Draft Jamaican Standard

Specification

for

**Labelling of goods — Part 2: Specific requirements for prepackaged goods**



**BUREAU OF STANDARDS JAMAICA**

**COMMENT DEADLINE 27 November 2019**

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JS 350: 2019

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**JBS CERTIFICATION MARK PROGRAMME**

The general policies of the JBS Certification Mark Programme are as follows:

- The JBS provides certification services for manufacturers participating in the programme and licensed to use the gazetted JBS Certification Marks to indicate conformity with Jamaican Standards.

- Where feasible, programmes will be developed to meet special requirements of the submitter. Where applicable, certification may form the basis for acceptance by inspection authorities responsible for enforcement of regulations.

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Participants in the programme should note that in the event of failure to resolve an issue arising from interpretation of requirements, there is a formal appeal procedure.

Further information concerning the details of the JBS Certification Mark Programme may be obtained from the Bureau of Standards, 6 Winchester Road, Kingston 10.

**CERTIFICATION MARKS**

   

Product Certification Marks Plant Certification Mark

 

 Certification of Agricultural Produce Jamaica-Made Mark

 (CAP) Mark

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This standard is being circulated in draft form for comments under the reference DJS 350: 2019.

Jamaican Standards establish requirements in relation to commodities, processes and practices, but do not purport to include all the necessary provisions of a contract.

The attention of those using this specification is called to the necessity of complying with any relevant legislation.

Amendments

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| No. | Date of Issue | Remarks | Entered by and date |
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# National Foreword

This standard replaces JS 1 Part 20: 1988 Jamaican Standard Specification for the labeling of commodities Part 20: Labeling of pre-packaged goods.

Many goods for retail sale are commonly sold prepackaged by manufacturers, packagers, or retailers, it was therefore recognized that it was necessary to provide adequate information to the consumer.

This standard is intended to:

1. assist the purchaser or consumer in making an informed decision with an understanding of the nature, quality or use of the goods;
2. enable the manufacturer or retailer to describe the goods at the point of sale in a truthful, informative and non-deceptive manner.
3. minimize the confusion that exists in the labelling of different classes of goods.

In formulating this standard considerable assistance was derived from the following:

* The Food and Drugs Regulations, Chapter 30:01 – Trinidad and Tobago;
* The Consumer Packaging and Labelling Act (1971) and Regulations (1974) – Canada;
* Trinidad and Tobago Bureau of Standards. TTS 76-2: 1994 *Requirements for Labelling part 2: Labelling of Pre-packaged Goods;*
* Bureau of Standards Jamaica. JS 1: Part 20:1988 *Specification for the Labelling of Commodities Part 20: Labelling of Pre-packaged goods*;
* The Code of Federal Regulations Title 21 (21 CFR) Food and Drugs – U.S. Food and Drug Administration.

The JS 349 Jamaican Standard Specification for the Labelling of goods – General requirements, product specific supplementary specifications for particular goods or groups of goods, as well as the labelling clauses in product standards, shall be read in conjunction with this standard.

Where reference is made to informative and normative annexes the following definitions should be noted:

* Informative Annex – gives additional information intended to assist in the understanding or use of the document. They do not contain requirements.
* Normative Annex – gives provisions additional to those in the body of a document. They contain requirements.

This standard is intended to be compulsory.

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**Committee Representation**

The preparation of this standard for the Standards Council, established under the Standards Act, 1969 was carried out under the supervision of the Labelling Technical Committee, which at the time comprised the following members:

**Acknowledgment**
Acknowledgement is made to the CARICOM Regional Organization for Standards & Quality to reproduce material from — CRS 55-2: 2016 Labelling of goods – Part 2: Specific requirements for pre-packaged goods.

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## DJS 350: 2019

**Draft Jamaican Standard Specification for the Labelling of goods — Part 2: Specific requirements for prepackaged goods**

# Scope

This standard specifies requirements for the information to be included on labels of goods pre-packaged for sale, the method of display of such information, and where necessary, the wording and units of measurements to be used.

This standard does not apply to the following:

1. Goods that are sold unpackaged, or in an open or uncovered package;
2. Goods that are weighed, measured or counted in the presence of the purchaser with or without being packaged.
3. Goods in packages not intended for retail sale;
4. Goods or classes of goods where different or additional information is prescribed by any CARICOM Regional Standard.
5. Goods intended for export only which comply with the requirements of standards or laws on labelling enforced in the country to which they are being exported;
6. Gift-wrapped goods;
7. Markings on shipping containers; and
8. Goods in commercial quantities that are not for retail sale.

# Terms and definitions

For the purposes of this document the following definitions shall apply:

## 2.1

## address

the identifiable street address of the principal place of business or registered office of:

1. The manufacturer or packager of the goods; or
2. The entity for whom the goods are manufactured or packaged

## 2.2

## assembler

a person or business who puts together components of a good

## 2.3

## common name

the name by which those goods are commonly described in a member country of the Caribbean Community, or any name for those goods that is commonly used in any trade, art, craft, science, industry or occupation in countries using the official language of the country in which it is being sold and includes any name in a CARICOM Regional Standard or declared by the competent authority for those goods

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## 2.4

## competent authority

a Minister, Ministry, named government agency or agencies assigned, separately or jointly, the different areas of legal responsibility for regulating the labelling of goods

## 2.5

## country of origin

1. country where the goods were wholly manufactured; or
2. in cases where the composition and or quality of the goods was changed to a significant extent elsewhere (other than by packaging), the last country where such significant change occurred

NOTE A significant change in the product refers to where there is a change in the product that has resulted in a change of the Harmonised Commodity Description and Coding System (HS Code) or where there is no change in the HS Code but the product has gone through a significant process.

## 2.6

## date mark

any date by which the age of any good may be determined if it is subject to deterioration.

## 2.7

## defect

a characteristic causing the non-fulfilment of specific requirements

## 2.8

## defective

containing one or more defects

## 2.9

## distribute

to deliver goods to another person or entity in exchange for money, whether directly or indirectly, or other consideration or as samples or sampling

## 2.10

## distributor

a person or entity that supplies businesses with goods

## 2.11

## date of minimum durability

any date after which the manufacturer or packager does not guarantee any property of the goods by reason of the foreseeable deterioration due to age or normal handling and storage

EXAMPLE Expiry date or best before date.

## 2.12

## instruction for use

any information as to the method of storage, handling, use, installation, care, maintenance or repair that may assist a consumer, user or purchaser in using any goods

## 2.13

## imperfect

not perfect; faulty or incomplete

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## 2.14

## label

any tag, ticket, brand, mark, pictorial or other descriptive matter, written, printed, stencilled, marked, embossed, impressed on, accompanying or attached to a container

## 2.15

## manufacturer

the person or entity who produces, processes, prepares, packages or pre-packages any goods for retail sale

## 2.16

## net contents

the quantity of goods contained in a package as measured in terms of a unit of measurement of length, volume, weight (or mass), or number, when the package and packing materials have been excluded from the goods

## 2.17

## ornamental container

a package or container in which the surfaces commonly displayed are used solely for decorative purposes and not for any advertising or promotional information other than the trade name and the common name of the goods

## 2.18

## package

any container, wrapper, confining band or card in which the good is offered for sale to the retail purchaser

## 2.19

## packager

a person or entity that packages a good

## 2.20

## pre-owned

second-hand, having had a previous owner, regardless of whether or not it has been used

## 2.21

## prepackaged goods

goods that are placed in the final package before retail sale, and are sold, used or purchased without further repackaging

## 2.22

## principal display panel main display panel

that part of the package which is most likely to be displayed, shown or examined under customary conditions of display for retail sale

## 2.23

## reconditioned refurbished

goods which have been overhauled, repaired, refitted, or have undergone a similar process to be made reusable

## 2.24

## registered office

an official address of a person or entity registered by the relevant authority

## 2.25

## repackage

to place goods into a new package, or to package again

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## 2.26

## seconds

good which does not fully satisfy the specific requirements for the particular good, but which still fulfil intended usage requirements

NOTE The ‘specific requirements’ referred to are those specified by the manufacturer and may be a company specification, industry standard, foreign, national or international standard. The classification of goods as ‘seconds’ is dependent on the manufacturer’s own product specification or standard.

## 2.27

## shipping container

any container intended to protect goods during transport that is not customarily used to store the goods when displayed for sale

## 2.28

## standard mark

a registered certificate trade mark granted to goods, processes and practices which consistently perform to national specifications

## 2.29

## unit of measurement

any unit in the SI system of units, or the Imperial System of units, or any other unit prescribed by legal requirement for use in trade, or commonly used in trade, science, the arts or other occupations to measure the properties of a good

## 2.29

## used

second hand, not new, having had a previous owner

## 2.30

## warranty or guarantee

an undertaking given by a vendor, manufacturer, distributor, or supplier to a purchaser or consumer with respect to any goods or part of goods, relating to any of the following matters:

1. Safety;
2. Quantity;
3. Quality;
4. Composition;
5. Performance;
6. Lifespan;
7. Durability;
8. Repair and maintenance services;
9. Replacement of goods if found defective;
10. Compensation to the purchaser or consumer for any defective goods supplied, or loss, harm, damage or under hardships resulting from use of any defective goods supplied; or
11. Any other related matters not included under (a) to (j) above

## 2.31

## weight

a system of units for expressing heaviness or mass (g / kg)

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# Requirements

## General

Each package of prepackaged goods shall be labelled with the following information:

1. The common or usual name of the product, a generic name, or appropriately descriptive term such as a statement of function or the name required by or specified in any applicable regulation;
2. Any trade name or brand name controlled by the manufacturer;
3. The name and identifiable address, the principal place of business or registered office of the manufacturer, agent, distributor, seller, re-filler, packer, importer or organization responsible for the product and the name of the country of origin. It shall be preceded by the words “manufactured by”, “packed by”, “distributed by”, “imported by”, as applicable, and the following words as appropriate:
	1. “made in (name of territory)”;
	2. “product of (name of territory)”;
	3. “packaged in (name of territory)”;
	4. “manufactured in (name of territory);
	5. “assembled in (name of territory).
4. A correct statement of the net contents of the package, subject to such tolerance as may be allowed, in applicable units of measurement;
5. All ingredients or contents shall be listed in decreasing order of predominance by weight or volume. If applicable, ‘Active Ingredients’ shall be stated first, in decreasing order of weight, or volume, or percentage, followed by the ‘Inert Ingredients’**,** in decreasing order of weight or percentages.
6. Date of minimum durability or date marks where an indication of the age of the goods is likely to be useful to the consumer or purchaser.

## Position of information on the package or on the goods

* + 1. The information required by 3.1 (a) and (c) shall be placed on the principal display panel of the package which may be the following areas in the case of:
1. a box, the side or surface commonly displayed;
2. a cylindrical container, an area covering an arc of 40% of the product of the height times the circumference of the cylindrical surface;
3. a bag with equal sides, one of these sides;
4. a bag with sides of more than one size, the size with the largest area;
5. a wrapper or confining band that is much narrower than the goods contained therein, the total area of a ticket or tag attached to the container or to the goods;

NOTE Swing tags and ribbons are considered applicable labelling methods.

1. In the case of an article attached to a display card with which it is sold, the area of the display card and of the package; and

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1. In the case of an ornamental package, at the bottom of the package or any other available space including the principal display area in 3.2.1.
	* 1. The information required by 3.1 (b), (d) and (e) shall be shown on any part of the label except that part of the label, if any, applied to the bottom of the container.

## Prevention of deception

A label on package of pre-packaged goods may contain other information, designs, symbols or pictorial matter, provided that no words, illustration, symbols, or other matter are used to:

1. give an erroneous impression as to the net contents of the package;
2. give an erroneous impression as to any ingredient or component of the goods or that the goods contain an ingredient or component that is not in fact contained in it;
3. refer to the nature, origin, type, quality, performance, function, or method of manufacture or production of the goods that is likely to give an erroneous impression as to the matter described or depicted;
4. give an erroneous impression as to the country of origin of the goods;
5. give an erroneous impression as to the price or unit price of the goods;
6. give an erroneous impression as to ease of maintenance or repair of the goods, or as to the availability of spare parts for the goods;
7. give an undertaking or warranty, expressed or implied, which cannot be satisfied by the good or the manufacturer or distributor.

## All pre-packaged goods shall be labelled.

## Net contents

## This shall be stated in terms of ‘NET CONTENTS’ or ‘NET WEIGHT’, followed by an accurate declaration of the quantity of product contained in the package.

## It shall be expressed in terms of:

## fluid measure if the product is a liquid or weight if the commodity is solid, semi – solid, viscous, or a mixture of solid and liquid;

## numerical count, measure or a combination of numerical count, weight, size or measure;

##  any firmly established general consumer usage or trade custom.

## The statement shall appear on the principal display panel in the lower third of the label and in lines generally parallel to the base on which the package rests.

## It shall be in a type size not less than that specified in table 1. Where statements are blown, embossed or moulded on a glass or plastic surface, the letter sizes specified in table 1 shall be increased by 1.58 mm (1/16 in).

## Language to be used on labels of pre-packaged goods

* + 1. All statements required by 3.1 shall be in the official language or languages of the country in which the product is being sold.
		2. All numbers relating to net contents stated on the label shall be given in Arabic numerals or in words.
		3. Where multiple languages are used, those languages shall be specified by the country in which the good is being sold. Where a country specifies that more than one language is to be used, the statements required by 3.1 shall be separate from the statements in other languages, and placed on the label or package as required by 3.3.

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## Warranties or guarantees

No reference shall be made on a label or on a package to any warranty or guarantee for any goods unless a copy of the warranty or guarantee is given to the purchaser or consumer at the time of purchase of the goods.

## Presentation of Information

* + 1. All labelling information required by this standard shall be clearly presented and readily discernible under normal conditions of sale.
		2. Where the statements of common name, manufacturer’s name, manufacturer’s address or country of origin consist of more than one word, the statements required by 3.1 shall be in letters of identical size and style of print.

## Date markings and expiry dates

* + 1. Where goods are liable to deteriorate after the date of manufacture or packaging so that the quality, safety, hygiene or other desirable characteristics are not likely to be maintained, the expected shelf life shall be indicated with a date of minimum durability and it shall be placed on the goods, label or package. Such a date mark shall not be defaced or removed from the goods or from the label on the package before possession of the goods by the purchaser.
		2. The format for the date markings shall be as follows:
1. the day, month and the year for goods produced for consumption within a period of not more than three months; and
2. the month and the year for goods produced for consumption within a period longer than three months.

NOTE The month shall be declared using the first three letters, first four letters, full word or numerical format.

* + 1. The year shall be declared as follows:
1. a two digit numerical representation is adequate when accompanied by the first three letters of the month; or

EXAMPLE JAN 19

1. a four digit numerical representation, such as 2019, when the two digit numerical representation of the month is used.

EXAMPLE 01 2019

* + 1. The date of minimum durability shall be declared by the words “best before” or words expressing similar intent including “expiry” or “use by”, “BB” or “EXP”. The words used to express date of minimum durability shall be accompanied by:
1. either the date itself; or
2. a reference to where the date is given.
	* 1. In addition to the date of minimum durability if there are any special conditions for storage of the good, it shall be declared on the label if the validity of the date depends on it.

## Instructions for use and information on source for spare parts

* + 1. Instructions for use or care in handling shall be included on the label or accompanying document, as necessary to ensure correct utilisation of the good.
		2. Where components of goods are likely to become unserviceable before the end of the expected life of the goods, and where such components are not commonly available, the instructions for use shall indicate the name or appropriate specification of the component or spare part.

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* + 1. Where no instructions for use are given with the goods, the information on spare parts shall be supplied.

NOTE The information may be provided with the product or separately.

## Display of hazard warnings

* + 1. If a product requires hazard warning, the warning including pictorials shall be displayed at point of sale when the goods are separated from the packaging.
		2. Where any risk to the safety or health of a consumer or user, or where any significant deterioration of the quality, performance life, durability, or other property of the goods may result, any appropriate hazard symbol and instructions for use, shall be in the official language or languages of the country in which the goods are being sold, and shall be provided either on the label, on the package, on the goods, or on a card or paper accompanying the goods or package.

NOTE Hazard symbols may be as prescribed in another product standard or internationally accepted standards.

The label shall highlight (separate from the ingredient list) any of the ingredients or manufacturing conditions which are likely to cause an adverse allergic reaction to users.

## Labelling of used, defective, seconds, irregular or imperfect goods

All goods which are used goods, defective, seconds, irregular or imperfect shall be clearly and conspicuously labelled with the words 'USED', ‘DEFECTIVE’, 'SECONDS', ‘IRREGULAR’, PRE- OWNED, RECONDITIONED, REFURBISHED or ‘IMPERFECT’ as appropriate; as long as the product remains marketable and safe.’

# Use of standard marks

No manufacturer, distributor or packager shall use a standard mark on a label, package, or goods without written authorisation from the owner of the mark.

NOTE At the time of development of this standard, the following bodies in the Caribbean Community issue Standard Marks:

1. Barbados National Standards Institution (BNSI);
2. Bureau of Standards Jamaica (BSJ);
3. Saint Lucia Bureau of Standards (SLBS);
4. Trinidad and Tobago Bureau of Standards (TTBS); and should be consulted as appropriate.

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**Standards Council**

The Standards Council is the controlling body of the Bureau of Standards Jamaica and is responsible for the policy and general administration of the Bureau.

The Council is appointed by the Minister in the manner provided for in the Standards Act, 1969. Using its powers in the Standards Act, the Council appoints committees for specified purposes.

The Standards Act, 1969 sets out the duties of the Council and the steps to be followed for the formulation of a standard.

**Preparation of standards documents**

The following is an outline of the procedure which must be followed in the preparation of documents:

1. The preparation of standards documents is undertaken upon the Standard Council’s authorisation. This may arise out of representation from national organisations or existing Bureau of Standards’ Committees of Bureau staff. If the project is approved it is referred to the appropriate sectional committee or if none exists a new committee is formed, or the project is allotted to the Bureau’s staff.

2. If necessary, when the final draft of a standard is ready, the Council authorises an approach to the Minister in order to obtain the formal concurrence of any other Minister who may be responsible for any area which the standard may affect.

3. The draft document is made available to the general public for comments. All interested parties, by means of a notice in the Press, are invited to comment. In addition, copies are forwarded to those known, interested in the subject.

4. The Committee considers all the comments received and recommends a final document to the Standards Council

5. The Standards Council recommends the document to the Minister for publication.

6. The Minister approves the recommendation of the Standards Council.

7. The declaration of the standard is gazetted and copies placed on sale.

8. On the recommendation of the Standards Council the Minister may declare a standard compulsory.

9. Amendments to and revisions of standards normally require the same procedure as is applied to the preparation of the

 original standard.

**Overseas standards documents**

The Bureau of Standards Jamaica maintains a reference library which includes the standards of many overseas standards organisations. These standards can be inspected upon request.

The Bureau can supply on demand copies of standards produced by some national standards bodies and is the agency for the sale of standards produced by the International Organization for Standardization (ISO) members.

Application to use the reference library and to purchase Jamaican and other standards documents should be addressed to:

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