GOVERNMENT NOTICE. 11

METROLOGY ACT

(No. 10 of 2016)

METROLOGY (SALE OF ARTICLES) REGULATIONS, 2021

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IN EXERCISE of the powers conferred by section 30 of the Metrology Act, I, ROY AKUJUWE KACHALE-BANDA, Minister of Industry, make the following Regulations—

1. These Regulations may be cited as the Metrology (Sale of Articles) Regulations, 2021. Citation

2. In these Regulations, unless the context otherwise requires— Interpretation

"beer" and "cider" have the meaning ascribed to them in section 2 of the Liquor Act; Cap. 50:07

"coke" includes any solid fuel derived from coal or of which coal or coke is a constituent;

"consumer package" means a package that is customarily produced or distributed for sale to final purchasers through retail sales agencies or other means;

"dried fish" means fish which has been sun dried or smoked;

"dried fruit" includes candied peel and crystallized or glace fruits;

"fertilizer" means any substance which is intended or offered for improving or maintaining the growth of plants or the productivity of the soil but does not include—

(*a*) farmyard, stable or kraal manure;

(*b*) compost;

(*c*) wood ash;

(*d*) gypsum; or

(*e*) town refuse or night soil;

"intoxicating liquor" means spirits, beer, cider and wine;

"label" means any written, printed or graphic matter affixed to, applied to, attached to, blown into, formed or molded 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 on a product shall not be deemed to be a label that requires the label information prescribed by these Regulations;

"meat" means the carcass, part of a carcass or offal of any animal or poultry suitable for human consumption and whether fresh, frozen, chilled, pickled, cured, salted, dried, minced, cooked or manufactured into brawn, polony or sausages;

"milk" means milk, whether pasteurized, separated, skimmed or subjected to any other process but does not include dried, evaporated or condensed milk;

"net quantity" means the quantity of the identified product in the package exclusive of wrappers and any other material packed with such product, unless specifically allowed by these requirements;

"non-consumer package" means any package intended solely for industrial or institutional use or for wholesale distribution;

"person" includes individuals, partnerships, corporations, companies, societies and associations;

"prepacked product" means any commodity that is made up as a unit or entity and for which its quantity has been determined and indicated on its label prior to being offered for sale irrespective of whether such unit or entity is enclosed in a container, wrapped in any manner or unenclosed;

"principal display panel" means the part of a package that is most likely to be displayed, presented, shown or examined under normal and customary conditions of display;

"spirituous liquor" means brandy, gin, rum, cane, vodka or whisky;

"thread" means single, multiple or cabled yarn of any fibre, natural or synthetic, other than wool, which is suitable for sewing, embroidery, crocheting or similar purpose; and

"wool" means yarns—

(*a*) of natural wool or synthetic fibres; or

(*b*) of mixtures containing natural wool and additionally or alternatively synthetic fibres, packed and intended for hand-knitting.

Application

3. These Regulations shall apply to measurements used in trade transactions, including products sold in pre-packed form.

Scope

4. These Regulations cover requirements for—

(*a*) the labeling of prepackaged products with respect to—

(i) the identification of the product;

(ii) the name and place of business of the manufacturer, packer, distributor, importer, retail; or

(iii) the net quantity of the product; and

(*b*) tolerances permitted for the accuracy of measurement of products made at the time of sale and when prepackaged, including the application of these tolerances.

Language

5. Any person selling products regulated under the Act and these Regulations shall mark them in the English language.

Labelling

6. A person offering for sale prepacked products, unless the prepacked products are subject to other specific laws or regulations, shall labeled the prepacked products in accordance with these Regulations.

Identity

7. (1) A person offering a pre-packed product for sell shall ensure that—

(*a*) the principal display panel on a prepackage shall bear a specification (description) of the identity of the product unless the wrapper is transparent, thus rendering the product easily identifiable;

(*b*) the identity of the product shall be a conspicuous feature of the principal display panel and shall be in such font- size and so positioned as to make it easy to read and understand; and

(*c*) the identity of the product shall be in terms of at least one of the following designations, in order of preference—

(i) the name specified in or required by any applicable law or regulation;

(ii) the common or usual name of the product; or

(iii) the generic name or other appropriately descriptive term such as a specification which includes a statement of function.

(2) Subregulation (1) shall not apply to consumer packages which have been packed on the retail premises at which they are being sold and are displayed in such a manner that the purchaser serves himself with a sign clearly identifying the product according to subregulation (1), clearly displayed in close proximity to the packages.

Name and place of business of the manufacturer, distributor or importer

8.— (1) Any manufacturer, packager, distributor, packer, or importer shall mark his name and place of business as follows—

(*a*) the label of a prepackaged product shall specify conspicuously the name and address of business of the person responsible for any of the following: manufacturing, packing, distributing, importing or retailing the product:

Provided that where the product is not manufactured or packaged by the person whose name appears on the label, the name may be qualified by a phrase that reveals the connection the person has with the product, for example- "manufactured for ....."; "distributed by ....."; "marketed by ....."; "imported by ... " or "sold by ...";

(*b*) the statement of the place of business shall include a complete physical address or mailing address or both. This may be an address of a head office provided that the responsible person at such head office is able to identify the address of the packaging plant; and

(*c*) where a code is used to identify a packing plant, the manufacturer shall disclose the meaning of the code to any inspector requiring it.

(2) The requirements of subregulation (1) shall not apply to consumer packages that have been packed on the retail premises at which they are being sold.

Declared net quantity of the prepackaged product

9.—(1) A person offering a pre-packed product for sell shall ensure that label of a prepackaged product, except a label on a surface clearly intended as a base, bears a declaration of the net quantity of the product in a unit of measurement and according to the requirements specified in the First Schedule to these Regulations or by number, as applicable.

(2) A person offering a pre-packed product for sell shall ensure that any consumer prepackage does not bear a declaration of its gross mass inclusive of the mass of wrappers or any material packaged with the product; the net quantity is marked on the prepackages at the initial place of packaging or at importation:

Provided that—

(*a*) a consumer package may be marked at the place of retail sale if there is a written agreement between packer or importer and the seller that the packages shall be marked by the seller;

(*b*) a prepackage, contained in a correctly marked outer container which is likely to be opened in the retail for individual sale of the

prepackage therein, shall each be marked with a quantity indication according to this requirement unless exempted;

(*c*) a consumer package required to bear a quantity declaration, which has been packed on the retail premises at which they are being sold, need not be marked when displayed for sale in close proximity to a conspicuous notice clearly identifying the article and stating its quantity. A suitable legal measuring instrument shall be made available at such retail premises for consumers to check the quantity of such unmarked packages;

(*d*) where a package contains a number of items, which have themselves been prepacked according to the requirements of these Regulations, the outer container need only indicate the number of items and their individual quantity:

Provided further that where the items have different quantities, the outer container shall indicate the number of items of each quantity and their respective quantities and shall also comply with regulations 7 and 8; and

(*e*) a non-consumer package may be sold unmarked if a total quantity is marked on the outer packaging or is disclosed on an invoice or delivery note.

Special requirements

10. A person shall take note of the special requirements for products specified in the Second Schedule and of the regulations and the exemptions from quantity specified in the Fifth Schedule hereto.

Expression of quantity

11. A person shall ensure that the net quantity is expressed in terms of the largest whole unit of mass, volume, length, area, or a combination of these units in accordance with First Schedule hereto:

Provided that where the quantity is indicated on a label printed by a measuring instrument approved for trade use, the quantity may be expressed as a decimal fraction of a measuring unit.

Net quantity statement of specific products

12. A packer shall ensure that the net quantity statement for a specific product is expressed in the most appropriate measuring unit subject to the following rules or unless otherwise specified in the Fourth Schedule with respect to—

(*a*) volume, at 20 °C where the product is liquid or viscous in its normal state of use. When packed in a consumer package, products sold by volume, such as ice cream, which require chilling to maintain their consistency or composition in which they are normally used, are marked with the volume at the temperature at which they are normally required to be kept. The reference temperature need not appear on the label;

(*b*) mass, where the product is solid, semi-solid or viscous, a mixture of solid and liquid, or the solid part of a mixture of a solid and liquid (drained mass);

(*c*) length, in micrometres when expressing thickness less than 1 mm for some products such as polyethylene films; and

(*d*) quantities, based firmly on established general consumer usage and trade custom, where such quantities provide accurate and adequate information to the purchaser.

Pressurized product

13.— (1) A packer shall ensure that the statement declares the net quantity in mass or volume that will be expelled when the instructions for use are followed where a product packed in a container is designed to be delivered under pressure.

(2) A packer shall include in the quantity statement the propellant where the propellant is expelled with the product.

(3) Statements of quantity shall be the kilogram, gram or milligram, litre, centilitre or millilitre.

Size expressed in units of length or area

14. A packer shall ensure that a statement of size expressed in measuring units of length or area on or in respect of any manufactured known.

Statement of mass on sugar or chocolate confectionery

15. A packer may include a statement of mass with reference to a quantity of sugar or chocolate confectionery consisting of a collection of small units individually wrapped on the immediate wrappings of the units.

Sale of gas or liquid fuel

16. A Manufacturer may mark cylinders used for the sale of a gas or liquid fuel by mass may with the maximum filling mass and where that actual net mass of the contents is not declared on a label attached to the cylinder, the contents shall, when sold, be deemed to be equivalent to the marked maximum filling mass.

Free quantity

17.—(1) Where prepackages contain a free quantity of the same type of product as an integral part of the contents, the quantity excluding the free quantity, a packer shall declare on the package the total quantity contained in each package according to requirements of these Regulations.

(2) The quantity declared in subregulation (1) shall be in the same measuring unit or multiplies or sub multiplies thereof.

(3) The total quantity contained in the package as declared in sub-regulation (1) shall conform to applicable requirements for accuracy of measurement.

(4) Where specific quantities are prescribed for a product in Annex IV, the packer shall indicates the prescribe quantity, excluding the free quantity.

(5) The statement of quantity on a package to which a free quantity of the product is attached as a separate component, shall indicate the quantity of such package exclusive of such free quantity.

The packer, in the Statement by count

18. The packer shall express the statement of quantity in terms of count in whole numbers.

Presentation of information

19. A packer shall present the information in the following manner—

(*a*) a statement of a quantity less than a whole number may contain decimal fractions to no more than three places:

Provided the declaration complies with regulation (20) and Table B contained in the First Schedule hereto.

(*b*) a statement of net quantity shall appear in easily legible bold face type or print that contrast conspicuously with the background and with other information on a package:

Provided that where the value of the net quantity is blown, embossed or moulded on the surface of the prepackage it need not contrast with the background and all other required label information shall be provided conspicuously elsewhere on the surface or on the label; and

(*c*) a statement of net quantity shall be in letters and numerals in a minimum type size determined according to the requirements of contained in the Second Schedule hereto.

Significance of numbers on labels

20.—(1) A packer shall ensure that the number used on a label shall be shown to not more than three figures irrespective of where the decimal indicator is placed, subject to the following exceptions—

(*a*) where permitted in Table A.2, a statement of a quantity less than a whole number may contain decimal fractions up to three places, for example 0.355ml;

(*b*) where the quantity is indicated on a label printed by a measuring instrument approved for trade use, the quantity may have more than three figures, for example 1,355kg; and

(*c*) a quantity of less than a whole number permitted in Table A.2 shall be shown in the decimal system with the figure zero preceding the decimal mark;

(2) The packer shall not used statements such as "half kilogram" or common fractions.

Prescribed quantities

21. A packer shall only pack certain products, if contained in a consumer package, in the sizes prescribed in the Fourth Schedule hereto except for consumer packages that have been packed on the retail premises where they are being sold.

Misleading practices

22. A manufacture, packer or seller shall ensure that a package is manufactured, constructed or displayed in such a manner that a purchaser is not reasonably be misled with respect to the quantity or identity of product contained therein and—

(*a*) a package shall be filled in such a manner that a purchaser is not reasonably be misled with respect to the quantity or identity of the product they contain, taking into consideration any recognized and accepted production practices that may be necessary for the manufacturer or packer:

Provided that where a consumer cannot fully see the product in a prepackage, it shall be considered to be filled, and shall be misleading where it contains non-functional slack fill. Slack fill is the difference between the actual capacity of the packing material and the volume of product it contains. Non-functional slack fill is the empty space in a

prepackage that is filled to less than its capacity. Slack fill may be necessary for the following reasons—

(i) protection of the product;

(ii) the requirements of machines used for enclosing the contents of the prepackage;

(iii) unavoidable product settling during shipping and handling; or

(iv) the need for the prepackage to perform a specific function (for example, where packaging plays a role in the preparation or consumption of a food), where such function is inherent to the nature of the product and is clearly communicated to consumers;

(*b*) a prepackage shall not have a false bottom, sidewalls, lid or covering, or be otherwise so constructed or filled, wholly or partially that may deceive the consumer;

(*c*) where a prepackaged product is labelled on more than one location of its package, the quantity information on all labels shall be equivalent and in accordance with these requirements;

(*d*) a prepackaged product which is permitted to be sold other than by reference to a measuring unit or number (for example, exempted from a quantity indication) shall bear no direct or indirect reference alluding to quantity in terms of any measuring unit or by number, including numbers which might be construed as such a reference, unless the indication conforms to these regulations, is unambiguous and the actual quantity conforms to any applicable tolerance requirements;

(*e*) whether marked by mass or volume—

(i) metal aerosol containers shall be filled to at least 60 % of their nominal volume with a product including propellant as stated in regulation 13 in its liquid phase; or

(ii) bi-compartmental aerosol containers in which the propellant is separated from the product, shall be filled to at least 50% of the available capacity with product (excluding propellant); and

(*f*) meat products shall not be injected with any liquid or substance for the sole purpose of increasing the mass of the product.

Authorization to deviate from Regulations

23. The Director General—

(*a*) may give written permission to deviate from the requirements of these regulations as he may deem fit and under any conditions that he may deem necessary, unless the requirements of subregulation (*b*) apply; and

(*b*) shall not give permission for the sale of any pre-packed products that are deficient of the quantity marked on the packages unless—

(i) he receives a guarantee to the effect that the sale is to an end user and not for resale; or

(ii) the purchaser and seller agree to such sale.

FIRST SCHEDULE

UNITS OF MEASUREMENT AND SYMBOLS

1. A unit of measurement shall be expressed in either words or symbols as in Table A below—

Table A: Units of Measurement

Unit	Symbol
milligram	mg
gram	g
kilogram	kg
tonne	t
hectolitre	hl or hL
litre	L or l
centilitre	cL or cl
millilitre	mL or ml
micrometre	μm
millimetre	mm
centimetre	cm
decimetre	dm
metre	m
square millimetre	mm^2
square centimetre	cm^2
square metre	m^2
cubic centimetre	m^3
cubic decimetre	dm^3
cubic metre	m^3

2. A period (full stop) or the letter "s" shall not be used after any of the symbols.

3. A single space shall be used to separate the number from the unit of measurement.

4. Appropriate phrases such as "net", "net mass", "net contents" or "net quantity" may be used in connection with the net quantity declaration. Such phrases may appear either before or after the net quantity declaration.

5. The words "approximately" and "when packed" shall not be used in the declaration of net quantity unless specifically permitted for certain products.

6. A unit of measurement used shall depend on the type of measure and net quantity of the product as specified in Table B below—

Table B: Choice of Units

Type of measure	**Net quantity of product (q)**	**Units**
Volume (liquids)	q < 1000mL 1000mL ≤ q < 100L 100L ≤ q	mL (ml) or cL(cl) L (l) or hL (hl)
volume – cubic (solids)	q ≤1000cm3 (1 dm3) 1dm3 < q < 1000dm3 1000dm3 ≤ q	cm^3, mL (ml) dm^3, L (l) m^3
mass	q < 1g 1g ≤ q < 1000g (1kg) 1kg ≤ q < 1000kg 1000kg ≤ q	mg g kg kg or t
length	q < 1 mm 1mm ≤ q < 1000mm (100cm) 100cm ≤ q	µm or mm mm or cm m
area	q ≤ 100cm^2 (1dm^2) 1dm^2 < q < 100dm^2 (1m^2) 1m^2 ≤ q	mm^2 or cm^2 dm^2 m^2

7. The decimal indicator shall be either the comma or a dot on the line.

8. A prepacked product may be marked with an equivalent quantity statement in a non SI unit provided that the equivalent statement may not be more prominent or appear more times than the required metric statement.

SECOND SCHEDULE (reg. 10)

SIZE OF LETTERS AND NUMERALS FOR STATEMENTS OF NET QUANTITY ON CONSUMER PACKAGES

1. For prepackaged products bearing a net quantity indication in units of mass, volume or volume in cubic measure, letters and numerals used in the net quantity indication shall have a minimum height as prescribed in Table A, except where clause 2 is applicable.

Table A: Minimum height of numbers and letters

Net contents (C)	**Minimum height of numbers and letters in millimetres**
C ≤ 50g or mL	2
50g or mL < C ≤ 200g or mL	3
200g or mL < C ≤ 1kg or L	4
1kg or L < C	6

2 Where the net content appears on a stick on label printed by a measuring instrument approved for use in trade, the height of the indication shall be not less than or need exceed 2 mm irrespective of the quantity of the contents.

3. Where the label in clause 2 also bears a price description, the price description shall not exceed twice the height of the net quantity indication.

4. For a prepackaged product bearing a net quantity indication in units other than those in clause 1, the minimum height of the letters and numerals used in the net quantity indication shall be based on the longest dimension of the prepackage, either diameter, height, length or width, according to Table B below, except where clause 5 applies.

Table B: Minimum height of numbers and letters

Maximum package dimension (D) in millimetres	**Minimum height of numbers and letters in millimetres**
$D \leq 200$	3
$200 < D \leq 300$	5
$300 < D \leq 500$	10
$500 < D$	20

5. (*a*) Where the net content appears on a stick on label printed by a measuring instrument approved for use in trade, the height of the indication shall be not less than or need exceed 2 mm irrespective of the size of the package; and

(*b*) Where the label also bears a price description, the price description shall not exceed twice the height of the net quantity indication.

THIRD SCHEDULE (reg.10)

ANNEX III

SPECIAL REQUIREMENTS FOR CERTAIN PRODUCTS

1. Net quantity indications requiring supplementation

Where significant, in order to make the net content indication meaningful and informative to the purchaser, a product shall bear supplementary indications that comply with these requirements. These indications include: length, width, thickness, bore and diameter.

2. Alternative positioning of markings—

(*a*) Where a label or ticket is attached to a product which bears no other information or markings on the packaging, the label or ticket shall be regarded as the principal display panel and where it has more than one surface area containing information, the identity of the product, where required by clause 3(1) below, shall be placed on the surface most likely to be displayed. Where the marking is in the form of a sticker, the label shall be placed on any surface of the package except any surface clearly intended as the base.

(*b*) Barrels or drums with a volume not less than 100 L may have their net quantity indication marked on the head irrespective of where the other required information is marked provided that the quantity marking is legible and conspicuous.

3. Drained mass

(1) Where a solid foodstuff is packed in a liquid medium, the drained net mass of the foodstuff shall be indicated on the label in addition to the total net mass. A liquid medium means the following products, possibly in mixtures and also where 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. Savoury sauces, such as tomato sauce or gravy, are not included and products packed in these need not be marked with their drained mass; and

(2) The drained mass shall be indicated in close proximity to the total net mass in the same character size as the total net mass and must be clearly visible and legible.

FOURTH SCHEDULE (reg. 19)

ANNEX IV

MANNER OF EXPRESSING THE QUANTITY AND PRESCRIBED QUANTITIES FOR CERTAIN PREPACKED PRODUCTS

(1) Subject to the requirements of regulations 11 and 21 the quantity of a product in Column 2 shall be expressed as prescribed in Column 3 and, where packed in a consumer package, it shall be packed in the quantities prescribed in Column 4:

Provided that where no quantity is prescribed in Column 4 it may be packed in any quantity.

(2) A product that is required to bear a quantity statement but is not mentioned in this Schedule, shall bear a quantity statement expressed by number and in the measuring unit most suitable to inform a purchaser of its value or fitness for purpose.

(3) Products which are not packed and which are measured at the time of sale shall be sold in the manner prescribed in Column 3.

1 ITEM	2 PRODUCT	3 QUANTITY TO BE EXPRESSED BY	4 PRESCRIBED QUANTITIES
1	Adhesives and sealants:		
	(*a*) liquids, pastes or gels	Mass or volume	-
	(*b*) solids	Mass	-
2	Aerosol	Mass or Volume	-
3	Agricultural produce not elsewhere mentioned in this Table when sold other than in pre packed form	Mass or volume in dry measure provided that when sold by auction it may be sold other than by mass or volume.	-

4	Alcoholic beverages: (*a*) when packaged— (1) wine, including sparkling wine, vermouth, wine cocktails and flavoured grape liquors	Volume	187mL, 200mL, 250 mL, 300mL, 340mL, 375mL, 400mL, 500 mL, 750mL, 1L, 1.5L, 2L, 3L, 4L, 4.5L, 5L and integral multiples of 1L above 5L
	(2) spirituous liquor including liqueurs, cream liqueurs and spirit cocktails	Volume	Any quantity up to and including 50mL, 200 mL, 250mL, 300mL, 375mL, 500mL, 700 mL, 750mL, 1L then 150L and integral multiples of 1L above 150L
	(3) beer including grain sorghum or a mixture of beer and lemonade or other mixer, containing more than 0.5 % by volume of alcohol	Volume	
	(4) other, including spirit coolers, alcoholic fruit beverages, alcoholic fruit beers/ales	Volume	Any quantity up to and including 100mL, then 275mL, 300mL, 330mL, 340mL, 375mL, 450mL, 500mL, 750mL, 1L and 1.5L
	(*b*) when served from bulk containers in the retail for consumption on the premises		
	(1) wine, including sparkling wine, vermouth, wine cocktails and flavoured grape liqueurs	By the glass provided that no reference is made to volume	25ml and multiples of 25mL, provided that when sold on the premises of a club holding a club licence in terms of section 23 (7) of the Liquor Act Cap. 50:07 these sizes do not apply and the instrument used to measure a quantity of spirituous liquor need not be verified.
	(2) Spirituous liquor	Volume measured by a verified instrument provided that where two or more potable spirits are taken from their bulk containers and mixed at the time of serving such mixture may be sold by the glass provided that no reference is made to volume	

	(3) liqueurs, cream liqueurs and spirit cocktails	By the glass provided that no reference is made to volume	-
	(4) beer including grain sorghum or a mixture of beer and lemonade or other mixer, containing more than 0.5 % by volume of alcohol; and	Volume measured by a verified instrument or filled to a clearly marked datum line on the container confor-ming to requirements for such containers.	-
	(5) other, including spirit coolers, alcoholic fruit beverages, alcoholic fruit beers/ales.	Volume measured by a verified instrument or filled to a clearly marked datum line on the container confor-ming to requirements for such containers.	-
5	Baby foods	Mass when in the form of solids Volume when in the form of pastes or semi solids	-
6	Biscuits	Mass, provided that when packed in transparent packaging containing twelve or less biscuits and non consumer packages containing biscuits intended to be sold individually in the retail, the package may be marked with the quantity by number	-
7	Bread	(*a*) Mass for units of a mass exceeding 200g (*b*) Number for units of a mass not exceeding the mass specified in i) above	-
8	Breakfast foods (excluding baby foods) manufactured from cereals, including muesli	Mass	-
9	Butter, margarine, emulsified or non animal and vegetable fats (low fat spreads), dripping, lard and animal or vegetable cooking fats	Mass	any quantity less than 10g, then in integral multiples of 5g from 10g up to and including 100g, then 125g, 150g, 200g, 250g, 300g,

			400g, 500g, 1kg and integral multiples of 0.5kg above 1kg
10	Cakes and similar confectionery items excluding biscuits and bread	Mass or number	-
11	Candles (*a*) all excluding candles mentioned in (*b*)	Mass provided that the number in a prepackage is also marked and provided further when packages of candles are broken open in the retail, individual candles may be sold by number	-
	(*b*) ornamental candles in the form of figurines or with fancy or novelty shapes	Mass or Number	-
12	Cement	Mass	1kg, 2kg, 5kg, 10kg, 20kg, 25kg and 50kg
13	Cleaning Materials: (*a*) solids, powder, liquid or paste format being: washing powder (including soap flakes) laundry detergents, household cleaners including for dishwashing, fabric softener, industrial detergents, germicidal detergents, window cleaners, scouring powders, bleaches, hand cleaning pastes and disinfectants but excluding polishes, toilet soaps and the items in (*b*) and (*c*) below	Mass when in the form of solids and powders Volume when in the form of liquids and pastes	any quantity less than 10 g, then in integral multiples of 5 g from 10 g up to and including 100g, then 150g, 200g, 250g, 300g, 350g, 400g, 450g, 500g, 750g, 800g, 1kg, 1.25kg, 1.5kg, 2kg, 2.5kg, 3kg, 3.5kg, 4kg, 4.5kg, 5kg and integral multiples of 1kg above 5kg any quantity less than 10mL, then in integral multiples of 5 mL from 10mL up to and including 100mL, then 125mL, 150mL, 175 mL, 200mL, 250mL, 300mL, 350mL, 375 mL, 400mL, 450mL, 500mL, 750mL, 800mL 1L, 1.25L, 1.5L, 2L, 2.5L, 3L, 3.5L, 4L, 4.5L, 5L and integral
	(*b*) household and laundry bars (soap and non-soapy detergents)	Mass	
	(*c*) specially formulated discreet consumer units such as tablets or	Number, provided that a statement of net quantity by mass in the case of solids and	

	sachets being doses intended for single application only	powders, or by volume in the case of liquids and pastes, is also indicated on each unit or on an outer container which contains several such units, according to relevant requirements	multiples of 1L above 5L any quantity less than 10 g, then in integral multiples of 5 g from 10 g up to and including 50g, then 75g, 100g, 125g, 150g, 200g, 250g, 300g, 350g, 375g, 500g, 1kg, and integral multiples of 1kg above 1kg -
14	Coal, anthracite, coke or charcoal.	Mass provided that when sold by dry measure of 5 L, 10 L or 20 L, it may be sold by volume.	
15	Coffee and chicory - beans or ground, pure, mixtures and instant	Mass	any quantity up to and including 100g, then 125g, 150g, 200g, 250g, 300g, 500g, 750g, 1kg and integral multiples of 0.25kg above 1kg
16	Compost, potting soil and similar products for garden use excluding fertilizer	Mass or Volume in cubic measure	-
17	Condiment, seasoning, relish and flavouring liquids, sauces and pastes with or without solid components including mayonnaise, chutney, mustard and ketchup	Mass or Volume	-
18	Cosmetics and toiletries: (*a*) in the form of pastes, cremes and viscous or other liquids (*b*) in the form of solids or powders (*c*) deodorant sticks	 Volume Mass Mass or volume	 - - -
19	Cotton wool and pads used for surgical, medical, first aid and toilet purposes	Mass provided that when made up in regular shapes for single application excluding cotton balls these may be sold	-

		by number. Articles such as pads used for facial, first aid or medical purposes shall also be marked with a supplementary indication of finished size	
20	Dried beans, dried peas, pea flour, lentils, pearl barley and similar pulses	Mass	any quantity less than 10g, then in integral multiples of 5g from 10g up to and including 100g, then 125g, 200g, 250g, 300g, 400g, 500g, 1kg, 2kg, 2.5kg, 3kg, 4kg, 5kg, 10kg and integral multiples of 1kg above 10kg
21	Edible Oil	Volume	any quantity less than 10mL, then in integral multiples of 5mL from 10mL up to and including 100mL, then in integral multiples of 25mL above 100mL up to and including 1L and integral multiples of 250mL above 1L
22	Eggs	Grade and number	-
23	Fertilizer: (*a*) in solid form; and (*b*) in liquid form.	 Mass Volume	 - -
24	Firewood	mass or volume in cubic measure provided that quantities of less than 100kg may be sold by the unit (bundle or bag) without any indication of the mass or volume.	-
25	Flour confectionery including meat pies and sausage rolls but excluding biscuits, bread and cakes.	Mass provided that single units of less than 200g may be sold by number.	-
26	Fruit and vegetables (*a*) fresh (i) when sold loose or in open receptacles,	 Mass, Number or unit	 -

	bunches or groups which form a unit		
	(ii) when prepacked	(*a*) produce permitted to be sold by mass only: Onions, potatoes, tomatoes, sweet potatoes, green beans, green peas, berries, and similar fruit including grapes provided that onions, potatoes, tomatoes and sweet potatoes may be sold in unmarked containers when packed in transparent containers not containing more than 12 items; and	-
		(*b*) all produce not falling under (i) above is permitted to be sold by mass, unit or number:	-
	(*b*) frozen	Mass	-
	(*c*) canned	Mass	-
	(*d*) pure fruit or vegetable juices	Volume provided that concentrates may be sold by mass	-
27	Honey, jams, syrups including jellies (jam type), grape syrup and treacle	Mass	-
28	Knitting, crocheting and similar yarns	Mass or length, provided that the unstretched length is indicated in the case of quantity indication by length.	-
29	Liquid fuel, lubricating oil or any mixture of fuel and oil	Volume provided that wholesale quantities may be sold by mass	-
30	Liquid Petroleum Gas (LPG)	Mass when packed in cylinders Volume or mass when sold other than in portable cylinders	-
31	Lubricating grease	Mass	-
32	Maize in the following forms: whole, meal, flour and crushed.	Mass	any quantity less than 10g, then in integral multiples of 5g from

			10g up to and including 100g then 200g, 250g, 500g, 1kg, 2kg, 2.5kg, 3kg and integral multiples of 1kg up to and including 12kg, 12.5kg, 13kg and integral multiples of 1kg above 13kg
33	Pasta products	Mass	any quantity less than 10g, then in integral multiples of 5g from 10g up to and including 100 g, then 125g, 200g, 250g, 500g, 1kg and integral multiples of 0.5kg above 1kg
34	Meat, including when processed or enhanced in any manner	Mass provided that when meat is delivered other than in pre-packed form, it shall be accompanied by a delivery note specifying at least the following: (*a*) name and address of seller; (*b*) name and address of purchaser; (*c*) mass, grade and designation of each cut of meat delivered; and (*d*) unit price i.e. K/kg or total price for each cut of meat	-
35	Milk and cream: (*a*) fresh milk and cream, including long life milk and flavoured mil;. (*b*) Powdered milk; and (*c*) Condensed milk.	Volume provided that wholesale quantities may be sold by mass Mass Mass	any quantity less than 10mL then 100mL, 125mL, 200mL, 250 mL, 350mL, 500mL, 750mL, 1L, 1.5L, 2L and integral multiples of 1L above 2L any quantity less than 10g, then in integral multiples of 5g from 10g up to and including 100g, then 125g, 150g, 200g, 250g, 300g, 500g, 750g, 900g, 1kg,

			2 kg, and any quantity above 2 kg
36	Paint		-
	(*a*) liquid;	Volume	-
	(*b*) aerosol;	Mass or volume	-
	(*c*) powder; and	Mass	-
	(*d*) paste.	Mass or volume	
37	Paper products:		
	(*a*) tissue paper which is sold as or under the name of toilet paper or which has the appearance of toilet tissue paper when wound in the form of a roll with a width not exceeding 140 mm-		
	(i) perforated Rolls; or	Sheet count, paper ply and length and width of individual sheets	200 sheets and a multiple of 100 sheets above 200 sheets
	(ii) unperforated Rolls;	Paper ply and length and width of the roll number, provided that the ply and finished size per sheet shall also be indicated	-
	(*b*) sheets of paper being facial tissues, serviettes or towels whether separate or joined in the form of perforated packs or rolls;		
	(*c*) paper being wrapping, drawing, reproduction and paper used for a similar purposes including facsimile paper-		
	(i) sheets	Number and sheet size provided that the thickness or density shall also be indicated where necessary to gauge suitability for a specific purpose	-
	(ii) rolls	Width and length provided that the thickness or density shall also be indicated where necessary to gauge suitability for a specific purpose	-
38	Peanut butter	Mass	-
39	Polishes in paste, wax or liquid form	Mass or Volume	any quantity less than 10g or mL, then in integral multiples of 5g

			or mL from 10g or mL up to and including 100g or mL, then in integral multiples of 25 or mL above 100g or mL up to and including 1kg or L and integral multiples of 250g or mL above 1kg or L
40	Polyolefin compounds in the form of coloured membrane for damp-proofing, water-proofing or agricultural use and similar polyolefin based products which have the appearance of such membranes excluding made up articles produced from such membrane	Length: provided that the width, minimum thickness and net mass shall also be indicated and provided further that no point on the surface of the membrane shall be thinner than the minimum thickness indicated	-
41	Poultry, including when processed or enhanced in any manner	Mass provided that whole birds may be packed in mass bands and marked with the lowest mass of each band. Bands shall be as follows: - Below 1.1kg in 50g bands starting with either 100g or 50g for example birds marked 900g shall weigh between 900g and 949g - 1.1kg and above in 100g bands starting from 1.1kg for example birds marked 1.2kg shall weigh between 1.2kg and 1.299kg	-
42	Rice	Mass	any quantity less than 10g, then in integral multiples of 5g from 10g up to and including 100 g, then 125g, 200g, 250g, 500g, 1kg, 2kg, 2.5kg, 4kg, 5kg, 10kg and integral multiples of 1kg above 10kg
43	Rope, cordage and twine	Mass or length	-
44	Salads	Mass provided that if sold as part of a meal salads may be sold per portion without reference to the mass	-

45	Salt	Mass	any quantity less than 10g, then in integral multiples of 5g from 10g up to and including 100g, then 125g, 200g, 250g, 500g, 750g, 1kg and integral multiples of 1kg above 1kg
46	Seeds, including maize seeds	Mass or number, provided that packages of seed marked by mass may also be marked with a supplementary statement of the average or approximate number of seeds and packages of seed marked by number may also be marked with a supplementary statement of the average or approximate mass of the seeds, for information only and provided further that such supplementary statements shall not be more prominent than the primary indication.	-
47	Sewing thread	Length, provided that the unstretched length is indicated and provided further that non consumer packages may be sold by mass	-
	Sorghum meal	Mass	any quantity less than 10g then in integral multiples of 5g from 10g up to and including 100g then 250g, 500g, 1kg 2kg, 2.5kg, 3kg, and integral multiples of 1kg up to and including 12kg, 12.5kg, 13kg and integral multiples of 1kg above 13kg
48	Spices and herbs used for seasoning and flavouring of food, whether ground or whole including flavoured salt and mixtures of spices and or herbs and salt but excluding such spices or	Mass Volume when in the form of ground spices and herbs only	any quantity less than 10g, then in integral multiples of 5g from 10g up to and including 100g, then 200g, 300g, 400g, 500g, 1kg and integral multiples of

	herbs when packed for industrial use or when in a formula pack.		1kg above 1kg 100mL and 200mL when packed in transparent self supporting containers of nominal volume 100mL and 200mL provided that containers are completely filled at the time of packing
49	Spreads being meat extracts, vegetable extracts and fish paste	Mass	any quantity less than 10g, then in integral multiples of 5g from 10g up to and including 100g, then 125g, 225g, 250g and 500g
50	Sugar	Mass	any quantity less than 10g, then in integral multiples of 5g from 10g up to and including 100g, then 125g, 250g, 500g, 750g, 1kg and integral multiples of 0.5kg above 1kg
51	Sugar or chocolate confectionery	Mass, provided that non-consumer packages containing articles intended to be sold individually in the retail and confectionery of a novelty shape or in the form figurines such as Easter eggs may be sold by number	-
52	Tea: (*a*) all types including herbal and flavoured except when packed in the form of tea bags; and (*b*) all types when packed in the form of tea bags	Mass Number provided that the total mass of the tea bags, shall also be marked	Any quantity less than 75g, then 75g, 100g, 125g, 150g, 250g, 300g, 500g, 750g, 1kg and integral multiples of 0.25kg above 1kg
53	Toilet soap when in the form of bars, tablets or cakes	Mass	Any quantity less than 10g, then in integral multiples of 5g from 10g up to 100g, then in integral multiples of 25g up to 1kg and in integral multiples of 250g above

54	Toothpaste	Mass or Volume	Any quantity less than 10g or mL, then in integral multiples of 5g or mL from 10g or mL up to and including 100g or mL, then in integral multiples of 25g or mL above 100g or mL
55	Vinegar, excluding flavoured or speciality vinegars	Volume	Any quantity less than 10mL, then in integral multiples of 5mL from 10mL up to and including 100mL, then 200mL, 375mL, 500 mL, 750mL, 1L, 1.5L, 2L, 5L, 20L, 25L, and integral multiples of 1L above 25L
56	Wheaten meal and wheaten flour, including self-raising flour, rye meal and rye flour.	Mass	Any quantity less than 10g then in integral multiples of 5g from 10g up to and including 100g then 250g, 500g, 1kg 2kg, 2.5kg, 3kg and integral multiples of 1kg up to and including 12kg, 12.5kg, 13kg and integral multiples of 1kg above 13kg
57	Wire (all types).	Mass or Length Provided that the thickness shall also be marked on prepackages	-
58	Yoghurt and sour milk (eating or drinking).	Yoghurt and sour milk (eating or drinking)	-

FIFTH SCHEDULE (reg. .....)

GOODS EXEMPTED FROM QUANTITY INDICATION

The following goods and products are exempt from quantity indication-

1. A free sample shall be exempted from quantity indication provided that either the words "free sample" or "not for sale" shall be prominently marked on the package;
2. Solid or liquid goods prepackaged in quantities less than the ones specified below—
   (*a*) general merchandise not otherwise specified 10g or mL;

(*b*) medicines and drugs 5 g or mL;

(*c*) cosmetics and toiletries 5 g or mL;

(*d*) seeds except tobacco seed when sold by mass 20 g;

(*e*) tobacco seed 5 g;

(*f*) ice cream and similar frozen goods 200 mL;

(*g*) sugar or chocolate confectionery when sold by mass 50 g; and

(*h*) potable spirits, including liquors, cream liquors and spirit cocktails 5 Ml.

3. A transparent package, being a combined pack, containing units of goods of the same kind and of the same quantity:

   Provided that—

   (*a*) the number of such units in such combined pack does not exceed 12 and are all clearly visible; and

   (*b*) where such units should bear a quantity statement, such statement is marked in accordance with the relevant requirements of these Regulations and is clearly visible on at least one such unit.

4. A transparent package, being a combined pack, containing units of goods of different kinds and different quantities:

   Provided that—

   (*a*) the number of such units in such combined pack does not exceed 12 and all are clearly visible; and

   (*b*) where such units should bear a quantity statement, such statement is marked in accordance with the relevant requirements of these Regulations and is clearly visible on each such unite.

5. Eggs in the shell when packed in a quantity not exceeding 12.

6. Sugar or chocolate confectionery being Easter eggs, figurines or novelty shapes where the number of such articles in a package is clearly visible and does not exceed 12 units;

7. Flour confectionery and yeast-raised goods not exceeding 200 g per unit, other than biscuits and bread, including sausage rolls and pies when cooked and made up for sale in the retail trade in a transparent package through which all items are clearly visible and which contains not more than 12 units;

8. Fresh fruit, vegetables and other agricultural produce when packed in packaging through which all items are clearly visible and containing not more than 12 units or when exempted in terms of Fourth Schedule;

9. Bread of a mass not exceeding 200 g and when in whole units including when sliced and wrapped with quantities specified in Fourth Schedule;

10. Cheese when kept or displayed in the retail to be portioned out and weighed at the time of sale.

    Provided Prepackaged cheese for wholesale delivery in packages intended to be repacked in the retail shall comply with the requirements for non-consumer packages.

11. Milk or cream sold by the producer to a factory, dairy or cream or milk depot;

12. Split or log firewood, when sold other than by mass in bags or bundles not exceeding 100 kg.

13. Coal, anthracite, coke or charcoal when sold in retail by dry measure of 5 L, 10 L and 20 L.

14. Bolts, nuts, nails, screws, tacks when sold other than by mass and packed in a transparent package through which all items are clearly visible and which contains not more than 12 units.

15. Any goods not mentioned in this Schedule, that are permitted to be sold by number, and which are packed in packaging through which all items are clearly visible and containing not more than 12 units.

16. A quantity of spirituous liquor, liqueur or a wine, excluding beer, when served from a bulk container for consumption on the premises.

    Provided that when served from a bulk container spirituous liquor shall be measured using a verified instrument at the time of sale and beer. Where it is measured by an instrument not verified it shall be served in a container filled to a datum line and marked with the quantity represented by such datum line.

17. Any quantity of milk or other liquid other than spiritious liquor when served as a refreshment and when made up on retail catering premises where it is consumed or from where it is served.

18. A quantity of foodstuff prepared as a meal or part of a meal ready for human consumption without further cooking, heating or other preparation when made or served from a catering premises.

19. Meat and fish products—

    (*a*) a prepackaged bulk quantity of a processed or manufactured meat product when kept or displayed in the retail to be portioned out and weighed at the time of sale;

    (*b*) dressed or undressed carcasses of beef, calf, lamb, sheep, goat, pork or venison intended to be weighed at the time of sale except where kept or exposed for sale with a price marked or displayed thereon;

    (*c*) packages of meat or fish when prepared for delivery or when being delivered to a purchaser provided that the net mass of each separate kind or cut contained in a package shall be shown separately on the delivery note accompanying such meat or fish when being delivered, except that only the total net mass of the whole package of meat or fish need be shown on the delivery note in cases where the purchaser was present during the measuring of the mass of the separate kinds or cuts of meat or fish;

    (*d*) whole units of salami and similar items known in the trade as Continental Products which are subject to ageing and loss of moisture and single pieces of dried meat and dried sausage of random size and mass intended to be measured at the time of sale except where kept or exposed for sale with a price marked or displayed thereon;

    (*e*) dressed poultry kept or displayed in the retail to be weighed at the time of sale except where kept or exposed for sale with a price marked thereon and dressed

poultry displayed for sale at a fixed price, irrespective of mass, when displayed for sale in close proximity to a conspicuous notice clearly indicating the fixed price and the minimum mass of the poultry offered for sale at that price and the unit price calculated at the fixed price and minimum mass; and

(*f*) freshly caught fish sold to purchasers other than fish factories.

20. Fresh fruit and vegetables when sold loose or in open receptacles, bunches or groups which form a unit or when chosen and placed in a receptacle by the purchaser.

21. Laundry soap in bars or tablets when removed from its original packaging by a retail dealer provided that individual bars or tablets met the requirements for accuracy of quantity when originally packed.

22. Single candles, which in their original prepackaged condition met all requirements, when sold in the retail or ornamental candles in the form of figurines or with fancy or novelty shapes.

Provided that coloured candles shall not regarded as ornamental candles.

Made this 21st day of January, 2021

R. A. KACHALE-BANDA
Minister of Industry

(FILE NO: SUB.D.39:06)