

WELMEC 6.1

(Issue 1)

WELMEC

European cooperation in legal metrology

**Application of Directives 75/106/EEC and
76/211/EEC concerning the marking and quantity
control of e-marked prepackages**

Definitions of terms

September 1997

WELMEC

European cooperation in legal metrology

FRONTISPIECE

WELMEC is a cooperation between the legal metrology authorities of the Member States of the European Union and EFTA. This document is one of a number of guides published by WELMEC. These guides are purely advisor and do not themselves impose any restrictions or additional technical requirements beyond those contained in relevant EC directives. Alternative approaches may be acceptable, but the guidance provided in this document represents the considered view of WELMEC as to the best practice to be followed.

Published by:

WELMEC Secretariat
NWML
Stanton Avenue
Teddington
United Kingdom

Tel: +44 181 943 7216
Fax: +44 181 943 7270
Email: welmec@nwml.gov.uk

Table of contents

Table of contents	1
Introduction to the document	2
General	2
Disclaimer	2
Definitions of terms	2
terms 1 - 15	3
terms 16 - 33	4
terms 34 - 48	5
terms 49 - 56	6
terms 57 - 67	7
terms 68 - 79	8
terms 80 - 89	9
terms 90 - 107	10
terms 108 - 122	11

Introduction to the document

General

Member states of the European Economic Area have implemented the Council Directives 75/106/EEC of 19 December 1974 and 76/211/EEC of 20 January 1976 in their national legislation. The directives deal with marking and quantity control of e-marked prepackages.

This document is part of a series of documents (to be) published by WELMEC:

- 6.0 Introduction to prepackaging
- 6.1 **Definitions of terms**
- 6.2 Translations of terms
- 6.3 Implementation of the directives
- 6.4 Guide for packers
- 6.5 Guide for inspectors
- 6.6 Guide for system evaluators

This series of documents intends to provide guidance to all those concerned with the application of directives 75/106 and 76/211/EEC on e-marked prepackages.

They will lead to a uniform interpretation and enforcement of these directives and assist in the removal of barriers to trade.

Disclaimer

Please note that this series of documents does not deal with matters not covered by the above directives, such as requirements for certain products to be made up in prescribed quantities, and controls on non e-marked packages.

Definitions of terms

This document provides for definitions of terms used in the area of prepackaging. It consists of a table with four columns.

In the first column the number of the term is listed.

In the second column the term itself is listed.

In the third column the definition of the term is given.

In the fourth column references are given (if applicable):

- references to where in the directives the term is used are printed in normal text,
- references to other terms in this list are printed in *italic*,
- references printed in **bold** refer to places where the definition is given.

No.	Term	Definition	References
1	Acceptable batch	A batch of prepackages shall be considered acceptable if the results of the check covering the actual contents of each prepackage in the sample and the check on the average of the actual contents of the prepackages in the sample satisfy the acceptance criteria.	75/106 and 76/211/EEC, Annex II, 2
2	Actual capacity	The volume of liquid a bottle used as a measuring container in fact contains when it is filled exactly under the conditions corresponding theoretically to the nominal capacity at a temperature of 20°C.	75/107/EEC, Annex I, 1.3 <i>Filling volume</i>
3	Actual contents	The quantity of product which the prepackage in fact contains.	76/211/EEC, Annex I, 2.2
4	Actual volume	The volume of liquid a prepackage in fact contains at a temperature of 20° C.	75/106/EEC, Annex I, 2.2
5	Aerosol dispenser	Any non-reusable container made of metal, glass or plastic and containing a gas compressed, liquefied or dissolved under pressure, with or without a liquid, paste or powder, and fitted with a release device allowing the contents to be ejected as solid or liquid particles in suspension in a gas, as a foam, paste or powder or in a liquid state.	75/324/EEC
6	Average system	A system with fill quantity specifications according to which the mean value of a manufactured quantity may not be less than the nominal fill quantity. For e-marking there are also restrictions on the number of individual prepackages substantially below the nominal quantity.	75/106 and 76/211/EEC, Annex I, 1
7	Batch	All the prepackages of the same nominal quantity, the same type and the same production run, packed in the same place, which are to be inspected.	75/106 and 76/211/EEC, Annex II, 2.1.1 <i>Group, Inspection lot</i> ISO 3545 4.5
8	Brim capacity	The volume of liquid a bottle contains when filled to the brim.	75/107/EEC, Annex I, 1.2
9	Brimful volume	The volume a measuring container bottle contains if it is filled to the upper brim level.	
10	Canned foods	Foodstuffs in a can, heat treated to remove micro-organisms in order to preserve the contents for safe use for at least 18 months.	
11	Catchweight products	Packages not made up in a predetermined constant quantity.	
12	Check by competent department	Statistical sampling check with effectiveness comparable to that of the reference method specified in Annex II of the Directive.	<i>Reference test</i> 75/106 and 76/211/EEC, Annex I, 5
13	Check by packer	Production check performed by a packer in a Member State in accordance with procedures recognised by a competent department.	<i>Production checks</i> 75/106 and 76/211/EEC, Annex I, 4 (clause 5)
14	Combination package	A single prepackage containing a number of packages with products of different kinds which are not intended to be sold separately.	<i>Mixed packages</i>
15	Competent department	Department appointed by a Member State for specific tasks.	

No.	Term	Definition	References
16	Constant quantity	A particular quantity, being the same quantity for all packages in a group of packages.	<i>Prepacked products in predetermined quantities</i>
17	Consumer	Each natural or legal person who acquires or buys products to use them. (In some countries this applies only to natural persons.)	<i>Ultimate consumer Person</i>
18	Consumer package	A package that is customarily produced or distributed for sale to final purchasers through retail sales agencies or other means.	OIML R79 (1996), 2.6
19	Container	A vessel, box, etc. for holding particular things.	
20	Criterion for acceptance	Criterion for a batch to be considered acceptable with regards to the number of defective prepackages and the average actual contents of the individual prepackages.	75/106 and 76/211/EEC, Annex II, 2
21	Criterion for rejection	Criterion for a batch to be rejected with regards to the number of defective prepackages and/or the average actual contents of the individual prepackages.	75/106 and 76/211/EEC, Annex II, 2
22	Defective prepackage	Prepackage in the batch whose actual contents are less than the minimum acceptable contents.	75/106 and 76/211/EEC, Annex II, 2.2 <i>Non-standard package</i>
23	Density	The relation of the weight of a product to its volume.	<i>Weight</i>
24	Desiccating goods	Any goods which, notwithstanding that they are made up in packages, lose weight or volume solely through evaporation after they are made up, and 'desiccate'.	
25	Destructive testing	Testing which involves opening or destroying the package.	75/106 and 76/211/EEC, Annex II, 2
26	Direct sale	The sale of prepackages to the ultimate consumer by the packer.	
27	Drained weight	In respect of solid foods presented in a liquid medium this means the weight of solid parts determined in accordance with a procedure laid down in 79/112/EEC, Article 17.	<i>Filled weight</i>
28	Duty to inform	The duty of a packer or an importer to inform a competent department on specified matters.	<i>Recording duty</i> 75/106 and 76/211/EEC, Annex I, 4 (clause 5)
29	EEC '3' mark	A reversed epsilon for marking measuring container bottles.	75/107/EEC; 75/324/EEC
30	EEC 'e' mark	The small letter 'e' having the form shown in the drawing in section 3 of annex II to Directive 71/316/EEC.	75/106 and 76/211/EEC, Annex I, 3.3
31	Empty space (vacuity)	The empty space of a measuring container bottle is the difference between brimful volume and nominal volume.	
32	Error of measurement	The criteria for the measurement of uncertainty of contents when carrying out a reference test.	<i>Uncertainty of measurement</i> 75/106 and 76/211/EEC, Annex II, 1 (clause 2)
33	Fancy packing	Packing containing foodstuffs and brought onto the market for particular occasions, as well as the packing obviously bought by the consumer because of the nature of the packing and not so much because of the nature of the foodstuff.	

No.	Term	Definition	References
34	Filled weight	In respect of solid foods presented in a liquid medium this means the weighed-in amount of solid foods at the time of packing.	<i>Drained weight</i>
35	Filling method	The method that the packing line applies to producing the prepacked goods.	
36	Filling volume	The fluid volume a measuring container bottle will really contain at a temperature of 20°C if all theoretical conditions for reaching the nominal volume are fulfilled.	<i>Actual capacity</i>
37	Frozen	With regard to poultrymeat, poultry complying with article 2.6 of Council Regulation 1906/90/EEC.	76/211/EEC
38	Glazed product	A frozen product covered by a film of water which has been frozen.	
39	Gross weight	The total weight of a prepackage, including its container or wrapping.	
40	Group	A number of packages of the same type and production run, forming the subject of a reference test.	<i>Batch</i>
41	Import	When someone brings goods from a third country to his own country inside the EEA. A body who brings a package marked with the EEC mark into a Member State is not considered to import the package if he shows that the package is from a Member State in which it was liable to be tested in accordance with directives 76/211/EEC or 75/106/EEC and has not, since leaving that State been in a country which is not a Member State.	<i>Third country</i>
42	Importer	Any person who places on the EEA market a product from a third country.	75/106/EEC, Article 5
43	Inadequate package	A package which contains a quantity of goods which is less by more than twice a prescribed amount (TNE) than the nominal quantity on the package, i.e. with a net quantity below TU2.	<i>Non-acceptable package</i>
44	Ingredient	Any material, including additives, used during the production or preparation of a foodstuff and which are still present in the finished product, even if in altered form.	76/211/EEC, Article 6.4.a
45	Inner package	Packages placed in an outer package otherwise than in the presence of the purchaser, and which cannot be removed without opening the outer container.	
46	Inscription	The marks carried by a prepackage indicating the nominal quantity, the means to identify the packer or importer, and the 'e'-mark.	<i>Marking</i> 75/106 and 76/211/EEC, Annex I, 3
47	Means to identify the packer	A mark or inscription enabling the competent departments to identify the packer or the person arranging for the packing to be done or the importer established in the Community.	75/106 and 76/211/EEC, Annex I, 3.2
48	Inspection lot	A part smaller than, or equal to, the batch. The sample is taken out of the lot.	<i>Batch</i> ISO 3534 4.5

No.	Term	Definition	References
49	Label	Any written, printed, or graphic matter affixed to, applied to, attached to, blown into, formed or moulded into, embossed on, or appearing upon a package containing any product for purposes of branding, identifying, or giving any information with respect to the product or to the contents of the package; however, an inspector's tag or other non-promotional text affixed to or appearing upon a product shall not be deemed to be a label that requires the label information prescribed.	OIML R79 (1996), 2.3
50	Labelling	Any words, particulars, trade marks, brand name, pictorial matter or symbol relating to a foodstuff and placed on any packaging, document, notice, label, ring or collar accompanying or referring to such foodstuff.	79/112/EEC, Article 1.3.a
51	Legal measuring instrument	Instrument specified in law, treated in accordance with the country's legal provisions regarding accuracy and traceability.	<i>Prescribed equipment</i> 75/106 and 76/211/EEC, Annex I, 4
52	Liquid medium	The following, possibly in mixtures and also when frozen or quick frozen, provided that the liquid is merely an adjunct to the essential elements of that preparation and is thus not a decisive factor for the purchase: water, aqueous solutions of salts, brine, aqueous solutions of food acids, vinegar, aqueous solutions of sugars, aqueous solutions of other sweetening substances, fruit or vegetable juices in the case of fruit or vegetables.	79/112/EEC, Article 8.4
53	Marking	The marks carried by a prepackage indicating the nominal quantity, the means to identify the packer or importer, and the 'e'-mark.	<i>Inscription</i> 75/106 and 76/211/EEC, Annex I, 3
54	Mean value requirement	The requirement that the actual contents of the prepackages in a batch shall not be less, on average, than the nominal quantity.	75/106 and 76/211/EEC, Annex I, 1.1
55	Measuring container	Volumetric legal measuring instrument that is not a measuring container bottle.	
56	Measuring container bottle	Containers commonly called bottles, made of glass or any other substance having such rigidity and stability that it offers the same metrological guarantees as glass, when such containers: <ol style="list-style-type: none"> 1. are stoppered or designed to be stoppered and are intended for storage, transport or delivery of liquids, 2. have a nominal capacity of between 0,05 litre and five litres inclusive, 3. have metrological characteristics (design characteristics and uniformity of manufacture) such that they can be used as measuring containers, i.e. when they are filled up to a specified level or to a specified percentage of their brim capacity their contents can be measured with sufficient accuracy. 	75/107/EEC, Article 1

No.	Term	Definition	References
57	Metrological control	Control exercised by the responsible authorities and relating to the methods and means of measurement used and the conditions under which the results of measurements are obtained, expressed and used. (Within the context of the Directive the responsible authorities are the competent departments.)	OIML Vocabulary of Legal Metrology (1978), 2.0 75/106 and 76/211/EEC, Article 3.2
58	Minimum acceptable contents	Contents calculated by subtracting the tolerable negative error for the contents concerned from the nominal quantity of the prepackage.	75/106 and 76/211/EEC, Annex II, 2.2 <i>TU1</i>
59	Minimum durability	The date until which a foodstuff holds its specific properties, provided it is kept in good conditions.	
60	Mixed packages	Packages containing two or more individual packages or units of dissimilar commodities.	OIML R79 (1996), note to 5.2
61	Multi-component package	A special case of an outer package containing products of different kinds have to be mixed by the end-user in order to obtain an end-product ready for use.	
62	Negative error	The quantity by which the actual contents of the prepackage are less than the nominal quantity. The quantity by which the actual volume of the contents is less than the nominal volume of the contents of the prepackage.	76/211/EEC, Annex I, 2.3 75/106/EEC, Annex I, 2.3
63	Net capacity	The volume in millilitres of a filled and closed aerosol dispenser.	75/324/EEC
64	Net contents	The quantity of the commodity in the package exclusive of wrappers and any other material packed with such commodity. Where food has been glazed, the declaration of net contents of the food shall be exclusive of the glaze.	OIML R87 <i>Net quantity</i> Codex Alimentarius ALINORM 95/18, Appendices II, III, IV, V, VI and VIII, 6.2
65	Net quantity	The quantity of the identified product in the package exclusive of wrappers and any other material packed with such product. Note: This term relates to specifications in a package and does not account for the actual contents in an individual package.	OIML R79 (1996), 2.2 <i>Net contents</i>
66	Net weight	The weight of the contents of a prepackage without its container or wrapping.	
67	Nominal quantity	The weight or volume indicated on the prepackage, i.e. the quantity of product which the prepackage is deemed to contain.	76/211/EEC, Annex I, 2.1

No.	Term	Definition	References
68	Nominal volume	The volume indicated on the prepackage, i.e. the volume of liquid which the prepackage is deemed to contain. The volume which is marked on a measuring container bottle; it is the volume of liquid which the latter is deemed to contain when it is filled in the conditions of use for which it is intended.	75/106/EEC, Annex I, 2.1 75/107/EEC, Annex I, 1.1
69	Non-acceptable package	A package which contains a quantity less than the nominal quantity minus twice the tolerable negative error.	<i>Inadequate package</i>
70	Non-consumer package	Any package intended solely for industrial or institutional use or for wholesale distribution.	OIML R79 (1996), 2.7
71	Non-destructive testing	Testing which does not involve opening the package.	75/106 and 76/211/EEC, Annex II, 2
72	Non-returnable containers	Containers which are used only once in the trade cycle 'producer-retailer-consumer'.	
73	Non-standard package	A package containing a quantity of goods which is less by more than the prescribed amount (TNE) than the nominal quantity of the container, i.e. the net contents is below TU1.	<i>Defective prepackage</i>
74	Outer container	A container containing inner packages or other containers.	
75	Output of the packing line	The (hourly) production capacity of the packing line.	75/106 and 76/211/EEC, Annex II, 2.1.2
76	Package	A container containing goods where the goods are placed for sale in the container otherwise than in the presence of the person purchasing the goods and none of the goods can be removed from the container without opening it. (In some countries this applies only to goods which are prescribed by Regulation.) The term package includes any container or wrapping in which any consumer commodity is enclosed for delivery or display of that commodity to consumers.	<i>Prepackage</i>
77	Packer	The term packer is applied in the directives with a broad definition, as the person in a Member State responsible for the packing.	75/106/EEC, Annex ,4
78	Packing line	Those stages in the process of making up packages which occur between the time at which the goods to be made up are divided for that purpose and the time at which the packages are set aside for the purposes only of storage or distribution.	75/106/EEC Annex II, 2.1.2
79	Person	Person(s), both plural and singular, as the case demands, include individuals, partnerships, corporations, companies, societies, and associations.	OIML R79 (1996), 2.5

No.	Term	Definition	References
80	Placing on the market	The moment when the product first passes from the stage of manufacture within the EEA to the stage of distribution and/or use on the EEA market. Since placing on the market refers only to the first time that the product is made available on the EEA market for distribution or use in the EEA, the directives apply only to new (or reconditioned) products manufactured in the EEA and to new (or reconditioned) or used products imported from a third country.	75/106/EEC, Article 5
81	Prepackage	The combination of a product and the individual package in which it is prepacked.	75/106 and 76/211/EEC, Article 2.1 <i>Package</i>
82	Prepacked	A product is prepacked when it is placed in a package of whatever nature without the purchaser being present and the quantity of product contained in the package has a predetermined value and cannot be altered without the package either being opened or undergoing a perceptible modification.	75/106 and 76/211/EEC, Article 2.2
83	Prepacked foodstuff	Any single item for presentation as such to the ultimate consumer, consisting of a foodstuff and the packing into which it was put before being offered for sale, whether such packaging encloses the foodstuff completely or only partially, but in any case in such a way that the contents cannot be altered without opening or changing the packaging.	79/112/EEC, Article 1.b
84	Prepacked product	Any commodity that is enclosed in a container or wrapped in any manner, and for which its quantity has been determined and indicated on its label prior to being offered for sale.	OIML R79 (1996), 2.1
85	Prepacked products in predetermined quantities	Products prepacked in such a way that the quantity in the packing corresponds to a previously chosen value. A group of packages containing the same goods made up in circumstances where before the goods are placed in the packages, the packer has selected a particular quantity (being the same quantity for all packages in the group) as the quantity of the goods which he intends the packages to be treated as containing.	<i>Constant quantity</i>
86	Prepacked products in variable quantities	Products prepacked in such a way that the quantity in the packing does not correspond to a previously chosen value.	<i>Catchweight products</i>
87	Prescribed equipment	Equipment that must comply with legal requirements.	<i>Legal measuring instrument</i>
88	Prescribed quantity (standard size) (particular quantity)	A quantity expressed by net weight or capacity by which specified goods shall be prepacked.	
89	Principal display panel	That part of a label that is most likely to be displayed, presented, shown, or examined under normal and customary conditions of display.	OIML R79 (1996), 2.4 79/112/EEC, Article 11.3

No.	Term	Definition	References
90	Production checks	Checks performed by the packer.	75/106 and 76/211/EEC, Annex I, 4
91	Production period	The time it takes to produce a number of prepackages.	
92	Production run	The process whereby packages are made up in the same place during a period, or periods, in which the conditions under which (including the rate at which) the packages are made up do not materially alter.	75/106 and 76/211/EEC, Annex II, 2.1.1
93	Products sold by number	Products not sold by weight or volume (or length), and which cannot be fractionated without modifying their nature or their properties.	
94	Products sold loose from bulk	Products which are only measured or weighed in presence of the buyer or by himself.	
95	Quantity	A measurable amount of something.	
96	Quick frozen	With regard to poultrymeat, poultry complying with Article 2.7 of Council Regulation 1906/90/EEC.	
97	Recognised procedure	Procedure presented to and recognised by a competent department.	75/106 and 76/211/EEC, Annex I, 4
98	Recorded results	The records of checks of samples carried out by the packer or importer.	75/106 and 76/211/EEC, Annex I, 4 (clause 4)
99	Recording duty	Obligation to perform and keep records.	75/106 and 76/211/EEC, Annex I, 4 (clause 5)
100	Reference method	The method for statistical checking of batches of prepackages described in the Directives.	<i>Reference test</i> 75/106/EEC and 76/211/EEC, annex II
101	Reference temperature	Temperature at which the contents of a prepackage has to meet the requirements of the Directives.	75/106/EEC and 76/211/EEC
102	Reference test	In relation to a group of prepackages, a test carried out on the group, for the purpose of ensuring that the prepackages comply with the requirements of Directives, according to the procedures laid down by the Directives.	<i>Reference method</i> 75/106/EEC and 76/211/EEC 75/106/EEC and 76/211/EEC, Annex II
103	Registration	The person intending to e-mark shall register with a competent department of the Member State where the product is to be prepacked. (In some countries registration is not mandatory.)	
104	Returnable containers	The empty packing which can either be used and filled again or recycled.	
105	Sample	A number of prepackages drawn at random from the batch.	75/106 and 76/211/EEC, Annex II, 2.1.4 ISO 3534 3.2
106	Sampling test	Checking the net contents of the prepackages by means of samples.	ISO 3534 4.4
107	Shrinkage	Loss of weight or volume by evaporation.	<i>Desiccating goods</i>

No.	Term	Definition	References
108	Single portion packs	Products of maximum 20 g or 20 ml whose quantity has been determined for one and only use, or products of more than 20 g or 20 ml whose quantity has been determined for one and only use, indicated by the Minister competent for Economic Affairs who determines, if necessary, the quantity which may not be exceeded.	<i>Small packages</i>
109	Small packages	The term "small packages" includes such items as individual packets of salt, pepper, sugar, individually wrapped pieces of candy etc.	OIML R79 (1996), note to 5.2 <i>Single portion packs</i>
110	System for e-marking	A name for the system set up by the Member State to register the packers/importers and their products and to perform periodical checks.	
111	Tare weight	The weight of a material of whatever nature which encloses the product.	
112	Target weight	The weight aimed at in the filling process (nominal weight plus overfill).	
113	Templet	A gauge for ascertaining the actual liquid level in a measuring container bottle or other relevant measuring container.	
114	Third country	A country not in the EEA.	
115	Tolerable negative error TNE	The tolerable negative error in the contents of a prepackage is fixed in accordance with the table below: <i>[table shown in Annex I, 2.4 in the references]</i> . When using the table, the values of the tolerable negative errors shown as percentages in the table shall be rounded up to the nearest one tenth of a gram or millilitre.	75/106 and 76/211/EEC, Annex I, 2.4
116	TU1	The nominal quantity minus the tolerable negative error.	<i>Minimum acceptable contents</i>
117	TU2	The nominal quantity minus twice the tolerable negative error.	
118	Ultimate consumer	The final consumer. This may include restaurants, hospitals, canteens, and similar institutions.	<i>Consumer</i> 79/112/EEC, Article 12
119	Uncertainty of measurement	Parameter, associated with the result of a measurement, that characterises the dispersion of the values that could reasonably be attributed to the measurand.	International Vocabulary of Basic and General Terms in Metrology (1993), 3.9
120	Unit of measurement	A unit which conforms to the definitions of Directive 80/181/EEC.	
121	Weight	In trade, a synonym for mass.	
122	Wrapping	A package of whatever nature which encloses the product.	