
Amendments in Legal Metrology (Packaged Commodities) Rules, 2011

June 30, 2017

In brief

Based on the stakeholder consultation process and industry experience in implementing the Legal Metrology (Packaged Commodities) Rules, 2011 (Rules), the government has announced certain amendments effective from 1 January, 2018.

The Rules regulate the manner and content of declarations to be made on packaged commodities.

In detail

Key messages from the amendments

- To curb dual MRP issue, a provision has been inserted that no person shall declare different MRPs on an identical pre-packed commodity.
- Declarations required on food products have been harmonised with labelling requirements under Food Safety and Standards Act, 2006.
- An entity undertaking e-commerce activity shall make declarations as specified under Rule 6(1) on the digital and electronic network used for e-commerce transactions. However, the month and year in which the commodity is manufactured or packed is not required to be declared. Further, the responsibility of

correctness of declarations would lie with the manufacturer, seller, dealer or importer where the e-commerce entity follows a marketplace model, subject to fulfilment of certain conditions.

- Medical devices notified as “drugs,” under the Drugs and Cosmetics Act, 1940 would need to follow declarations prescribed under the Rules.
- Packages containing commodities that have a shelf life should bear on their labels “Best before or use by the date, month and year.”
- The name of the country of origin shall also be mentioned.
- It has been clarified that the retail sale price of the package shall be the maximum retail price inclusive of all taxes and

the price to be rounded off to the nearest rupee or 50 paise.

- Manufacturers, packers and importers have been voluntarily allowed to place the Barcode or GTIN or QR Code, e-code and logos of government schemes.
- Size of letters and numerals for making declarations has been increased for better consumer readability.

Definitions

- Some key definitions added under the Rules are as follows:
- Consumer – as is defined under section 2(1)(d) of the Consumer Protection Act, 1986.
- “E-commerce” means buying and selling of goods and services, including digital products, over

digital and electronic networks.

- “Marketplace based model of e-commerce” means an ecommerce entity providing an information technology platform on a digital and electronic network to act as a facilitator between buyer and seller.

In addition to the above

insertions, certain definitions amended are as follows:

- “Retail sale price” means the maximum price at which the commodity in packaged form may be sold to the consumer, inclusive of all taxes.
- “Institutional consumer” means the institution that buys packaged commodities bearing a declaration “not for

retail sale,” directly from the manufacturer or importer or from the wholesale dealer for use by that institution and not for commercial or trade purposes.

Let’s talk

For a deeper discussion of how this issue might affect your business, please contact your local PwC advisor

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