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AQSIQ Order 2005 (No.75)

Measures for the Metrological Supervision and Administration of Quantitatively Packed Commodities

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Order of the General Administration of Quality Supervision, Inspection and Quarantine

2005 (Order No.75)

The Measures for the Metrological Supervision and Administration of Quantitatively Packed Commodities, which were deliberated and adopted at the executive meeting of the General Administration of Quality Supervision, Inspection and Quarantine on May 16, 2005, is hereby promulgated and shall come into force as of January 1, 2006. *The Provisions on the Metrological Supervision of Quantitatively Packed Commodities* as promulgated by the former State Administration of Technical Supervision (No.43 of the State Administration of Technical Supervision) shall be simultaneously repealed.

Director

May 30, 2005

Measures for the Metrological Supervision and Administration of Quantitatively Packed Commodities

Article 1 This Measures is formulated pursuant to the Metrology Law of the People's Republic of China and by reference to the prevailing international practices for the purpose of protecting the lawful rights and interests of consumers, producers [Translator Note: For international practices, "Manufacturer" should be more appropriate than producer, hereafter the same] and sellers AND regulating the metrological supervision and administration of quantitatively packed commodities.

Article 2 The production and selling of quantitatively packed commodities and the metrological supervision and administration of quantitatively packed commodities carried out within the territory of the People's Republic of China shall be governed by this Measures.

The term "quantitatively packed commodities" as mentioned in this Measures refers to those pre-packed commodities with uniform quality, volume, length, area, numbering label and other marks within a certain quantitative range for the purpose of selling.

Article 3 The General Administration of Quality Supervision, Inspection and Quarantine shall conduct uniform supervision and administration of the work relating to the measurement of quantitatively packed commodities across the country.

The local quality and technical supervision departments at or above the county level shall conduct supervision and administration of the work relating to the measurement of quantitatively packed commodities within their own jurisdictions.

Article 4 Producers or sellers of quantitatively packed commodities shall strengthen metrological administration, have the metrological inspection equipment corresponding to the production of quantitatively packed commodities, and ensure that the quantitatively packed commodities produced or sold are consistent with this Measures.

Article 5 Producers or sellers of quantitatively packed commodities shall correctly and clearly indicate the net quantity of the quantitatively packed commodities at prominent places of the commodity packages.

The label of net quantity shall be composed by "net quantity in Chinese"

change on net quantity is caused by water change, then the producer shall take measures to ensure the accuracy of net quantity under specified conditions.

Article 12 The local quality and technical supervision departments at or above the county level shall conduct metrological supervision and administration to the quantitatively packed commodities produced and to sell.

When the quality and technology supervision department conducts the metrological supervision and administration, it shall take full account of the effect on net quantity of quantitatively packed commodities caused by environmental and water changes.

Article 13 The inspection on the metrological supervision and administration of quantitatively packed commodities shall be carried out by the authorized metrological certification authority in accordance with *Metrological Inspection Rules for Net Quantity of Quantitatively Packed Commodities*.

The inspection on quantitatively packed commodities shall take account of the reasonable changes of net quantity which may be caused by environmental conditions such as storage and transport.

Article 14 When the producer, seller of quantitatively packed commodities use the packaging of commodities, they shall save resources, reduce pollution, and correctly guide consumption. The size of the packaging shall be comparable to the volume of the net quantity of the commodity. It must not use false packaging or deliberately exaggerate the packaging size of quantitatively packed commodities which shall make consumers have misunderstanding on the amount of commodities within the package.

Article 15 The state encourages the producers of quantitatively packed commodities to voluntarily participate in the evaluation of metrology assurance ability so as to ensure the integrity of metrology. The provincial quality and technology supervision department, in accordance with the requirements of *Evaluation Specification on Metrology Assurance Ability of Manufacturers of Quantitatively Packed Commodities*, verifies the producers. The qualified producers shall be filed, issued with the national unified Certificate of Metrology Assurance Ability of Manufacturers of Quantitatively Packed Commodities and shall be permitted to use the national unified qualified sign for metrology assurance ability on their quantitatively packed commodities.

Article 16 Where the producers who have the Certificate of Metrology Assurance Ability of Manufacturers of Quantitatively Packed Commodities violate the requirements of *Evaluation Specification on Metrology Assurance Ability of Manufacturers of Quantitatively Packed Commodities*, they shall be ordered to rectify and stop using the qualified sign for metrology assurance ability, and may be fined not more than 5,000 yuan. Should they fail to comply

- I. Forge inspection data.
- II. Carry out the metrological inspection *against Metrological Inspection Rules for Net Quantity of Quantitatively Packed Commodities*.
- III. Carry out the metrological inspection with metrological tools without verification, of which the verification is unqualified or exceeds the verification cycle.
- IV. Disclose the inspection results and relevant information without authorization.
- V. Use the test results to participate in paid activities.

Article 22 The meanings of the terms used in this Measures are as follows:

- I. Prepackaged commodities refer to the goods which are prepackaged by packaging materials or packaging containers before sale, which have a predetermined amount (or quantity).
- II. Net quantity refers to the amount of goods inside after removal of packaging containers and other packaging materials.
- III. Actual quantity refers to the actual amount contained in quantitatively packed commodities which is determined via metrological inspection carried out by metrological verification authority authorized by quality and technology supervision department in accordance with *Metrological Inspection Rules for Net Quantity of Quantitatively Packed Commodities*.
- IV. Marked net quantity refers to the net quantity of goods clearly marked on the packaging of quantitatively packed commodities by producer or seller.
- V. Tolerable inadequate refers to the maximum allowable value (or quantity) between the marked net quantity of single quantitatively packed commodity and its actual quantity.
- VI. Inspection batch refers to a certain amount of quantitatively packed commodities of same kind produced under same production conditions by same producer under metrological inspection or same kind of quantitatively packed commodities which exist on seller's sampling site.
- VII. Same kind of quantitatively packed commodities refer to the quantitatively packed commodities which are produced by same producer, of same category, of same marked net quantity, of same packaging size and packaging material.
- VIII. Qualified sign for metrology assurance ability (also known as the sign C, C is the first letter of "China") refers to a sign of which the pattern is

Attachment -- Table 3

Tolerable inadequate

Marked net quantity of mass or volume quantitatively packed commodities (Q _n) g or ml	Tolerable inadequate (T)* g or ml	
	Percentage of Q _n	g or ml
0 ~ 50	9	-
50 ~ 100	-	4.5
100 ~ 200	4.5	-
200 ~ 300	-	9
300 ~ 500	3	-
500 ~ 1000	-	15
1000 ~ 10000	1.5	-
10000 ~ 15000	-	150
15000 ~ 50000	1	-
Marked net quantity of quantitatively packed commodities in length unit (Q _n)	Tolerable inadequate (T) m	
Q _n ≤ 5 m	Tolerable inadequate is not allowed	
Q _n > 5 m	Q _n × 2%	
Marked net quantity of quantitatively packed commodities in area unit (Q _n)	Tolerable inadequate (T)	
All Q _n	Q _n × 3%	
Marked net quantity of quantitatively packed commodities in counting unit (Q _n)	Tolerable inadequate (T)	
Q _n ≤ 50	Tolerable inadequate is not allowed	
Q _n > 50	Q _n × 1% **	

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