

## Legal Metrology (Packaged Commodities) Amendment Rules 2021-2022

written by Rajesh Sivaswamy | April 29, 2022



The Ministry of Consumer Affairs, Food and Public Distribution published a notification dated March 28<sup>th</sup> 2022 notifying the Legal Metrology Packaged Commodities Rules 2022. The rules will be implemented from October 1<sup>st</sup> 2022. This article explores pivotal amendments to the rules and their possible impact on manufacturers and businesses.

Pivotal Amendments of Packaged Commodities Rules 2022



Further, the amended rules have clearly stated that no prosecution will be lodged against the manufacturer or packer or importer of pre-packaged commodities on grounds of making declaration with effect from April 1<sup>st</sup> 2022.<sup>1</sup>

#### Effect Of Amendments On Businesses

1. All commodities can be packed and sold in any packaging size now: Rule 5 of the Packaged Commodities Rules 2022 Rules has omitted the removal of requirements for specific commodities to be packed in standard quantities mentioned in second schedule and also removed the need to provide the declaration of “non-standard size under LMPC rules” on the packaging. Earlier, certain commodities like baby foods, biscuits, tea, aerated soft drinks, cement, paints had to be compulsorily packed under such standards but now all the manufacturing companies will be free to determine the quantity and quality of their packages, which will be beneficial for the manufacturers.
2. Month & year of import to be mentioned on packages: Earlier, as per Rule

6(1)(d), month and date of manufacturing had to be mentioned on all pre-packed and imported packages. Due to this, packers or importers had to rely on domestic and foreign manufacturers for this information which hinders the growth of supply chain since importers have to take several extra steps to get info regarding the time of manufacture. Now however, only the month and the year of import need to be mentioned on the packages. Omitting the terms mentioned above in the list reduces the compliance burden of manufacturers, importers, removes the dubious problem of declaration and increases the flexibility of the market chain.

3. Simplification of manner of writing retail sale price: The amended rules have simplified the way of declaring retail sales which can reduce disputes with authorities on price declaration. The declaration requirement per unit sale will enhance the compliance burden but this will alleviate the process of comparing prices of various goods or different weights.
4. Simplification of the manner of writing MRP on packages: The amended rule 6(1)(e) has eased the manner of declaring the MRP by omitting the need for illustrations and made provisions for the mandatory declaration of MRP in Indian currency inclusive of all taxes. This means that after pre-packing for sale, if any tax payable is revised, retail dealers cannot sell any commodity beyond the revised MRP.
5. Amending the manner of using symbols of units for commodities as sold by number: The amendment of Rule 13(5)(ii) provides that the quantity of goods can be mentioned in the number/unit/piece/pair/set (or any other word representing the package quantity) to be sold by number. Previously, only the letters 'N' & 'U' were permitted. It is proposed that no other abbreviation system should be used to declare quantity.

This amendment has eased the burden of compliance for manufacturer or importer or packer because now they can use any commercially-used unit system mitigating the dubiety of declaration of quantity sold by number in pre-packed commodities.

Endnote

Consumer protection has always been at the focal point of any policy formulation. The Department of Consumer Affairs has aimed to protect the interest of such consumers through these rules to get right quantity of commodities for the value they pay. Brands should be aware that non-compliance of these rules may affect their whole industrial operations and companies must evaluate the changes to take timely action on the Packaged Commodities Rules 2022.

Contributed by Rajesh Sivaswamy (rajesh@ksandk.com) & Prapti Bhattacharya  
King Stubb & Kasiva,

Advocates & Attorneys

[Click Here to Get in Touch](#)

New Delhi | Mumbai | Bangalore | Chennai | Hyderabad | Kochi | Kolkata | Pune  
Tel: +91 11 41032969 | Email: info@ksandk.com