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## India

**Post:** New Delhi

### **2012's First Amendment to Legal Metrology Rules**

**Report Categories:**

Biotechnology and Other New Production

Technologies

FAIRS Subject Report

Food Processing Ingredients

Policy and Program Announcements

Retail Foods

Trade Policy Monitoring

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**Report Highlights:**

On June 5, 2012, the Government of India Department of Consumer Affairs published a notification in the Indian official gazette, amending the [Legal Metrology \(packaged commodities\) rules, 2011](#). This is 2012's first amendment to the Legal Metrology Rules. The publication has not yet been notified to the WTO, nor is there any reference to a specific comment period for domestic stakeholders. With the first amendment of 2012, these rules may now be called as Legal Metrology (packaged commodities) rules, 2012.

**General Information:**

On June 5, 2012, Government of India Department of Consumer Affairs published a notification in the Indian official gazette amending the [Legal Metrology \(packaged commodities\) rules, 2011](#). This is 2012's first amendment to the Legal Metrology rules. The publication has not yet been notified to the WTO, nor is there any reference to a specific comment period for domestic stakeholders. With the first amendment of 2012, these rules may now be called Legal Metrology (packaged commodities) rules, 2012.

The previous major amendment to the rules was made on October 24, 2011, via notification GSR 784. The amendment brought some major changes to the Legal Metrology (packaged commodities) rules, 2011, including a deletion of the proviso of Rule 5 which made the use of standard size packages for commodities listed under Schedule II of these rules mandatory from July 1, 2012 (See GAIN IN2038). Various trade bodies expressed their concerns regarding GSR 784 (See GAIN IN2046). On June 5, 2012, the Ministry of Consumer Affairs amended the Legal Metrology (packaged commodities) rules, 2011, via notification number GSR 426 (E) giving a grace period of four months to manufacturers to switch over to the standard pack size (see GAIN IN2077). On June 5, 2012, the Ministry introduced some other amendments to the Legal Metrology (packaged commodities) rules, 2011 via notification GSR 427 (E).

**Details of notification GSR 427 (E)**

**Publication date:** June 5, 2012,

**Date of implementation:** Immediate.

**Comment period:** comments have not been invited.

**WTO notification number and date:** not notified to the WTO (as of June 13, 2012)

**Ministry in-charge:** Ministry of Consumer Affairs.

**Products affected:** All packaged commodities.

**Amendment introduced to the [Legal Metrology \(packaged commodities\) rules, 2011](#), via notification GSR 427 (E): The amendment:**

1. Introduces two sub-rules to rules 5. These sub rules are:
  - When one or more packages intended for retail sale are grouped together for being sold as a retail package on promotional offer, every package of the group shall comply with provisions of rule 6 (Rule 6 is about the declarations/labeling

requirements laid under Legal Metrology Rules).

- Notwithstanding anything contained in the second schedule of the rules, the manufacturer or importer may sell the value based package in terms of Indian National Rupee (INR) 1.00, INR 2.00, INR3.00, INR4.00, INR5.00, INR6.00, INR7.00, INR8.00, INR9.00 and INR10.00, after making the declarations specified under rule 6 (Rule 6 is about the declarations/labeling requirements as under Legal Metrology Rules). Allowing sales of small value based packages will allow manufacturers/ importers to broaden the customer base. These small value based packs are popular with rural/low income population and customers like students, travelers etc.
2. Substitutes words 'Prevention of Food Adulteration Act, 1954' with 'Food Safety and Standards Act, 2006' in sub rule 1 of rule 6 of Legal Metrology Rules (On August 5, 2011, the Food Safety and Standard Act, 2006 repealed the Prevention of Food Adulteration Act, 1954).
  3. Introduces mandatory declaration of words 'GM' on principal display panel of packages containing genetic modified foods. However, so far, the Food Safety and Standards Authority of India (FSSAI) has not issued any labeling requirements for GM foods in India.
  4. Amends Rule 33 on relaxation provided under the Legal Metrology Rules. The power to relax the rules lies with the Central Government. The Central Government may, after ascertaining the genuineness of a case stated in the application, permit a manufacturer or packer or importer to pack or sell the packages other than specified in the Second Schedule for a maximum period of one year by relaxing the rules (The Legal Metrology Rules).
  5. Amends second schedule of the Legal Metrology Rules. Please see the attached notification to refer the amended second schedule.

**MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION**  
**(Department of Consumer Affairs)**

**NOTIFICATION**

New Delhi, the 5th June, 2012

**G.S.R. 427(E).**—In exercise of the powers conferred by sub-section (1) read with clause (j) and (q) of sub-section (2) of section 52 of the Legal Metrology Act, 2009 (1 of 2010), the Central Government hereby makes the following rules further to amend the Legal Metrology (Packaged Commodities) Rules, 2011, namely:-

1. (1) These rules may be called the Legal Metrology (Packaged Commodities) Amendment Rules, 2012.

(2) Save as otherwise provided, these rules shall come into force on the date of their publication in the Official Gazette.

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2. In the Legal Metrology (Packaged Commodities) Rules, 2011,-
- (a) rule 5 shall be numbered as sub-rule (1) thereof and after sub-rule (1) as so numbered the following sub-rules shall be inserted, namely:-
- "(2) When one or more packages intended for retail sale are grouped together for being sold as a retail package on promotional offer, every package of the group shall comply with provisions of rule 6.
- (3) Notwithstanding anything contained in the Second Schedule, the manufacturer or importer may sell the value based package in terms of Rs.1/-, Rs.2/-, Rs.3/-, Rs.4/-, Rs.5/-, Rs.6/-, Rs.7/-, Rs.8/-, Rs.9/- and Rs.10/- after making the other declarations specified in rule 6."
- (b) in rule 6,-
- (i) in sub-rule (1), for the words "Prevention of Food Adulteration Act, 1954 (37 of 1954)" the words "Food Safety and Standards Act, 2006 (34 of 2006)" shall be substituted;
- (ii) after sub-rule (6), the following sub-rule shall be inserted, with effect from 1<sup>st</sup> day of January, 2013, namely:-
- "(7) Every package containing the genetically modified food shall bear at the top of its principal display panel the words "GM"."
- (c) rule 33 shall be numbered as sub-rule (1) thereof and after sub-rule (1) as so numbered the following sub-rule shall be inserted, namely:-
- "(2) The Central Government may, after ascertaining the genuineness of a case stated in the application permit a manufacturer or packer or importer to pack or sell of the packages other than specified in the Second Schedule for a maximum period of one year by relaxing the rules."
- (d) for the Second Schedule, the following Schedule shall be substituted, namely:-

**"THE SECOND SCHEDULE**

(See rule 5)

Commodities to be packed in specified quantities

The following commodities shall be packed in such quantities by weight, measure or number as are specified in the corresponding entries against them.

Sl. No.	Commodities	Quantities in which to be packed
1.	2.	3.
1.	Baby food	25g, 50g, 100g, 200g, 300g, 350g, 400g, 450g, 500g, 600g, 700 g, 800 g, 900g, 1 kg, 2kg, 5 kg and 10 kg.

2.	Weaning food.	Below 50g no restriction, 50 g, 100g, 200g, 300g, 400g, 500g, 600g, 700g, 800g, 900g, 1 kg, 2 kg, 5 kg and 10 kg.
3.	Biscuits	25g, 50g, 60g, 75g, 100g, 120g, 150g, 200g, 250g, 300g, thereafter in multiples of 100g up to 1 kg and thereafter in multiples of 500g up to 5 kg.
4.	Bread including brown bread but excluding bun.	50g and there after in of multiples 50g upto 500g and above 500g in the multiples of 100g.
5.	Un-canned packages of butter and margarine	Below 25g no restriction, 25 g, 50 g, 100 g, 200 g, 500 g, 1 kg, 2 kg, 5 kg, and thereafter in multiples of 5 kg.
6.	Cereals and Pulses	Below 100g no restriction, 100g, 200g, 500g, 1 kg, 2 kg, 5 kg and thereafter multiples of 5 kg
7.	Coffee	Below 25g no restriction, 25g, 50g, 75g, 100g, 150g, 200g, 250g, 500g, 1kg, 1.5kg, 2kg and thereafter in multiples of 1kg.
8.	Tea	Below 25g no restriction, 25g, 50g, 100g, 125g 250g, 500g, 1kg and thereafter in multiples of 1kg.
9.	Materials which may be constituted or reconstituted as beverages.	Below 50g no restriction, 50 g, 75g, 100 g, 200 g, 250g, 400g, 450g, 500 g, 750g, 1 kg and thereafter in multiples of 1 kg. (56g and 61g for medical purpose only)
10	Edible Oils Vanaspati, ghee, butter oil	50 g, 100 g, 200 g, 250g, 500 g, 1 kg, 2 kg, 3 kg, 5 kg and thereafter in multiples of 5 kg. If net quantity is declared by volume then 50ml, 100ml, 200ml, 250ml, 500ml, 1 litre, 2 litre, 3 litre, 5 litre and thereafter in multiple of 5 litre and the net quantity must be declared by mass also in the same size of letters/ numerals
11.	Milk Powder.	Below 50g no restriction, 50 g, 100g, 150g, 200g, 250g, 500 g, 1 kg and thereafter in multiples of 500 g.
12.	Non-soapy detergents (powder)	Below 50 g no restriction, 50g, 75g, 100g, 150g, 200g, 250g, 500g, 700g, 750g, 1kg, 1.5 kg, 2 kg and thereafter, in multiples of 1 kg.

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13.	Rice(powdered), flour, atta, rawa and suj.	100g, 200g, 500g, 1kg, 1.25kg, 1.5kg, 1.75kg, 2kg, 5 kg and thereafter in multiples of 5 kg.
14.	Salt	Below 50g in multiples of 10g, 50g, 100g, 200g, 500g, 750g, 1 kg, 2 kg, 5 kg and thereafter in multiples of 5 kg.
15.	Soaps	
	(a) Laundry Soap	25g, 50g, 75g, 100g, 125g, 150g and thereafter in multiples of 50g.
	(b) Non-soapy detergent cakes/ bars.	Below 50g no restriction, 50g, 75g, 100g, 125g, 150g, 200g, 250g, 300g and thereafter in multiples of 100g
	(c) Toilet Soap including all kinds of bath soap (cakes).	15g, 25g, 50g, 60g, 75g, 100g, 125g, 150g and thereafter in multiples of 50g.
16.	Aerated soft drinks, non- alcoholic beverages.	65 ml (fruit based drinks only), 100 ml, 125ml(fruit based drinks only), 150 ml, 160ml, 175ml, 180ml, 200 ml, 240ml, 250 ml, 300 ml, 330ml(in cans only), 350ml, 400ml, 475ml, 500 ml, 600ml, 750 ml, 1 litre, 1.2 litre, 1.25 litre, 1.5 litre, 1.75 litre, 2 litre, 2.25 litre, 2.5 litre, 3 litre, 4 litre and 5 litre.
17.	Mineral water and drinking water	100 ml, 150 ml, 200 ml, 250 ml, 300 ml, 500 ml, 750 ml, 1 litre, 1.5 litre, 2 litre, 3 litre, 4 litre, 5 litre and in multiples of 5 litre.
18.	Cement in bags.	1 kg, 2 kg, 5 kg, 10 kg, 20 kg, 25 kg, 40 kg (for White cement only) and 50 kg.
19.	Paint varnish etc.	
	(a) Paint (other than paste paint or solid paint) varnish, varnish stains, enamels.	50 ml, 100 ml, 200 ml, 500 ml, 1 litre, 2 litre, 3 litre, 4 litre, 5 litre and thereafter in multiples of 5 litre.
	(b) Paste paint and solid paint	500g, 1 kg, 1.5 kg, 2 kg, 3 kg, 5 kg, 7kg and thereafter multiple of 5 kg.

	(c) Base point:	100ml, 250ml, 400ml, 450 ml, 500 ml, 900 ml, 925 ml, 950 ml, 975 ml, 1 litre, 1.5 litre, 2.0 litre, 2.5 litre, 3.5 litre, 3.6 litre, 3.7 litre, 3.8 litre, 3.9 litre and 4 litre and no restriction above 4 litre.
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(e) in the Fourth Schedule, against serial number 15, for the entry in column 3 the entry "weight or volume" shall be substituted.

[F. No. WM-11(13)/2010]

RAJIV AGARWAL, Secy.

**Note :** The principal rules were published in the Gazette of India, vide, notification number G.S.R.202(E), dated 7<sup>th</sup> March, 2011 and last amended, vide, notification number G.S.R. 784 (E), dated 24<sup>th</sup> October, 2011.