

**CHAPTER 23. CONSUMER PACKAGES, COMMODITIES AND CONTAINERS**

<b>Subchap.</b>		<b>Sec.</b>
<b>A.</b>	<b>DECLARATIONS OF QUANTITY AND IDENTITY IN GENERAL ..</b>	<b>23.1</b>
<b>B.</b>	<b>SPECIFIC PACKAGE AND CONTAINER DECLARATIONS .....</b>	<b>23.51</b>
<b>C.</b>	<b>SPECIFIC COMMODITY DECLARATIONS .....</b>	<b>23.101</b>

**Authority**

The provisions of this Chapter 23 issued under sections 8 and 21 of the Weights and Measures Act of 1965 (76 P. S. §§ 100-8 and 100-21) (Transferred to 73 P. S. §§ 1658 and 1671 in 1978), unless otherwise noted.

**Source**

The provisions of this Chapter 23 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 441, unless otherwise noted.

**Notes of Decisions**

The Commonwealth has preempted the field of packaging and labeling of meat products. *City of Erie v. Northwestern Pennsylvania Food Council*, 322 A.2d 407 (Pa. Cmwlth. 1974).

**Subchapter A. DECLARATIONS OF QUANTITY AND IDENTITY IN GENERAL**

**DECLARATION OF IDENTITY**

Sec.  
23.1. General.

**DECLARATION OF QUANTITY**

- 23.11. Largest whole unit.
- 23.12. Net quantity.
- 23.13. Weight, liquid measure or count terminology.
- 23.14. Fractions.
- 23.15. Supplementary declarations.
- 23.15a. Metric system declarations.
- 23.16. Qualification of declaration prohibited.

**PROMINENCE AND PLACEMENT**

- 23.21. General.
- 23.22. Area of principal display panel.
- 23.23. Type size in principal display panel.

**DECLARATION OF IDENTITY****§ 23.1. General.**

(a) *Identification.* A declaration of identity on a consumer package shall appear on the principal display panel, and shall positively identify the commodity in the package by its common or usual name, description, generic term, or the like.

(b) *Placement.* A declaration of identity on a consumer package shall appear generally parallel to the base on which the package rests as it is designed to be displayed.

**Cross References**

This section cited in 70 Pa. Code § 27.13 (relating to butter); and 70 Pa. Code § 27.26 (relating to motor oils).

**DECLARATION OF QUANTITY****§ 23.11. Largest whole unit.**

When this chapter provides that a declaration of quantity shall be in the largest whole unit, the declaration shall, with respect to a particular package, be in the largest whole unit of weight or measure, with the remainder expressed by one of the following:

- (1) Common or decimal fractions of the largest whole unit.
- (2) The next smaller whole unit with the remainder in common or decimal fractions of the smallest unit present in the quantity declaration.

**Authority**

The provisions of this § 23.11 amended under the Weights and Measures Act of 1965 (73 P. S. §§ 1651—1692) (Transferred from 76 P. S. §§ 100-1—100-42 in 1978).

**Source**

The provisions of this § 23.11 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 441; amended May 26, 1989, effective May 27, 1989, 19 Pa.B. 2254. Immediately preceding text appears at serial page (31253).

**Cross References**

This section cited in 70 Pa. Code § 25.11 (relating to location).

**§ 23.12. Net quantity.**

A declaration of net quantity of the commodity in the package, exclusive of wrappers and other material packed with the commodity, shall appear on the principal display panel of the consumer package and, unless otherwise specified in § 23.13(e)—(h) (relating to weight, liquid measure or count terminology), shall be in the largest whole unit.

(1) The term “net weight” shall be used in conjunction with the declaration of quantity in terms of weight; the term may either precede or follow the declaration of weight.

(2) A declaration of quantity may appear on one or more lines of print or type.

#### Authority

The provisions of this § 23.12 amended under the Weights and Measures Act of 1965 (73 P. S. §§ 1651—1692) (Transferred from 76 P. S. §§ 100-1—100-42 in 1978).

#### Source

The provisions of this § 23.12 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44; amended May 26, 1989, effective May 27, 1989, 19 Pa.B. 2254. Immediately preceding text appears at serial page (31253).

### § 23.13. Weight, liquid measure or count terminology.

(a) *General and combination terms.* The declaration of the quantity of a particular commodity shall be expressed in terms of liquid measure if the commodity is liquid, or in terms of weight if the commodity is solid, semisolid, viscous or a mixture of solid and liquid, or in terms of numerical count. However, if a firmly established general consumer usage and trade custom exists with respect to the terms used in expressing a declaration of quantity of a particular commodity, the declaration of quantity may be expressed in its traditional terms, if the traditional declaration gives accurate and adequate information as to the quantity of the commodity. However, combination declarations may be as follows:

(1) *Weight or measure.* A declaration of quantity in terms of weight or measure shall be accompanied by a declaration of the count or size of the individual units of the commodity, unless a declaration of weight or measure alone is fully informative to the consumer. The declaration shall appear on the principal display panel.

(2) *Count.* A declaration of quantity in terms of count shall be accompanied by a declaration of the weight, measure or size of the individual units of the commodity, or of the total weight or measure of the commodity, unless a declaration of count alone is fully informative to the consumer. The declaration shall appear on the principal display panel.

(b) *Weight and measure terms.* A declaration of quantity of the following units shall be expressed as provided, except that in the case of a commodity packed for export shipment, the declaration of quantity may be in terms of the metric system of weight or measure:

(1) If in units of weight, it shall be in terms of the avoirdupois pound or ounce.

(2) If in units of liquid measure, it shall be in terms of the United States gallon of 231 cubic inches of liquid quart, liquid pint or fluid ounce subdivisions of the gallon, and shall express the volume at 68° F (20°C), except in the

case of petroleum products, for which the declaration shall express the volume at 60°F (15.6°C), and except also in the case of a commodity that is normally sold and consumed while frozen, for which the declaration shall express the volume at the frozen temperature, and except also in the case of a commodity that is normally sold in the refrigerated state, for which the declaration shall express the volume at 40°F (4°C).

(3) If in units of linear measure it shall be in terms of the yard, foot or inch.

(4) If in units of area measure, it shall be in terms of the square yard, square foot or square inch.

(5) If in units of dry measure it shall be in terms of the United States bushel of 2,150.42 cubic inches or peck, dryquart and drypint subdivisions of the bushel.

(6) If in units of cubic measure it shall be in terms of the cubic yard, cubic foot or cubic inch.

(c) *Abbreviations.* Any of the following abbreviations, and none other, may be employed in the quantity statement on a package of commodity; however, there normally are no periods following, nor plural forms of, these abbreviations, as, for example, “oz” is the abbreviation for both “ounce” and “ounces”:

<i>Name</i>	<i>Abbreviation</i>
avoirdupois	avdp
cubic	cu
feet or foot	ft
fluid	fl
gallon	gal
inch	in
liquid	liq
ounce	oz
pint	pt
pound	lb
quart	qt
square	sq
weight	wt
yard	yd
cubic centimeter	cc
gram	g
kilogram	kg
microgram	mcg
milligram	mg
milliliter	ml

(d) *Units with two or more meanings.* When the term “ounce” is employed in a declaration of liquid quantity, the declaration shall identify the particular meaning of the term by the use of the term “fluid”; however, the distinction may be omitted when, by association of terms, the proper meaning is obvious as in, for example, “1 pint 4 ounces”. Whenever the declaration of quantity is in terms of the dry pint or dry quart, the declaration shall include the word “dry”.

(e) *Prescribed units.* If a particular unit is described by one of the following provisions, it shall be designated as follows, except that the quantity declaration appearing on a random package may be expressed in terms of decimal fractions of the largest appropriate unit, and the fraction carried out to not more than two decimal places:

(1) *Less than 1 foot, square foot, pound or pint.* If the unit is less than 1 foot, 1 square foot, 1 pound or 1 pint, the unit designation in the quantity declaration shall be as follows:

- (i) Length measure less than 1 foot—inches and fractions of inches.
- (ii) Area measure of less than 1 square foot—square inches and fractions of square inches.
- (iii) Weight less than 1 pound—ounces and fractions of ounces.
- (iv) Fluid measure less than 1 pint—ounces and fractions of ounces.

(2) *More than 4 feet, square feet, pounds or 1 gallon.* If the unit is equal to, or greater than, 4 feet, 4 square feet, 4 pounds or 1 gallon, the unit designation in the quantity declaration shall be as follows:

(i) In the case of length measure of 4 feet or more, the declaration of quantity shall be expressed in terms of feet, followed in parentheses by a declaration of yards and common or decimal fractions of the yard, or in terms of feet followed in parentheses by a declaration of yards with any remainder in terms of feet and inches.

(ii) In the case of area measure of 4 square feet or more, weight of 4 pounds or more or fluid measure of 1 gallon or more, the declaration of quantity shall be expressed in terms of the largest whole unit.

(f) *Dual quantity declarations.* If a particular unit is described by one of the following paragraphs, it shall be expressed in a dual quantity declaration, and designated as follows:

(1) *Weight.* On packages containing 1 pound or more but less than 4 pounds, the declaration shall be expressed in ounces and, in addition, shall be followed by a declaration in parentheses, expressed in terms of the largest whole unit. However, the quantity declaration appearing on a random package may be expressed in terms of pounds and decimal fractions of the pound carried out to not more than two decimal places.

(2) *Fluid measure.* On packages containing 1 pint or more but less than 1 gallon, the declaration shall be expressed in ounces and, in addition, shall be followed by a declaration in parentheses, expressed in terms of the largest whole unit.

- (3) *Length measure.* On packages containing 1 foot but less than 4 feet, the declaration shall be expressed in inches and, in addition, shall be followed by a declaration in parentheses, expressed in terms of the largest whole unit.
- (4) *Area measure.* On packages containing 1 square foot but less than 4 square feet, the declaration shall be expressed in square inches and, in addition, shall be followed by a declaration in parentheses, expressed in terms of the largest whole unit.
- (g) *Bidimensional commodities.* For bidimensional commodities including roll-type commodities, the quantity declaration shall be expressed as follows:
- (1) If less than 1 square foot, in terms of linear inches and fractions of linear inches.
  - (2) If at least 1 square foot but less than 4 square feet, in terms of square inches followed in parentheses by a declaration of both the length and width, each being in terms of the largest whole unit, except in the following cases:
    - (i) No square inch declaration is required for a bidimensional commodity of 4 inches width or less.
    - (ii) A dimension of less than 2 feet may be stated in inches within the parenthetical.
    - (iii) Commodities consisting of usable individual units, except roll-type commodities with individual usable units created by perforations as provided in subsection (h), require a declaration of unit area but not a declaration of total area of all units.
  - (3) If 4 square feet or more, in terms of square feet followed in parentheses by a declaration of the length and width in terms of the largest whole unit, except in the following cases:
    - (i) No declaration in square feet is required for a bidimensional commodity with a width of four inches or less.
    - (ii) A dimension of less than 2 feet may be stated in inches within the parenthetical.
    - (iii) No declaration in square feet is required for commodities for which the length and width measurements are critical in terms of end use, such as tablecloths or bedsheets, if the commodities clearly present the length and width measurements on the label.
- (h) *Ply count.* If the commodity is in individually usable units of one or more components or ply, the quantity declaration shall, in addition to complying with other applicable quantity declaration requirements of this chapter, include the number of ply and the total number of usable units. Roll-type commodities, when perforated so as to identify individual usable units, are not deemed to be made up of usable units; however, the roll-type commodities shall be labeled in the following terms:
- (1) Total area measurement.
  - (2) Number of ply.
  - (3) Count of usable units.

(4) Dimensions of a single usable unit.

(i) *Container-type commodities.* The measurement of container-type commodities shall be expressed as follows:

(1) *General.* Commodities designed and sold at retail to be used as containers for other materials or objects, such as bags, cups, boxes and pans, shall be labeled with the declaration of net quantity as follows:

(i) For bag-type commodities, in terms of count followed by linear dimensions of the bag, whether packaged in a perforated roll or otherwise, as follows:

(A) When the unit bag is characterized by two dimensions because of the absence of a gusset, the width and length shall be expressed in inches, except that a dimension of 2 feet or more shall be expressed in feet with any remainder in terms of inches or common or decimal fractions of the foot; for example, "25 bags, 17 in × 20 in," or "100 bags, 20 in × 2 ft 6 in" or 50 bags, 20 in × 2 1/2 ft."

(B) When the unit bag is gusseted, the dimensions shall be expressed as width, depth and length, in terms of inches, except that a dimension of 2 feet or more shall be expressed in feet with a remainder in terms of inches or the common or decimal fractions of the foot; for example, "25 bags, 17 in × 4 in × 20 in" or "100 bags, 20 in × 12 in × 2 1/2 ft."

(ii) For other square, oblong, rectangular or similarly shaped containers, in terms of count followed by length, width and depth, except depth need not be listed if less than 2 inches; for example, "2 cake pans, 8 in × 8 in" or "roasting pan, 12 in × 8 in × 3 in."

(iii) For circular or other generally round-shaped containers, except cups, and the like, in terms of count followed by diameter and depth, except depth need not be listed if less than 2 inches; for example: "4 pie pans, 8 in diameter" or "2 cake pans, 8 in diameter × 4 in."

(2) *Capacity.* When the functional use of the container is related by label references in standard terms of measure to the capability of holding a specific quantity of substance or class of substances the references shall be part of the net quantity statement and shall specify capacity as follows:

(i) Liquid measure for containers which are intended to be used for liquids, semisolids, viscous materials or mixtures of solids and liquids. The expressed capacity shall be stated in terms of the largest whole unit of gallon, quart, pint, ounce, with a remainder in terms of the common or decimal fraction of that unit; for example, freezer boxes—"4 boxes, 1-qt capacity, 5 in × 4 in × 3 in."

(ii) Dry measure for containers which are intended to be used for solids. The expressed capacity shall be stated in terms of the largest whole unit of bushel or peck, with any remainder in terms of the common or decimal fraction of that unit; for example, leaf bags—"8 bags, 6-bushel capacity, 3 ft X 5 ft."

(iii) If containers are used as liners for other more permanent containers, in the same terms as are normally used to express the capacity of the more permanent container; for example, garbage can liners—“10 liners, 2 ft 6 in × 3 ft 9 in, fits up to 30-gallon cans.”

(3) *Exceptions.* Notwithstanding the requirements of paragraphs (1) and (2) the net quantity statement for containers such as cups shall be listed in terms of count and liquid capacity per unit; for example: “24 cups, 6 fl oz capacity.” For purposes of this subsection, the use of the terms “capacity,” “diameter” and “fluid” is optional.

#### Source

The provisions of this § 23.13 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44.

#### Cross References

This section cited in 70 Pa. Code § 23.12 (relating to net quantity); 70 Pa. Code § 23.102 (relating to textile products, threads and yarns); 70 Pa. Code § 23.110a (relating to polyethylene sheeting); 70 Pa. Code § 25.12 (relating to weight, liquid measure or count terminology); 70 Pa. Code § 27.8 (relating to labeling required by Federal law); 70 Pa. Code § 27.9 (relating to fluid dairy products and frozen desserts); 70 Pa. Code § 27.10 (relating to real and imitation fruit juice beverages and drinking water); 70 Pa. Code § 27.13 (relating to butter); 70 Pa. Code § 27.15 (relating to flour); 70 Pa. Code § 27.20 (relating to margarine); 70 Pa. Code § 27.24 (relating to paint and kindred products); 70 Pa. Code § 27.25 (relating to automotive antifreeze); and 70 Pa. Code § 27.26 (relating to motor oils).

### § 23.14. Fractions.

(a) A statement of net quantity of contents of a consumer commodity may contain common or decimal fractions. The denominator of a common fraction shall be limited to 2, 4, 8, 16 or 32 except as provided in the following cases:

(1) If there exists a firmly established general consumer usage and trade custom of employing different common fractions in the net quantity declaration of a particular commodity, they may be employed.

(2) If linear measurements are required in terms of yards or feet, common fractions may be in terms of thirds.

(b) A common fraction shall be reduced to its lowest terms; a decimal fraction may not be carried out to more than two places.

(c) A separate statement of the net quantity of contents in terms of the metric system is not regarded as a supplemental statement, and a statement of quantity in terms of the metric system of weight or measure may also appear on the principal display panel or on other panels.

#### Source

The provisions of this § 23.14 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44.



**§ 23.15. Supplementary declarations.**

The required quantity declaration may be supplemented by one or more declarations of weight, measure or count, if the declaration appears other than on a principal display panel. The supplemental statement of quantity of the contents may not include terms qualifying a unit of weight, measure or count that tends to exaggerate the amount of commodity contained in the package as, for example, in “giant” quart, “full” gallon, “when packed,” “minimum” or words of similar import.

**Source**

The provisions of this § 23.15 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44.

**§ 23.15a. Metric system declarations.**

A separate statement of the net quantity of contents in terms of the metric system is not regarded as a supplemental statement, and a statement of quantity in terms of the metric system of weight or measure may also appear on the principal display panel or other panels.

**Source**

The provisions of this § 23.15a adopted March 11, 1977, effective March 12, 1977, 7 Pa.B. 706.

**§ 23.16. Qualification of declaration prohibited.**

In no case may a declaration of quantity be qualified by the addition of the words “when packed,” “minimum” or “not less than,” or any words of similar import, nor may a unit of weight, measure or count be qualified by a term such as “jumbo,” “giant,” “full,” or the like, which tends to exaggerate the amount of commodity.

**Source**

The provisions of this § 23.16 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44.

**PROMINENCE AND PLACEMENT****§ 23.21. General.**

Information required to appear on a consumer package shall appear thereon in the English language and shall be prominent, definite and plain and shall be conspicuous as to size and style of letters and numbers and as to color of letters and numbers in contrast to color of background. Required information that is either in hand lettering or hand script shall be entirely clear and equal to printing in legibility. Information required to appear on a consumer package that is either in print, hand lettering or hand script shall conform to the following provisions:

(1) *Location.* The declaration of quantity of the contents of a package shall appear in the bottom 30% of the principal display panel, except as otherwise provided in § 23.56 (relating to cylindrical containers).

(2) *Style of type or lettering.* The declaration or declarations of quantity shall be in a style of type or lettering as to be boldly, clearly and conspicuously presented with respect to other type, lettering or graphic material on the package, except that a declaration of net quantity blown, formed or molded on a glass or plastic surface is permissible when label information is blown, formed or molded on the surface.

(3) *Color contrast.* The declaration of quantity shall be in a color that contrasts conspicuously with its background, except that a declaration of net quantity blown, formed or molded on a glass or plastic surface may not be required to be presented in a contrasting color if no required label information is on the surface in a contrasting color.

(4) *Free area.* The area surrounding the quantity declaration shall be free of printed information in the following amounts:

(i) Above and below, by a space equal to at least the height of the lettering in the declaration.

(ii) To the left and right, by a space equal to twice the width of the letter "n" of the style and size of type used in the declaration.

(5) *Parallel quantity declaration.* The quantity declaration shall be presented as to be generally parallel to the declaration of identity and to the base on which the package rests as it is designed to be displayed.

#### Cross References

This section cited in 70 Pa. Code § 27.7 (relating to cigarettes and small cigars); 70 Pa. Code § 27.8 (relating to labeling required by Federal law); 70 Pa. Code § 27.9 (relating to fluid dairy products and frozen desserts); 70 Pa. Code § 27.10 (relating to real and imitation fruit juice beverages and drinking water); 70 Pa. Code § 27.13 (relating to butter); 70 Pa. Code § 27.14 (relating to eggs); 70 Pa. Code § 27.15 (relating to flour); 70 Pa. Code § 27.19 (relating to combination packages); 70 Pa. Code § 27.20 (relating to margarine); and 70 Pa. Code § 27.21 (relating to corn flour).

#### Source

The provisions of this § 23.21 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44; amended November 22, 1974, effective November 23, 1974, 4 Pa.B. 2421. Immediately preceding text appears at serial pages (12357) to (12358).

### § 23.22. Area of principal display panel.

(a) The area, in square inches, of the principal display panel for purposes of type size shall be calculated as follows:

(1) In the case of a rectangular container, one entire side which properly can be considered to be the principal display panel, the product of the height times the width of that side.

(2) In the case of a cylindrical or nearly cylindrical container, 40% of the product of the height of the container times the circumference.

(3) In the case of a container other than cylindrical, 40% of the total surface of the container, unless the container presents an obvious principal display panel as, for example, the top of a triangular or circular package of cheese, or the top of a can of shoe polish, in which case the area shall consist of the entire such surface.

(b) Determination of the principal display panel shall exclude tops, bottoms, flanges at tops and bottoms of cans and shoulders and necks of bottles or jars.

**§ 23.23. Type size in principal display panel.**

(a) *Minimum height of numbers and letters.* The height of a letter or number in the required quantity declaration may not be less than that shown in the following Table I with respect to the area of the panel in square inches, and the height of each number of a common fraction shall meet 1/2 the minimum height standards:

**TABLE I**

*Minimum Height of Numbers and Letters*

<i>Area of principal display panel (in square inches)</i>	<i>Minimum height of numbers and letters (in inches)</i>	<i>Minimum height of label information blown, formed, or molded on surface of container (in inches)</i>
Five and less	1/16	1/8
Greater than five but not greater than 25	1/8	3/16
Greater than 25 but not greater than 100	3/16	1/4
Greater than 100 but not greater than 400	1/4	5/16
Greater than 400	1/2	9/16

(b) *Numbers and letters—proportion.* No number or letter may be more than three times as high as it is wide.

**Source**

The provisions of this § 23.23 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44.

**Cross References**

This section cited in 70 Pa. Code § 27.7 (relating to cigarettes and small cigars); 70 Pa. Code § 27.8 (relating to labeling required by Federal law); and 70 Pa. Code § 27.19 (relating to combination packages).

**Subchapter B. SPECIFIC PACKAGE AND CONTAINER  
DECLARATIONS**

- Sec.  
23.51. Display card package.  
23.52. Aerosols and pressurized containers.  
23.53. Multiunit package.  
23.54. Combination package.  
23.55. Variety package.  
23.56. Cylindrical containers.

**§ 23.51. Display card package.**

For an individual package affixed to a display card, or for a commodity and display card together comprising a package, the type size of the quantity declaration is governed by the dimensions of the display card.

**Source**

The provisions of this § 23.51 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44.

**§ 23.52. Aerosols and pressurized containers.**

The declaration of quantity on an aerosol package, and on a similar pressurized package, shall disclose the net quantity of the commodity, including propellant, in terms of weight, that will be expelled when the instructions for use as shown on the container are followed.

**Source**

The provisions of this § 23.52 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44.

**§ 23.53. Multiunit package.**

- (a) A multiunit package shall state on the outside of the package a declaration containing the following:
- (1) The number of individual units.
  - (2) The quantity of each individual unit.
  - (3) The total quantity of the contents of the multiunit package. However, the requirement for a declaration of the total quantity of contents of a multiunit package shall be effective either with respect to those labels revised after February 30, 1970, or as of January 1, 1970. A declaration of total quantity may not be required to include the parenthetical quantity statement of a dual quantity representation.

(b) Whenever the quantity declaration appearing on an individual unit of a multiunit package is located other than in the lower 30% of the principal display panel, the individual unit may not be sold separately.

**Authority**

The provisions of this § 23.53 amended under the Weights and Measures Act of 1965 (73 P. S. §§ 1651—1692) (Transferred from 76 P. S. §§ 100-1—100-42 in 1978).

**Source**

The provisions of this § 23.53 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44; amended May 26, 1989, effective May 27, 1989, 19 Pa.B. 2254. Immediately preceding text appears at serial pages (12360) and (31260).

**Cross References**

This section cited in 70 Pa. Code § 27.1 (relating to general); and 70 Pa. Code § 27.7 (relating to cigarettes and small cigars).

**§ 23.54. Combination package.**

A package containing individual units of dissimilar commodities, such as an antiques kit, shall state on the label of the package a quantity declaration for each unit.

**Authority**

The provisions of this § 23.54 amended under the Weights and Measures Act of 1965 (73 P. S. §§ 1651—1692) (Transferred from 76 P. S. §§ 100-1—100-42 in 1978).

**Source**

The provisions of this § 23.54 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44; amended May 26, 1989, effective May 27, 1989, 19 Pa.B. 2254. Immediately preceding text appears at serial page (31260).

**§ 23.55. Variety package.**

A package containing individual units of similar commodities, such as a seasonal gift package or variety package of cereal, shall state on the label of the package a declaration of the total quantity of commodity in the package.

**Authority**

The provisions of this § 23.55 amended under the Weights and Measures Act of 1965 (73 P. S. §§ 1651—1692) (Transferred from 76 P. S. §§ 100-1—100-42 in 1978).

**Source**

The provisions of this § 23.55 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44; amended May 26, 1989, effective May 27, 1989, 19 Pa.B. 2254. Immediately preceding text appears at serial page (31260).

**§ 23.56. Cylindrical containers.**

In the case of cylindrical or nearly cylindrical containers, information required to appear on the principal display panel shall appear within that 40% of the circumference which is most likely to be displayed, presented, shown or examined under customary conditions of display for retail sale.

**Source**

The provisions of this § 23.56 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44.

**Cross References**

This section cited in 70 Pa. Code § 23.21 (relating to general).

**Subchapter C. SPECIFIC COMMODITY DECLARATIONS**

- Sec.
- 23.101. Eggs.
  - 23.102. Textile products, threads and yarns.
  - 23.103. Paper products.
  - 23.104. Roofing materials.
  - 23.105. Produce.
  - 23.106. Liquefied petroleum gas.
  - 23.107. Wood.
  - 23.108. Random weight packaged meat and meat products.
  - 23.109. Bulk meat.
  - 23.110. Packaged seed.
  - 23.110a. Polyethylene sheeting.
  - 23.111. Information on sales receipts.

**§ 23.101. Eggs.**

If cartons containing 12 eggs have been designed so as to permit division in half by the retail purchaser, the required quantity declaration shall be so positioned as to have its context destroyed when the carton is divided.

**Source**

The provisions of this § 23.101 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44.

**§ 23.102. Textile products, threads and yarns.**

(a) *Wearing apparel.* Wearing apparel, including nontextile apparel and accessories such as leather goods and footwear, sold as single-unit items or if normally sold in pairs, such as hosiery, gloves and shoes sold as single-unit pairs, are exempt from the requirements for a net quantity statement by count, as required by § 23.13(a) (relating to weight, liquid measure or count terminology).

(b) *Textiles.* Bedsheets, pillowcases, blankets, comforters, quilts, bedspreads, mattress covers and pads, afghans, throws, flags, dresser and other furniture scarfs, curtains, drapes, facecloths, dishcloths, dish towels, towels, tablecloths,

napkins, utility cloths, bathmats, carpets and rugs, pot holders, fixture and appliance covers, nonrectangular diapers and slipcovers are exempt from the requirements of § 23.13(g), except as follows:

(1) The net quantity statement for fitted sheets and mattress covers shall state in inches the length and width of the mattress for which the item is designed, such as “twin,” “double,” “king” and the like. Example: “Twin Fitted Sheet for 39 × 75 in. mattress.”

(2) The net quantity statement for nonfitted or flat sheets shall state the size designations of the mattress for which the sheet is designated, such as “twin,” “double,” “king” and the like, the quantity statement also shall state in inches the length and width of the mattress for which the sheet is designed, followed in parentheses by a statement, in inches of the length and width of the sheet. Example: “Double Flat Sheet for 54 × 75 in. mattress, 81 × 104 in.”

(3) The net quantity statement for pillowcases shall state the size designation of the pillow for which the pillowcase is designed, such as “youth,” “standard,” “queen” and the like. The quantity statements also shall state in inches the length and width of the pillow for which the pillowcase is designed, followed in parentheses by a statement, in inches, of the length and width of the pillowcase before hemming. Example: “Standard Pillowcase for 20 × 26 in. pillow (42 × 36 in. before hemming).”

(4) The net quantity statement for blankets, bedspreads, afghans, throws, comforters, quilts and mattress pads shall be expressed in terms of the finished length and width measurements in inches, which shall be followed in parentheses by a statement of the length of ornamentation, such as “including two inch fringe”. The quantity statement shall also state the size of the mattress which the commodity is intended to fit such as “twin,” “double,” “king,” “queen” or the like.

(5) The net quantity statement for tablecloths and napkins shall be expressed in terms of finished length and width in inches, which may be followed in parentheses by a statement of length and width in inches in terms of the cut size, or size before hemming and properly identified as such.

(6) The net quantity statement for curtains, drapes, flags, dresser and other furniture scarfs shall be expressed in terms of linear dimensions in inches for the finished size, which shall be followed in parentheses by a statement of the length of ornamentation, such as “including 2-inch fringe.”

(7) The net quantity statement for carpets and rugs shall be expressed in terms of length and width in feet, with any remainder in common or decimal fractions by the foot or in inches, which shall be followed in parentheses by a statement of the length of ornamentation, such as “including 2-inch fringe.”

(8) The net quantity statement for woven dish towels, dish cloths, towels, face cloths, utility cloths, bath mats and the like shall state in inches the length and the width of the item.

(9) The net quantity statement for textile products such as pot holders, fixture and appliance covers, nonrectangular diapers, slip covers and the like shall be stated in terms of count and may include size designations and dimensions.

(10) The net quantity statement for other than rectangular textile products identified in paragraphs (1)—(9) shall state the geometric shape of the product and the dimensions which are customarily used in describing the geometric shape. Example: “Oval Tablecloth 54 × 42 in.,” representing the maximum length and width in this case.

(c) *Sewing threads, handicraft threads and yarns.* Sewing and handicraft threads are exempt from the requirements of § 23.13(e), except as follows:

(1) The net quantity statement for sewing and handicraft threads shall be expressed in terms of yards.

(2) The net quantity statement for yarns shall be expressed in terms of weight.

(3) Thread products may, in lieu of name and address, bear a trademark, symbol, brand or other mark that positively identifies the manufacturer, packer or distributor, if the marks, employed to identify the vendor, are filed with the Director.

(4) Each unit of industrial thread shall be marked to show its net measure in terms of yards or its net weight in terms of avoirdupois pounds or ounces, except that ready-wound bobbins which are not sold separately, are not required to be individually marked but the package containing the bobbins shall be marked to show the number of bobbins contained therein and the net yards of thread on each bobbin.

(d) *Textiles.* Variations from declared dimensions are as follows:

(1) For an item with no declared dimension less than 24 inches, a minus variation greater than 3% of a declared dimension and a plus variation greater than 6% of a declared dimension will be considered unreasonable.

(2) For an item with a declared dimension less than 24 inches, a minus variation greater than 6% of a declared dimension and a plus variation greater than 12% of a declared dimension will be considered unreasonable.

#### Source

The provisions of this § 23.102 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44; amended July 25, 1975, effective July 26, 1975, 5 Pa.B. 1925; corrected July 21, 1989, effective March 6, 1976, 19 Pa.B. 3107. Immediately preceding text appears at serial pages (136571) to (136573).

### § 23.103. Paper products.

(a) *Paper napkins and paper towels.* The declaration of quantity on a package of paper napkins or paper towels shall indicate the numerical count and the dimensions of the individual napkins or towels contained in the package.



(b) *Writing paper, notebook paper and envelopes.* The declaration of quantity on a package of writing paper, notebook paper or envelopes shall indicate the number of sheets or envelopes, as the case may be, in the package. When envelopes are included in a package of writing paper, the declaration shall indicate both the number of sheets of paper and the number of envelopes.

(c) *Tablets and books of writing paper.* The declaration of quantity on a package of tablets or books of writing paper shall indicate the number of tablets or books in the package.

(d) *Wrapping paper.* The declaration of quantity on a package of wrapping paper in sheet form may be in terms of either numerical count or of net weight. If the declaration is in terms of numerical count, it shall indicate both the dimensions of an individual sheet and the number of sheets in the package.

(e) *Gift wrapping paper.* The declaration of quantity on a package of gift wrapping paper, whether packaged as individual sheets or in roll form, shall indicate the numerical count and the dimensions of the individual sheets. A linear dimension in excess of 48 inches shall be expressed in terms of feet.

(f) *Facial tissues.* The declaration of quantity on a package of facial tissues shall indicate the numerical count of usable units and the dimensions of the individual unit. A sheet of two or three ply shall be considered a single usable unit.

(g) *Toilet tissues.* The declaration of quantity on a package of toilet tissues in roll or sheet form shall indicate the numerical count of usable units, and the dimensions of the individual unit. A sheet of two or three ply shall be considered a single usable unit.

(h) *Supplementary quantity declarations.* A declaration or statement relating to the quantity of the contents of a package of paper product that is in addition to or supplementary to the declaration required by law or regulation shall be in juxtaposition with and shall be subordinated to the required declaration; however, no supplementary declaration of the number of single ply sheets in a package containing a multiple ply product is permitted.

(i) *Multiple packs.* Multiple packs of paper products shall bear on the outside wrapper, clearly and conspicuously, a quantity declaration indicating the number of individual rolls or packages and the usable unit count and sheet size for each individual roll or package, unless the individual rolls or packages are so labeled that the content of each is clearly visible through the outer wrapper.

(j) *Exemption.* Rolls or packages of paper products for industrial use only, not for resale need not be marked individually so long as the container in which the rolls or packages are packed is properly marked to show the quantity of the contents of such container.

(k) *Construction of regulation.* The provisions of this section are supplementary to valid laws and other regulations pertaining to packages and may not be construed as superseding the law or regulation.

**Source**

The provisions of this § 23.103 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44.

**§ 23.104. Roofing materials.**

(a) *Roofing materials.* Roofing materials shall be sold either by the square or by the square foot only.

(b) *Square.* The quantity of roofing or roofing material that, if applied according to the directions or instructions of the manufacturer, will cover an area of 100 square feet exclusive of side laps or side joints; however, in the case of roofing or roofing material of corrugated design the side lap or side joint shall be one full corrugation.

(c) *Square foot.* The quantity of roofing or roofing material that, when applied according to the directions or instructions of the manufacturer, will cover 1 square foot (144 square inches) exclusive of side laps or side joints.

(d) *Declaration of quantity.* If the declaration of quantity on a package of roofing or roofing material contains the term “square”, it shall include plainly and conspicuously, a numerical definition of the term “square”; for example, “One square covers 100 square feet of roof area.”

(e) *Common fractions.* The use of common fractions  $1/3$  is specifically authorized in the quantity statement of a package of roofing or roofing material when, and only when, used as the common fraction of the square.

(f) *Quantity statement.* The primary declaration shall only be in terms of a square or square foot. There is no prohibition against the use of supplemental quantity declarations, such as shingle, but in no case may the weight of the material be stated or implied. However, the use of numerical descriptions for rolls of felt roofing material may continue to be used.

**Source**

The provisions of this § 23.104 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44; amended February 26, 1975, effective February 27, 1975, 5 Pa.B. 385. Immediately preceding text appears at serial pages (18440).

**§ 23.105. Produce.**

(a) Packaged produce sold by count shall conform to the packaging and labeling laws of the Commonwealth and units in a package shall be reasonably uniform in size, or the same variety or grade and shall be visible, or a representative sample shall be visible.

(b) The following commodities of produce shall conform to the following suggested list, except that nothing in this suggested list shall be construed to prevent the sale of apples, peaches, tomatoes, potatoes or similar commodities in wholesale-type containers standardized by law:

<i>Commodity</i>	<i>Method of Sale</i>
Anise	Weight or bunch
Apples	Weight or count
Apricots	Weight
Artichokes	Weight or count
Asparagus	Weight or bunch
Avocados	Weight or count
Bananas	Weight
Beans (fresh or dried)	Weight
Beets (fresh)	Weight or bunch with tops
Berries (all)	Weight or measure
Broccoli	Weight or bunch
Brussel sprouts	Weight or measure
Cabbage	Weight
Cantaloupes	Weight or count
Carrots	Weight or bunch with tops
Cauliflowers	Weight or head
Celery	Weight or stalk
Cherries	Weight or measure
Coconuts	Weight or count
Corn	Weight or count
Cranberries	Weight or measure
Cucumbers	Weight or count
Currants	Weight or measure
Dates	Weight
Egg plant	Weight or count
Endive	Weight or bunch
Escarole	Weight or bunch
Figs	Weight
Garlic	Weight or count
Gourds	Weight or count
Grapefruit	Weight or count
Grapes	Weight
Greens (all)	Weight
Horseradish roots	Weight or bunch
Kumquats	Weight or measure
Leek	Weight or bunch
Lemons	Weight or count
Lettuce	Weight, head or bunch
Mangoes	Weight or count
Onions (spring or green)	Weight or bunch with tops

<i>Commodity</i>	<i>Method of Sale</i>
Onions (all others)	Weight
Oranges	Weight or count
Oyster plant	Weight or bunch
Papaya	Weight or count
Parsley	Weight or bunch
Parsnips	Weight
Peaches	Weight or count
Pears	Weight or count
Peas (fresh or dried)	Weight
Peppers	Weight or count
Persimmons	Weight or count
Plums	Weight or count
Pineapples	Weight or count
Pomegranates	Weight or count
Potatoes (Irish or sweet)	Weight
Radishes	Weight or bunch with tops
Raisins	Weight
Rhubarb	Weight or bunch
Rutabagas	Weight
Squash (yellow or white)	Weight
Squash (acorn or butternut)	Weight or count
Tangelos	Weight or count
Tangerines	Weight or count
Tomatoes	Weight or count
Tomatoes (cherry)	Weight or measure
Turnips	Weight or bunch with tops
Watermelon	Weight or count (parts of a whole watermelon shall be sold by weight)

(c) If berries, brussel sprouts, cherries, cranberries or currants are sold by measure, they shall be sold in containers standardized by law such as 1/2 dry pint, 1 dry pint or 1 dry quart.

#### Source

The provisions of this § 23.105 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44; amended November 22, 1974, 4 Pa.B. 2421. Immediately preceding text appears at serial pages (12365) to (12367).

### § 23.106. Liquefied petroleum gas.

(a) *Scope.* This section applies to sales of liquefied petroleum gas.

(b) *Definition.* As used in this section, the term liquefied petroleum gas means a petroleum product composed predominantly of one or more of the following hydrocarbons:

- (1) Propane.
- (2) Propylene.
- (3) Butanes (normal butane/or isobutane).
- (4) Butylenes.

(c) *Method of sale.* Liquefied petroleum gas shall be sold avoirdupois weight specified in pounds and decimal fractions of the pound, liquid measure specified in gallon and decimal fractions of the gallon, in vapor measure specified in cubic feet or decimal fractions thereof, or in another unit approved by the Department. For purposes of this section, the gallon is defined as 231 cubic inches at 60°F, and the cubic foot is defined as a cubic foot of the vapor being measured at 60° F and at 14.73 pounds per square inch atmosphere.

(d) *Sale of liquefied petroleum gas in portable containers.* If liquefied petroleum gas is delivered, offered for sale or sold in a package which is a portable container, it shall be sold by weight.

(e) *Portable container or package marking.* The tare weight of a refillable container used as a portable container or package shall be plainly and conspicuously marked on the outside of the container. Tare weight may not include the valve protecting cap which shall be removed when weighing. The net weight of the contents of a container used as a portable container or package shall be plainly and conspicuously marked on the container or on a tag firmly attached thereto, except for containers bearing generally accepted model numbers which indicate the net weight of the contents.

(f) *Variations.* Variations from the declared net weight shall be permitted if caused by unavoidable deviations in weighing that occur in good packaging practices, but the variations may not exceed 2% and the average of the quantities in the packages comprising either a shipment of other delivery or a lot that is kept, offered, exposed for sale or sold shall equal or exceed the labeled quantity. No unreasonable shortage in any package may be permitted, even though overages in other packages in the same shipment, delivery or lot compensate for the shortage.

(g) *Credit for unused product.* If liquefied petroleum gas is sold by the package or portable container, except where rate schedules or written agreements provide otherwise, full credit for the difference in weight of the container disconnected by the supplier and removed from the premises of a customer by the supplier and the marked tare weight of the container shall be granted by the supplier to the customer.

(h) *Sale through measuring devices.* Only devices approved by the Department under the act of May 5, 1921 (P. L. 389, No. 187) (73 P. S. §§ 1701—1715), shall be used in the metering or measuring of liquefied petroleum gas for the determination of the value of the gas as sold. The devices shall conform to

the technical requirements published in National Bureau of Standards “Handbook 44” and amendments and supplements thereto and to other technical requirements promulgated by the Department.

(i) *Sales tickets or invoices.* Except where liquefied petroleum gas is delivered and sold to the purchaser in portable container or package form, a delivery ticket or an invoice shall be submitted to the purchaser clearly stating the date of the delivery, the name and address of the vendor, the name and address of the purchaser and the net quantity of the delivery in terms of approved units of measure. If the meter readings are in approved units other than pounds, gallons or cubic feet, the invoice shall clearly indicate to the purchaser the factor to be used to convert to pounds, gallons or cubic feet.

**Authority**

The provisions of this § 23.106 amended under the Weights and Measures Act of 1965 (73 P. S. §§ 1651—1692) (Transferred from 76 P. S. §§ 100-1—100-42 in 1978).

**Source**

The provisions of this § 23.106 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44; amended May 26, 1989, effective May 27, 1989, 19 Pa.B. 2254. Immediately preceding text appears at serial pages (20067) to (20068).

**§ 23.107. Wood.**

Wood used for fuel shall be sold by the cord of 128 cubic feet, or fraction thereof, and shall be accompanied by a statement or invoice certifying the amount sold and presented to the buyer or his designee at the time of delivery or billing.

**Source**

The provisions of this § 23.107 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44.

**§ 23.108. Random weight packaged meat and meat products.**

In the wholesale sale and delivery of random weight packaged meat and meat products, lots composed entirely of like units as to formula, process in manufacture, quality and grade of ingredients, except as to weight, each unit may not be required to have the net weight marked thereon at the time of the wholesale sale and delivery to a retail merchant only if there is compliance with the following provisions:

- (1) The entire bulk package containing the individual units is effectively sealed at the time of sale and delivery and has the content of the bulk package plainly and legibly marked thereon in terms of net weight.
- (2) The sale and weighing of the lot takes place on the premises of the retailer, in the presence of the retailer or his designated agent, and the result of the weighing, expressed in terms of net weight, is immediately communicated by the wholesaler or his agent to the retailer or his agent.

**Source**

The provisions of this § 23.108 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44.

**§ 23.109. Bulk meat.**

(a) *Scope.* This section applies to retail sales and processing of bulk meat sold by hanging weight and the processing of customer-owned meat, except as provided in this section.

(b) *Identification.* In identifying a product subject to this section, the following terms, where applicable, shall be used:

(1) *Bulk meat*—That sold by hanging weight, consisting of whole carcasses, sides, or primal cuts.

(2) *Primal cuts*—Only the following terms shall be used in describing a primal cut of beef or veal:

(i) *Cross cut chuck*—The entire fore part of a side, ending between the fifth and sixth ribs.

(ii) *Arm chuck*—The cross cut chuck with the brisket removed.

(iii) *Square chuck*—The cross cut chuck with the brisket and arm removed directly above the fore shank.

(iv) *Untrimmed rib section*—The portion from the sixth to the 12th rib inclusive with plate.

(v) *Trimmed rib section*—The portion from the sixth to 12th rib inclusive, not to exceed 10 inches from tip of chine bone to top of rib, without plate.

(vi) *Untrimmed full loin*—The section from and including the 13th rib to the hip joint, including the flank and kidney.

(vii) *Trimmed full loin*—The section from and including the 13th rib to the hip joint, without flank and kidney.

(viii) *Trimmed short loin*—The section from and including the 13th rib to the hip bone, without the sirloin, flank and kidney.

(ix) *Untrimmed short loin*—The section from and including the 13th rib to the hip bone, with the flank and kidney but without the sirloin.

(x) *Sirloin*—The section from immediately in front of the hip bone to the hip joint.

(xi) *Round*—The section from the hip joint to immediately below the rear knee, with rump attached.

(xii) *Rump*—The part of the round down to and including the aitch bone.

(xiii) *Forequarter*—The forward portion of a side of beef, back to and including the 12th rib, consisting of the cross cut chuck and the untrimmed rib section.

(xiv) *Hindquarter*—The rear portion of a side of beef, from and including the 13th rib, consisting of the untrimmed full loin and the round.

(xv) *Side*—The half of a split beef comprising the forequarter and hindquarter.

(c) *Method of sale.* Bulk meat shall be sold by avoirdupois weight, specified in pounds and fractions of the pound, and shall conform to the following:

(1) The seller or his agent shall clearly explain to the customer before the sale is consummated that the purchase by hanging weight is subject to cutting, boning and trim loss during processing and that the delivered or usable weight will be considerably less than the hanging weight upon which the price was based.

(2) After a portion of bulk meat has been selected for possible purchase and has been weighed, the seller or his agent shall factually explain to the purchaser the approximate cuts and yield which shall be obtained after processing, based on the grade or quality of the meat and the cutting instructions of the purchaser.

(3) At the time of delivery, there shall be rendered to the purchaser a delivery or sales ticket in ink or other indelible substance on which shall be clearly and legibly stated the following:

- (i) The name and address of the vendor.
- (ii) The name and address of the processor if other than the vendor.
- (iii) The date.
- (iv) The name and address of the purchaser.
- (v) A description of the product, the quality, and USDA grade if graded.
- (vi) The price per pound.
- (vii) The net weight of the product prior to processing.
- (viii) The net weight of the delivered quantity.
- (ix) The total number of packages delivered, the contents of each package including the type of cut, and the total weight of each type of cut delivered.

(x) The weights in subparagraphs (vii)—(ix) shall be recorded to the nearest ounce on weights up to and including 25 pounds, 4 ounces from over 25 pounds to and including 50 pounds, 8 ounces from over 50 pounds up to and including 100 pounds, and 1 pound over 100 pounds.

(d) *Incomplete processing.* Meat sold as a whole, side, or quarter carcass, cut up and packaged by the vendor but requiring further processing or cutting, shall be accompanied by an invoice giving the total or hanging weight and a statement of contents on each master container as delivered to the consumer showing the number of packages of each type of cut or commodity and the accurate net weight of the total packages of each such cut or commodity.

(e) *Processing only.* Subsection (c)(3) is inapplicable when the commodity submitted for processing, either live or partially processed, is the property of the person submitting the commodity, having never been owned by the processor and the fee involved is wholly for service.



**Authority**

The provisions of this § 23.109 amended under the Weights and Measures Act of 1965 (73 P. S. §§ 1651—1692) (Transferred from 76 P. S. §§ 100-1—100-42 in 1978).

**Source**

The provisions of this § 23.109 adopted October 21, 1970, effective October 22, 1970, 1 Pa.B. 44; amended May 26, 1989, effective May 27, 1989, 19 Pa.B. 2254. Immediately preceding text appears at serial pages (12370) and (31264) to (31265).

**§ 23.110. Packaged seed.**

Packages of seed intended for planting shall be labeled in accordance with this part except as follows:

- (1) The net quantity statement shall appear in the upper 30% of the principal display panel.
- (2) The net quantity statement shall be in the largest whole unit of the metric system for weights up to 7 grams, and in grams or in ounces for other weights less than 225 grams or 8 ounces; packaged seed weighing 225 grams or 8 ounces or more is not subject to this section.
- (3) The net quantity statement for coated seed, encapsulated seed, pelletized seed, seed tapes, pre-plants and the like, shall be by count.
- (4) This section applies only to labels developed or revised after January 1, 1975.

**Authority**

The provisions of this § 23.110 amended under the Weights and Measures Act of 1965 (73 P. S. §§ 1651—1692) (Transferred from 76 P. S. §§ 100-1—100-42 in 1978).

**Source**

The provisions of this § 23.110 adopted July 25, 1975, effective July 26, 1975, 5 Pa.B. 1925; amended May 26, 1989, effective May 27, 1989, 19 Pa.B. 2254. Immediately preceding text appears at serial page (31265).

**§ 23.110a. Polyethylene sheeting.**

(a) *Labeling.* Each package of polyethylene sheeting, shall contain, on a surface visible to the public, the following information:

- (1) The length in feet or fraction thereof, or both.
- (2) The width in feet or fraction thereof, or both.
- (3) The thickness in mills. A mill is defined as .001 inches.
- (4) The net weight in pounds or fraction thereof, or both.
- (5) The abbreviation of linear measurement and weight values shall be limited to abbreviations identified in § 23.13(c) (relating to weight, liquid measure or count terminology).

(b) *Declaration of weight.* The labeled statement of weight for polyethylene sheeting may not be less than the weight calculated by using the following formula:

$W = T \times A \times 0.03613 \times D$ , where

W = Net Weight in Pounds

T = Labeled thickness in inches

A = Labeled length in inches times labeled width in inches

D = Density in  $g/cm^3$

0.03613 = Conversion factor for density from  $g/cm^3$  to  $lb\ in^3$ .

**Authority**

The provisions of this § 23.110a issued under the Weights and Measures Act of 1965 (73 P. S. §§ 1651—1692) (Transferred from 76 P. S. §§ 100-1—100-42 in 1978).

**Source**

The provisions of this § 23.110a adopted May 26, 1989, effective May 27, 1989, 19 Pa.B. 2254.

**§ 23.111. Information on sales receipts.**

(a) *Recorded representations, point of sale systems.* The sales information recorded by cash registers when interfaced with a weighing element shall contain the following information for items weighed at the checkout stand:

- (1) The net weight identified by the words “pounds,” “grams,” or “kilograms” or by the abbreviations “lb,” “g,” or “kg.”
- (2) The unit price with weight values identified as in paragraph (1).
- (3) The total price.
- (4) The product class, name or code number.

(b) *Effect of section.* Subsection (a) supersedes all sections of the National Bureau of Standards Handbook 44 which are inconsistent with the provisions of subsection (a).

**Source**

The provisions of this § 23.111 adopted July 15, 1977, effective July 16, 1977, 7 Pa.B. 1985.

[Next page is 25-1.]