



To: Whom It May Concern,

Subject: Request to change NIST Handbook 130, Section 10.4 (c) of Multi-Unit Packages.

Dear Sir or Madam,

The company I represent uses non-consumer packaging and various containers for multi-unit packaging of agricultural commodities and it would be hardship to conform to Section 10.4 (c) of Multi-Unit Packages of the National Institute of Standards and Technology Handbook 130 (HB130) for the following reasons:

- Currently, there is not a non-consumer multi-unit package, as labeled for use in the produce industry conforming to this requirement.
- Currently, the agricultural industry, produce marketers and retail buyers have established traditional practices of labeling non-consumer packaging that functions for the industry and does not harm the consumer.
- Currently, this requirement of Section 10 of HB130 is inclusive of “Non-consumer Packages and Containers” and is in direct conflict with FDA Department of Health and Human Services, Subchapter B- Food for Human Consumption, Part 101 – Food Labeling, Subpart G-Exemptions from Food Labeling Requirements – 21 CFR Sec. 101.105 Declaration of Net Quantity of contents when Exempt(s). The FDA regulation affirms this requirement to “multi-unit retail package” and excludes Non-Consumer Commodities, Packages and Containers.
- Currently, the agricultural industry has been using an industry standard Product Traceability Initiative (PTI) sticker (2016 Food Safety Modernization Act requirement (FSMA)) used on produce packaging that also doubles for Identity, Responsibility, and Quantity label requirements. There is limited character space available on PTI stickers to include “total quantity of the contents” and would require additional hardship to transition this FSMA standard agricultural industry requirement to also include the NIST Section 10.4(c) requirement.

Please consider changing this label regulation or provide an exemption which would provide relief from potential forced compliance to meet current and traditional practices used by the agricultural industry in the wholesale trade of non-consumer packages and containers.

Respectfully,

Billy Brubaker