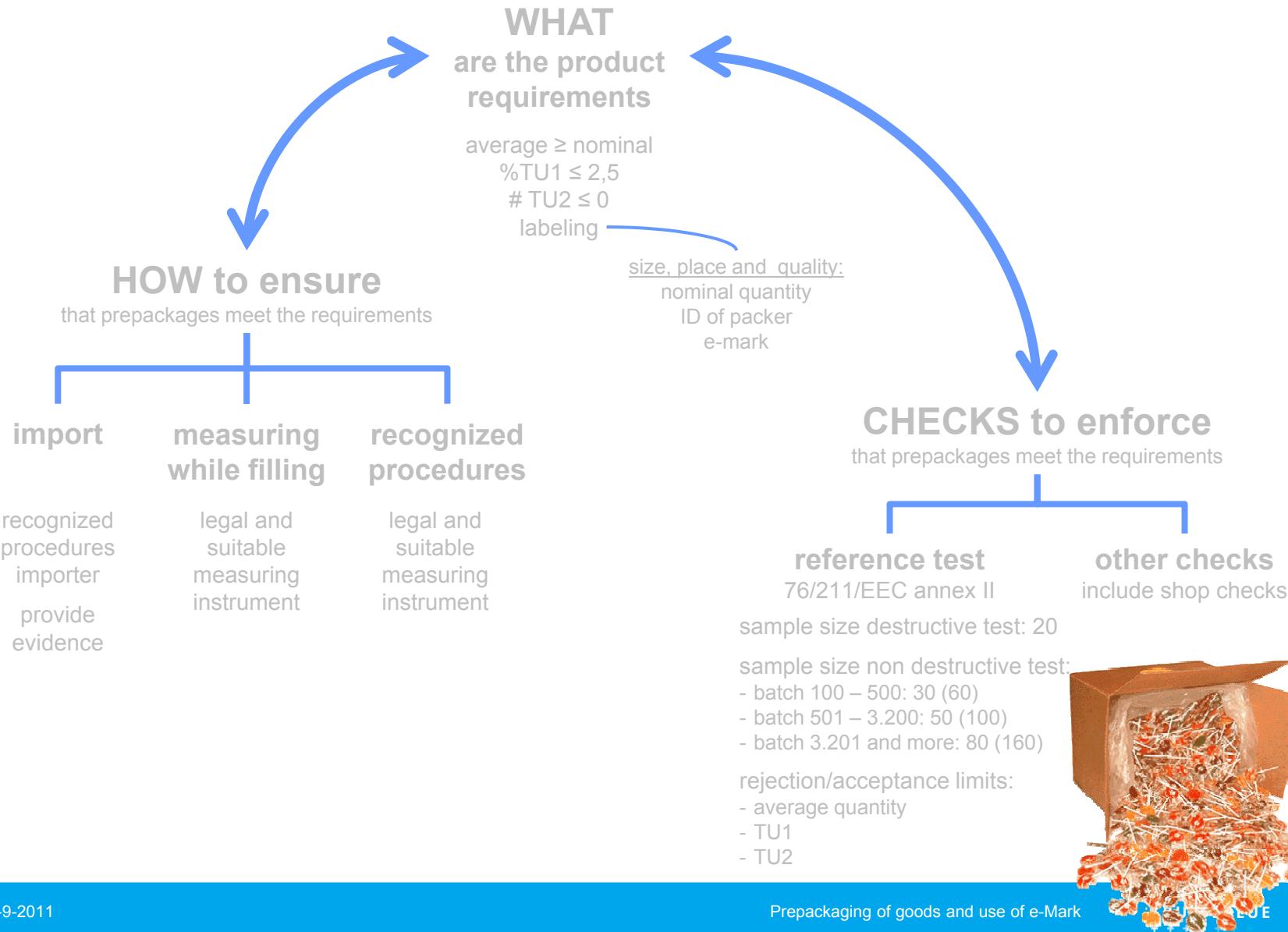
- nominal quantity: size + location
- unit: in g or ml, fully written or symbol
- identification packer
- e-mark: size + location



Legislation overview

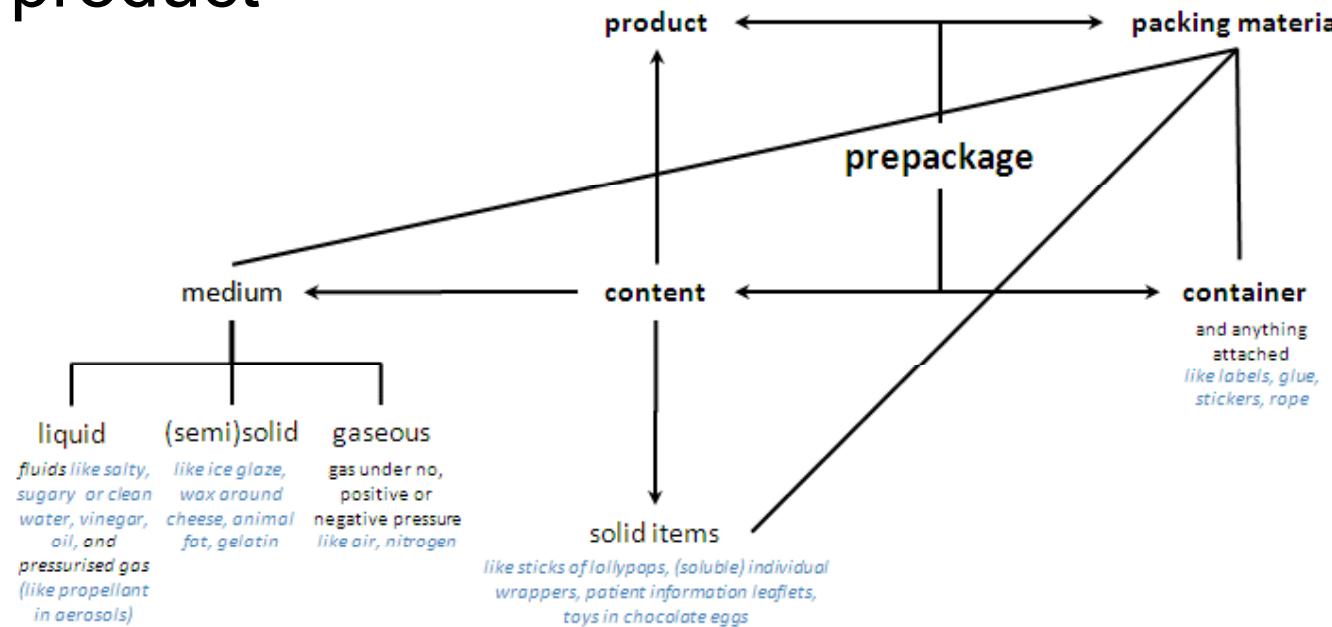


Legislation overview

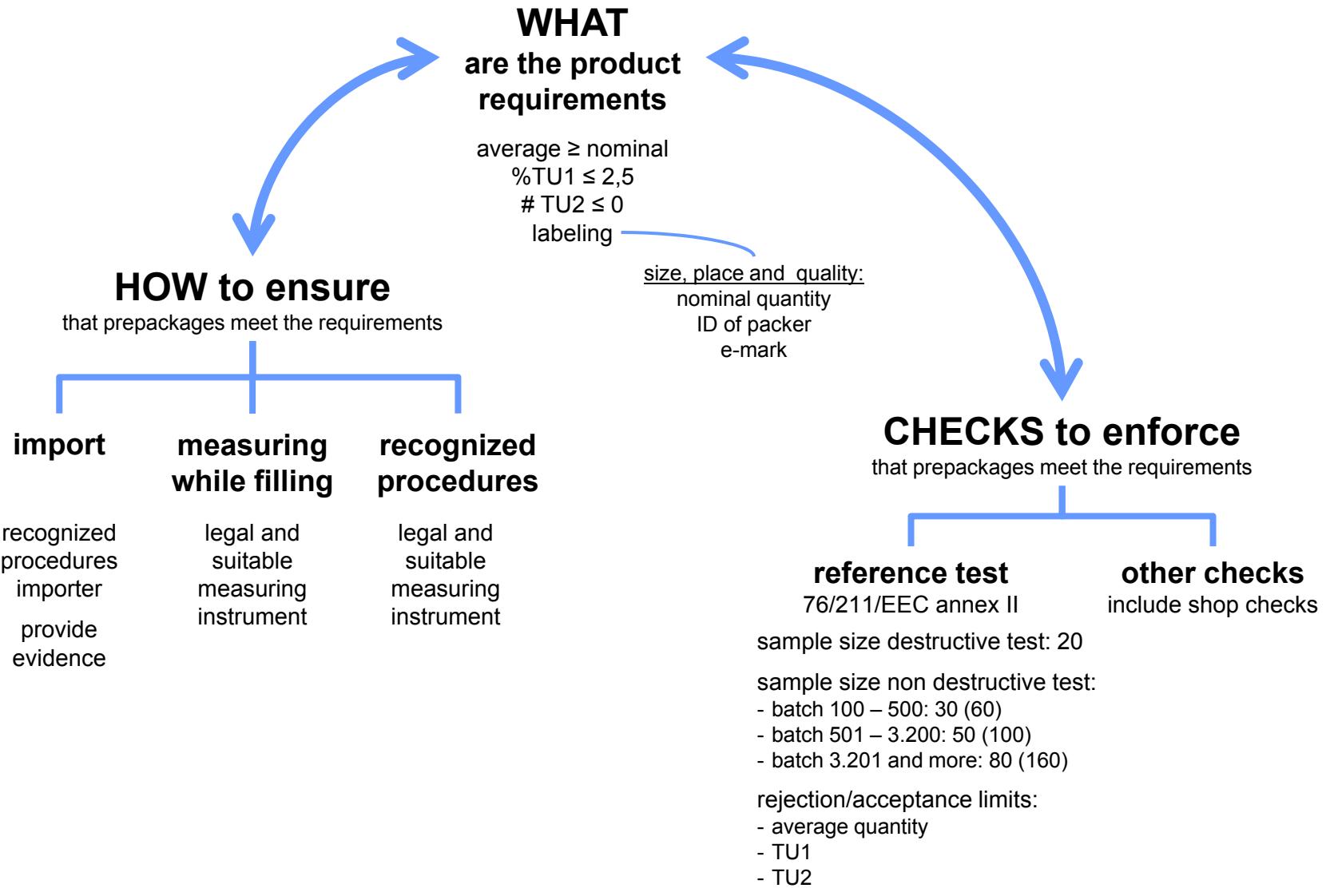


Issues (1): definitions

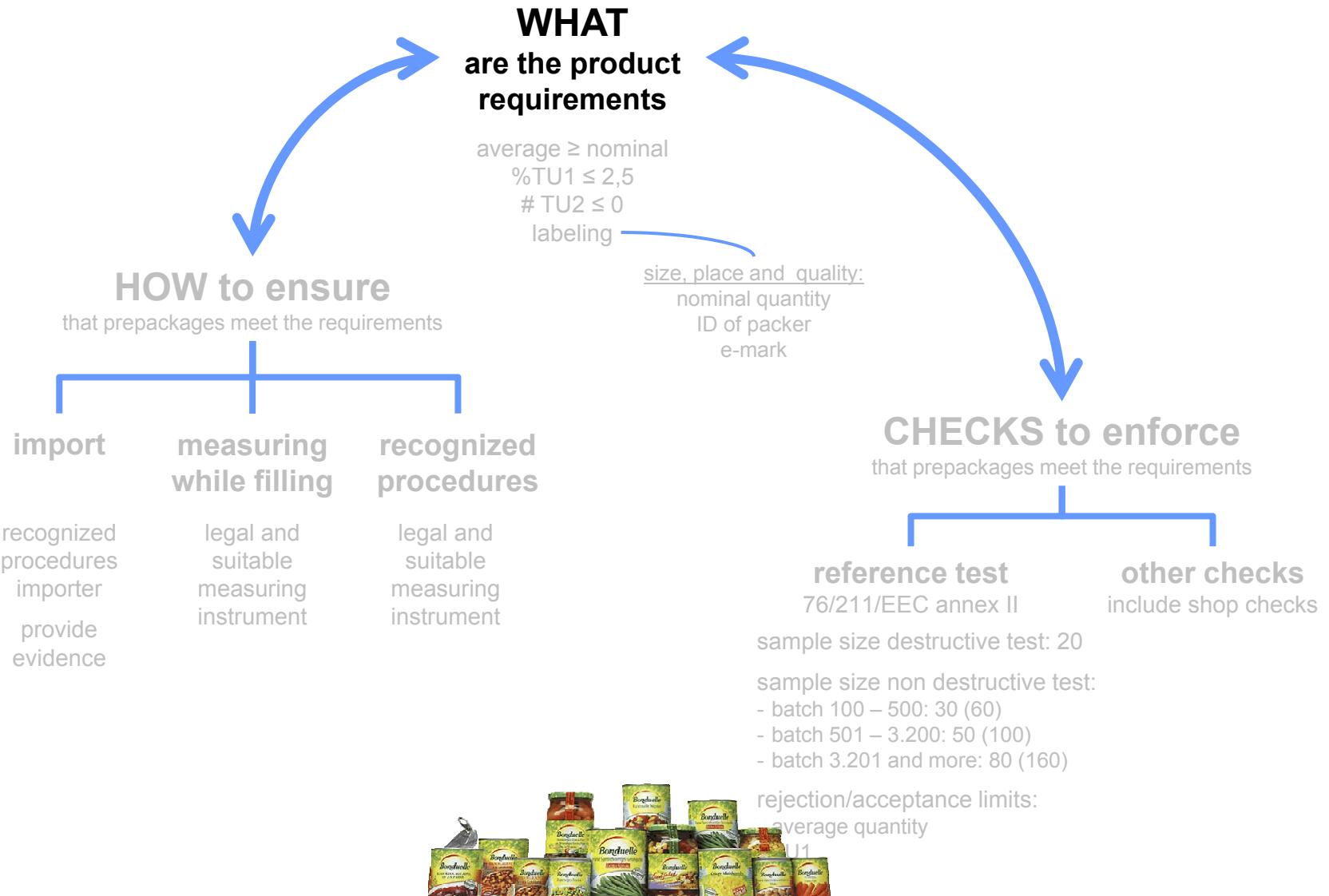
- prepackage = product + packing material
- packing material = what's left over after use
- (product = prepackage – packing material)
- nominal quantity = indication on the label
- actual quantity = measured quantity of product



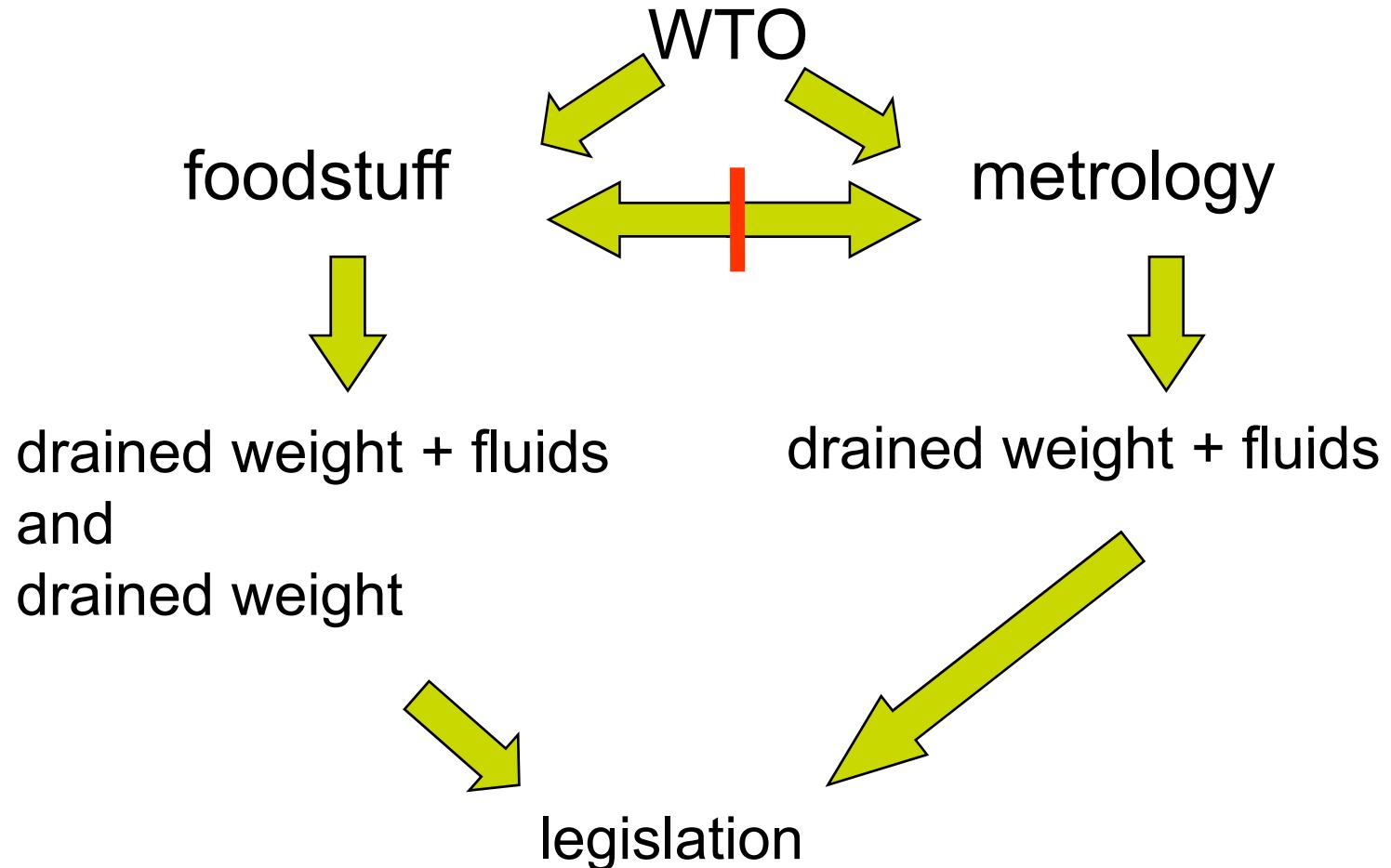
Legislation overview



Legislation overview



Issues (2): drained weight products



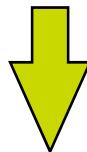
Issues (2): drained weight products

philosophy:

application of definition of packing material:



packing material: meant to be left over after use

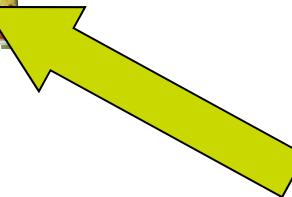


when the fluid is intended to be left over,
the fluid is packing material



Issues (2): drained weight products

1. liquid = packing material



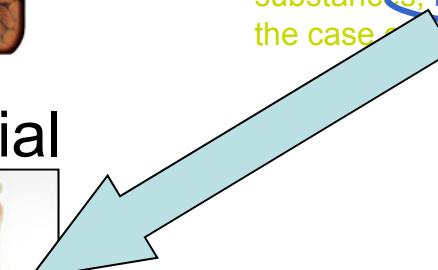
2. liquid ≠ packing material



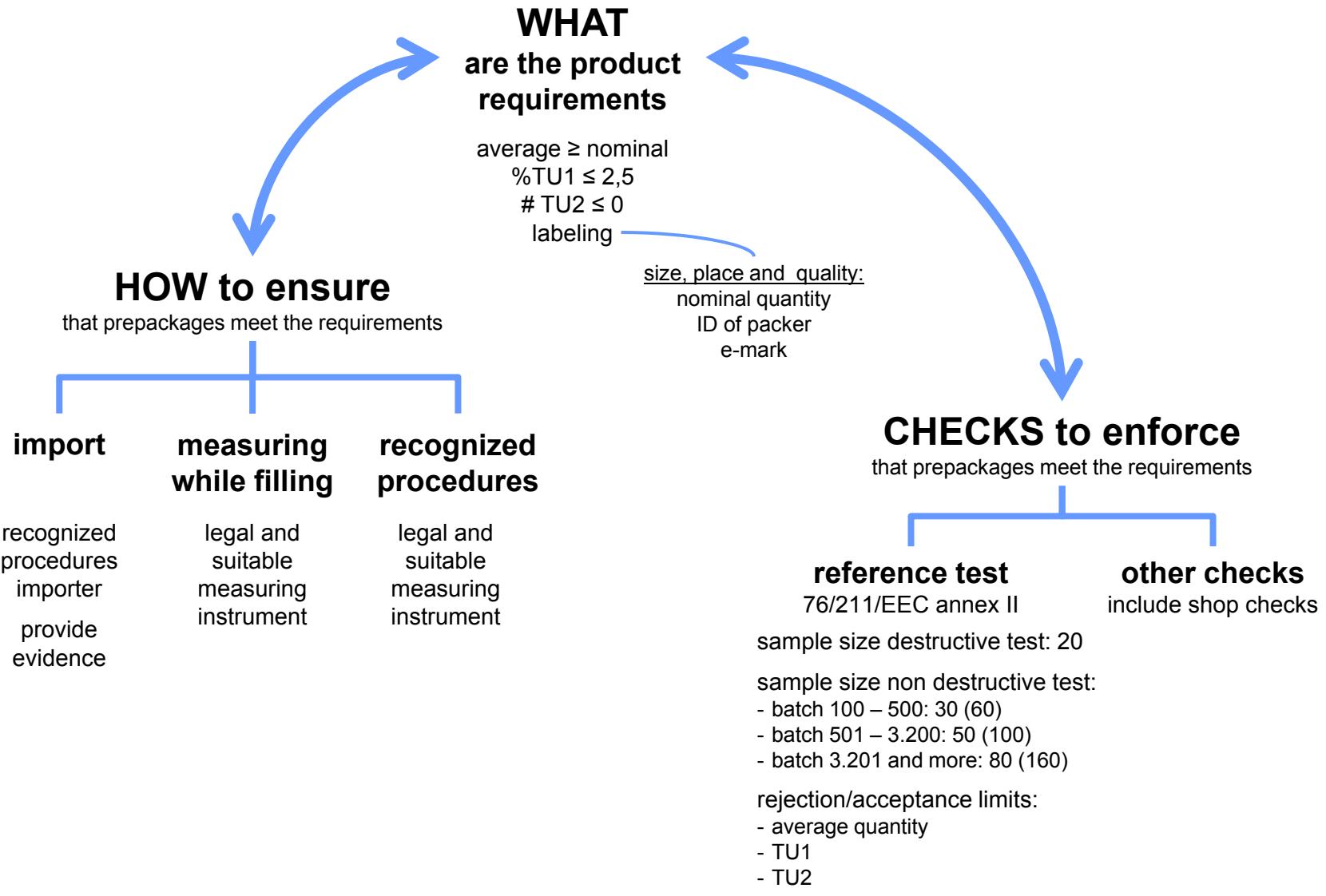
Codex Alimentarius:

water, aqueous solutions of salts, brine,
aqueous solutions of food acids, vinegar,
aqueous solutions of sugars, aqueous
solutions of other sweetening
substances, fruit or vegetable juices in
the case of fruit or vegetables

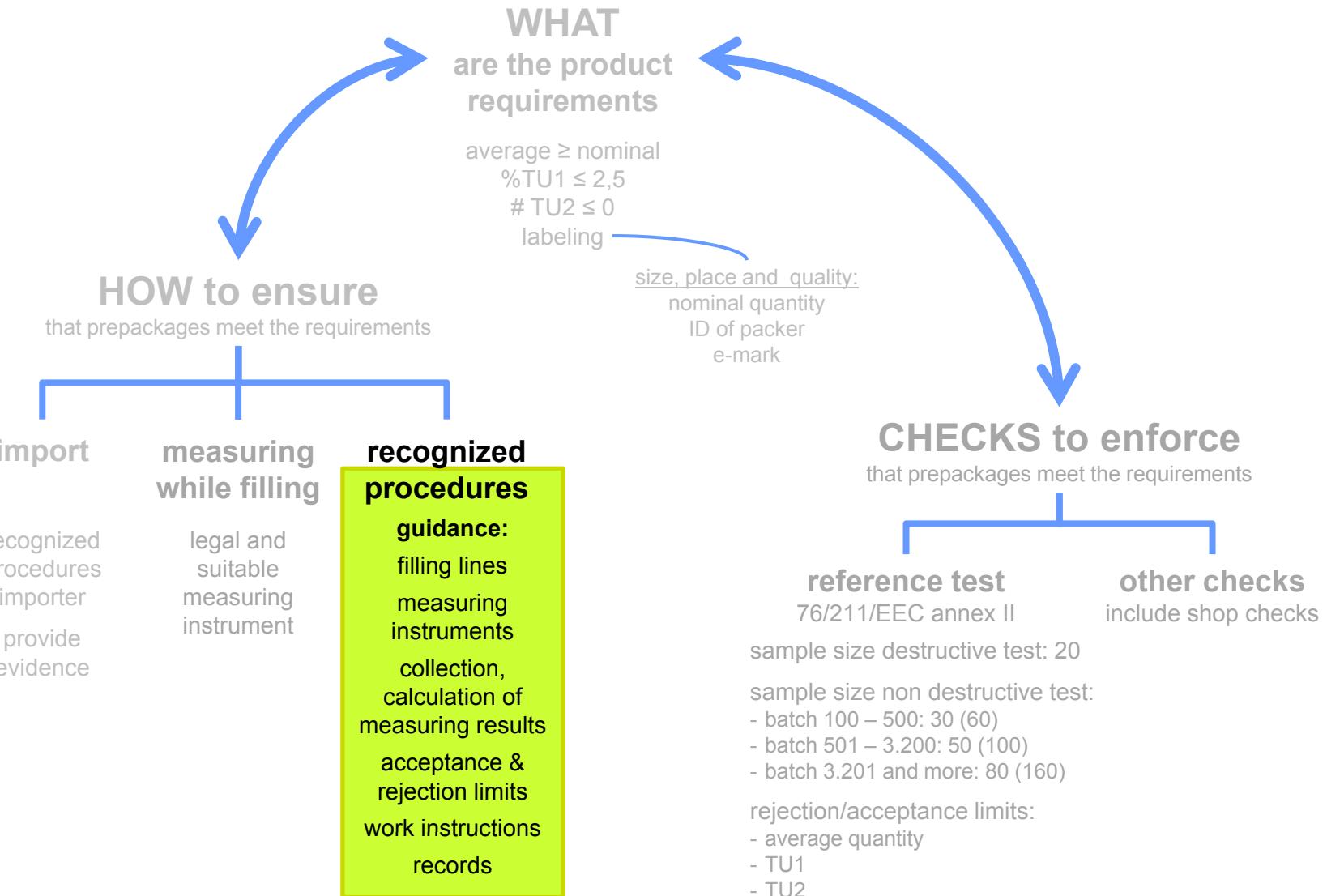
3. liquid ? packing material



Legislation overview



Legislation overview



Issues (3): recognized procedures

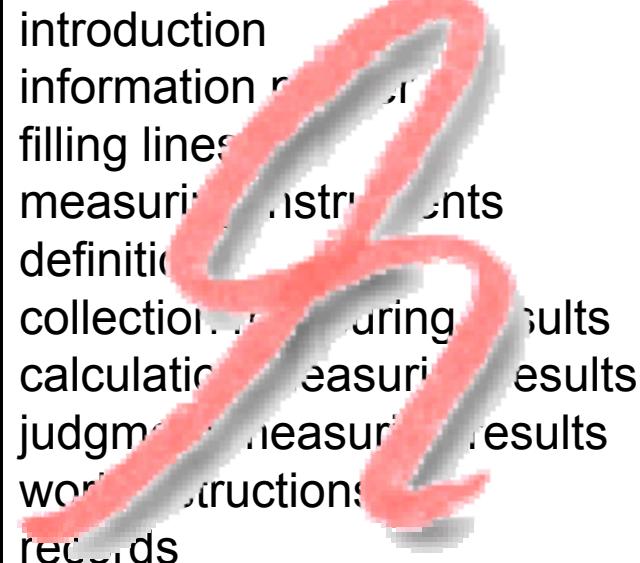
- most used in Europe
- no burden for small packers
- implementation under discussion
- three ways & permission:

	permission/registration	
	yes	no
explicit recognition		
codes of practice		
implicit recognition		

Issues (3): recognized procedures

WELMEC 6.4 chapter 4

introduction
information requirements
filling lines
measuring instruments
definitions
collection of measuring results
calculation of measuring results
judgment of measuring results
working instructions
records



prepackages
that meet
requirements

Issues (3): recognized procedures

WELMEC 6.4 chapter 4

introduction
information about
filling lines
measuring instruments
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calculation measuring results
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judgement measuring results
work instructions
records

**changes
of the
packers
procedures**

=

prepackaging
that meet
requirements

inspection



e-mark <-> no e-mark

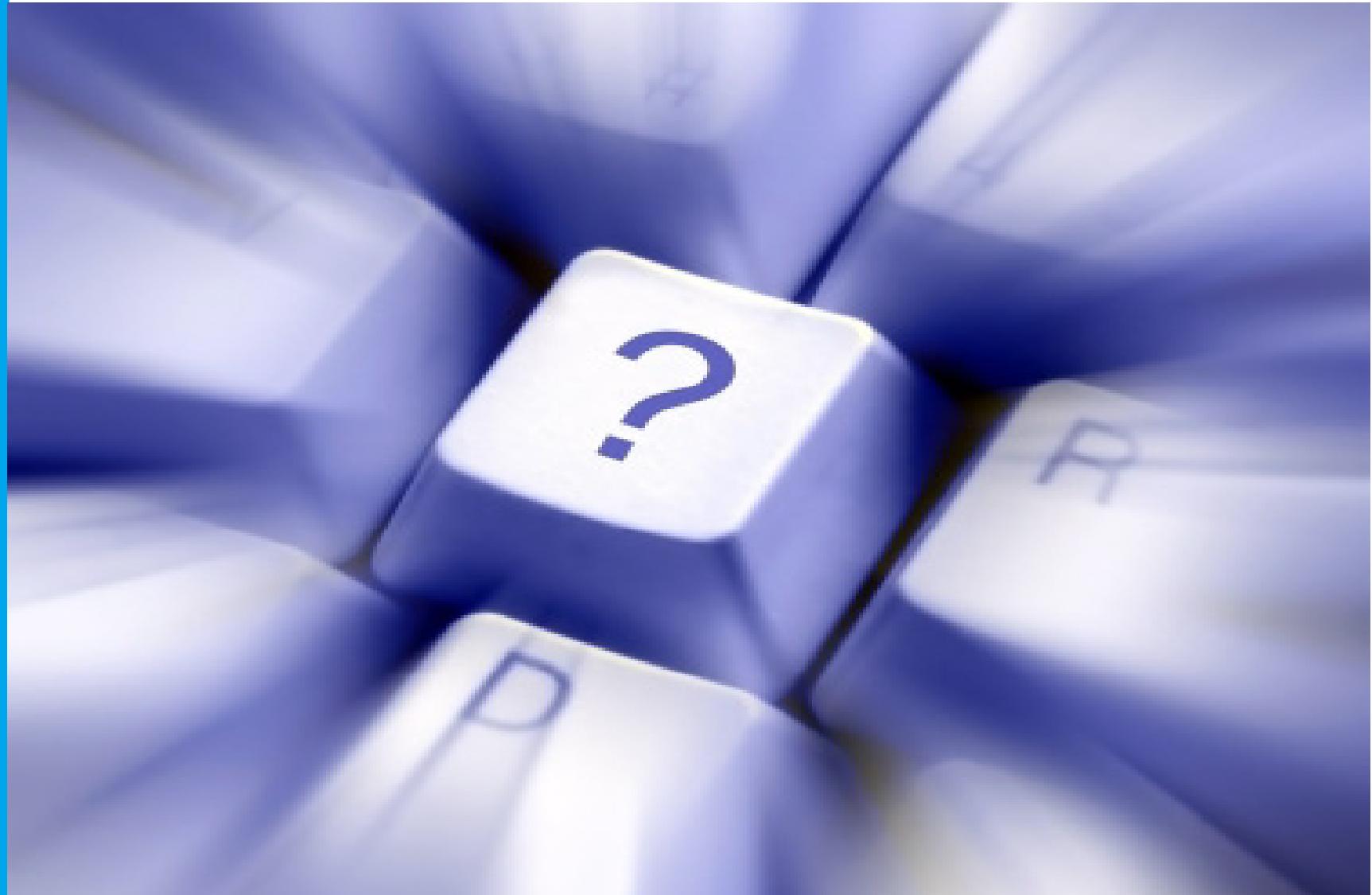
no e-mark minimum	e-mark average
cheap product, small packers	expensive product, larger packers
more product	less product
no permission	permission
no judgment of filling procedures	judgment of filling procedures
shop checks	reference test

Summary

- Prepackage 'e':
consumer not present, nominal quantity, no change of quantity unless opening/damaging,
scope: 5 g or ml – 10 kg or l
- Packer/importer is responsible
- Product specs 'e': average \geq nominal,
 $\% \text{ TU1} \leq 2,5\%$, #TU2=0, labelling
- Fair trade
- Recognized procedures and reference test
- Issues: definitions, procedures, drained weight, dessication/hygroscopic, unit



questions, discussion





TRUE VALUE

- + Testing + + + +
- + Certification + + +
- + Calibration + + +
- + Training + + + +