



National Conference on Weights and Measures
"That Equity May Prevail"

Recommended Best Practice: Voluntary Statements of Quantity

Package & Labeling Subcommittee
July, 2015



Agenda

- Subcommittee Members
- Background
- Why Recommended Best Practice?
- Document Overview



Package & Labeling Subcommittee Members

- Chris Guay, Chairman (Procter & Gamble)
- Angela Godwin (Ventura County, CA)
- Frank Greene (Connecticut)
- Nicholas Owens (Stark County, OH)
- Hal Prince (Florida)
- Ann Boeckman (Kraft Foods)
- Zina Juroch (Pier 1 Imports)
- Krister Hard af Segerstad (IKEA North America)
- Stratt Pinagel (Walmart)
- Dave Sefcik, Technical Advisor (NIST)



Background

- Voluntary Statements are now common
- Consumers often want and use this information
- Information presentation is inconsistent
- L&R item in 2011 proposed to restrict certain Statements
- FTC did not view Statements to be in violation
- L&R delegated item to PALS
- PALS believed issue should be evaluated holistically
- L&R item withdrawn
- PALS working to develop this holistic approach to provide help to this topic



Background (cont.)

- PALS examined products on store shelves
- Some executed better than others
- No formal guidance for manufacturers or regulators exists
- PALS has categorized the different kinds of Statements
- PALS developing Principles (and accompanying Rationales) for each Statement Category
- PALS is compiling these Principles and Rationales into a Recommended Best Practice document for publication by NCWM.
- Goal today is share some details of this DRAFT.



Why Recommended Best Practice?

- Wide variety of instances where information may be useful
- 1st Amendment Rights
- FTC doesn't generally view Statements to be problematic
- No guidance exists for manufacturers or regulators
- Result is each manufacturer is "on their own".
- Recommended Best Practice provides, for the first time, a reference source for manufacturers and regulators to use to improve label quality and consistency for consumers.
- Regulation, if deemed necessary in the future, always remains an option.



Benefits to Manufacturers

- There is now a reference for how to add this information.
- Reference information provides more certainty for manufacturers wanting to add a statement “correctly”.
- Reference information provides more uniformity and consistency across packages



Benefits to Regulators

- Regulators can direct manufacturers to Recommended Best Practice when asked for assistance
- Regulators can direct manufacturers to Recommended Best Practice when concerns or questions are identified concerning a certain package.
- Package labels will be more complete and uniform.
- Fewer issues/complaints/concerns exist regarding these statements on package labels.



Benefits to Consumers

- Information provided to consumers on product labels is more complete.
- Label information provided to consumers is more useful and helpful.
- Label information is more uniform and consistent.
- Consumers are able to make better value comparisons at the point of purchase.



Statement Categories

Category

Example

1. Quantity Statement

"24 Buns"

2. Quantity-Related Statement

"Contains More than a Quart"

3. Reconstituted Quantity Statement

"Makes 2 Liters"

4. Reconstituted Quantity-Related Statement

"Makes over a Gallon"



Statement Categories

Category

Example

5. Derived Unit Statement

"20 Loads"

6. Derived Unit
Representation

"Makes Up to 100 Uses"

7. Comparative Quantity
Representation

"40% More Litter Per Pound"

8. Comparative Performance
Representation

"Lasts about 25% Longer"



Quantity Statement (QS) Principles

1. A QS should be accurate.
2. A QS should not conflict with statements appearing in the required Declaration of Net Contents.
3. A QS should be expressed in consumer meaningful units.
4. QS prominence and location should be considered in relation to the required label elements of the PDP.



Quantity-Related Statement (QRS) Principles

1. A QRS should be accurate.
2. While an inexact expression, a QRS should be clear and unambiguous.
3. A QRS should be expressed in consumer meaningful units.
4. QRS prominence and location should be considered in relation to the required label elements of the PDP.



Reconstituted Quantity Statement (RQS) Principles

1. A RQS should be clear and accurate.
2. A RQS should be relevant.
3. A RQS should be verifiable.
4. A RQS should be clearly distinct from required statement of net quantity.
5. The package label for a product having a RQS should provide consumers with information for how to reconstitute the product.
6. The package label for a product having a RQS should prescribe the identity of the other components necessary to reconstitute the product.



Reconstituted Quantity-Related Statement (RQRS) Principles

1. A RQRS should be clear and accurate.
2. A RQRS should be relevant.
3. A RQRS should be verifiable.
4. A RQRS should be clearly distinct from required statement of net quantity.
5. The package label for a product having a RQRS should provide consumers with information for how to reconstitute the product.
6. The package label for a product having a RQRS should prescribe the identity of the other components necessary to reconstitute the product.



Derived Unit Statement (DUS) Principles

1. The DUS should employ a “unit” which is consumer relevant.
2. The DUS should be consumer meaningful.
3. A DUS must be defined and expressed in a way which allows consumers to readily view and accurately understand the statement prior to product purchase.
4. Derived Units must be consistent across similarly marketed products in order to facilitate effective value comparisons.
5. A DUS should be distinct and clearly separated from the required Statement of Net Quantity on the package PDP.
6. A DUS should not confuse or redefine recognized units of Legal Metrology.



Derived Unit Representation (DUR) Principles

1. The DUR expression should be clear and accurate
2. The DUR expression should be consumer relevant
3. The DUR statement should be verifiable
4. The unit(s) appearing in the DUR must be defined on the outer label
5. The unit(s) appearing in DUSs and DURs must be consistent across similarly marketed products in order to facilitate effective value comparisons.
6. A DUR should be distinct and clearly separated from the required Statement of Net Quantity on the package PDP.



Comparative Quantity Representation (CQR) Principles

1. A CQR must be accurate, clear, and not misleading.
2. A CQR must be verifiable.
3. A CQR must be appropriately located and appropriately prominent.
4. A CQR must be clearly distinct from the mandatory declaration.
5. A CQR must not conflict with the mandatory declaration.
6. A CQR based on a derived unit should be consistent with principles for derived unit statements.



Comparative Performance Representation (CPR) Principles

1. A CPR must be accurate, clear, and not misleading.
2. A CPR must be verifiable.
3. A CPR must be appropriately located and appropriately prominent.
4. A CPR must be clearly distinct from the mandatory declaration.
5. A CPR must not conflict with the mandatory declaration.
6. A CPR based on a derived unit should be consistent with principles for derived unit statements.



Current Status

- PALS is working to finalize Principles
- PALS is developing Rationales and supporting information to accompany each Principle
- Looking for input from Conference Membership
- Expect to complete draft within next 12 months
- Forward to L&R Committee for Conference adoption... as a Recommended Best Practice Document.



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Thank you!