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## India

**Post:** New Delhi

### **Third Amendment to the Legal Metrology Rules 2011**

**Report Categories:**

Beverages

Coffee

Dairy and Products

FAIRS Subject Report

Retail Foods

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**Report Highlights:**

On October 24, 2011, Department of Consumer Affairs of the Government of India published a notification in the Indian official gazette, amending the [Legal Metrology \(packaged commodities\) rules, 2011](#). This was the third amendment to these rules. The notification neither invited comments, nor has been notified to the WTO. The amended Legal Metrology (packaged commodities) rules, 2011 will come into force from July 1, 2012.

**General Information:**

On October 24, 2011, Department of Consumer Affairs of the Government of India published a notification in the Indian official gazette, amending the [Legal Metrology \(packaged commodities\) rules, 2011](#). This was the third amendment to these rules. The notification neither invited comments, nor have been notified to the WTO.

**Details of notification GSR 784**

**Publication date:** October 24, 2011

**Date of implementation:** July 1, 2012

**Comment period:** comments not invited.

**WTO notification number and date:** not notified to the WTO (as of March 6, 2012)

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

**Products affected:** All packaged commodities.

**Amendments introduced to the [Legal Metrology \(packaged commodities\) Rules, 2011](#), via notification GSR 784: The amendment**

1. Deletes the provision to the Rule 5 of the Legal Metrology (packaged commodities) rules, 2011 is, hence schedule II related to standard pack sizes, is applicable.
2. Disallows rubber stamping for month and year.
3. Requires that mandatory declarations on packages under these rules are ensured at both factory and depot level (earlier it was either factory or depot level)
4. Ensures that release of packages other than seized samples is done only after compliance is completed by the manufacturer or packer.
5. Deletes the provision for mandatory declaration of Maximum Retail Price (MRP) and net quantity on packages containing 10gm to 20 gm or 10ml to 20 ml of the product.
6. Changes quantity declaration for ice-cream and other similar frozen products from volume to weight.

**Post comments:** The amendment deletes the provision to the Rule 5 of the Legal Metrology (packaged commodities) rules, 2011. As a result, use of standard size packs for commodities listed under Schedule II of these rules is mandatory. The affected commodities are baby food, weaning food, biscuits, bread,

un-canned packages of butter and margarine, cereals and pulses, tea, and materials which may be constituted or reconstituted as beverages.

**MINISTRY OF CONSUMER AFFAIRS, FOOD AND  
PUBLIC DISTRIBUTION**

(Department of Consumer Affairs)

**NOTIFICATION**

New Delhi, the 24th October, 2011

**G.S.R. 784(E).**—In exercise of the powers conferred by sub-section (1) read with clause (j) 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 as the Legal Metrology (Packaged Commodities) Third Amendment Rules, 2011.

(2) They shall come into force with effect from 1st July, 2012.

2. In the Legal Metrology (Packaged Commodities) Rules, 2011 (hereinafter referred to as the principal rules),—

- (a) the proviso to the Rule 5 shall be omitted.
- (b) in clause (d), sub-rule (1) third proviso shall be omitted.
- (c) in rule 12, for sub-rule (6), the following sub-rule shall be substituted, namely:—

“(6) the declaration of the quantity under these rules shall not contain any word or expression, of any sort whatsoever, which tends to create or is likely to create an exaggerated, misleading or inadequate

expression as to the quantity of the commodity contained in the package.”.

- (d) in rule 19, for sub-rule (7), the following sub-rule shall be substituted, namely:—

“(7) the requirement of mandatory declarations on packages shall be ensured either at the factory level and at the depot of the factory.”.

- (e) in rule 19, for sub-rule (8), the following sub-rule shall be substituted, namely:—

“(8) For non-compliance of the provisions of this rule, action may be taken after seizing five representative samples of the packages as evidence and the rest of the packages may be released only after compliance is completed by the manufacturer or the packer, as the case may be.”.

- (f) in rule 26, in clause (a), the proviso shall be omitted.

- (g) in the Forth Schedule, for the entry “volume” in column 3 against serial number 15, the following entry shall be substituted, namely:—  
“weight”.

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

MANOJKUMAR PARIDA, Jt. Secy.

**Note :** The principal rules were published in the Gazette of India, *vide* notification number G.S.R. 202(E), dated 7th March, 2011 and last amended, *vide*, notification number G.S.R. 734(E), dated 30th September, 2011.