



HB 

Responsibilities of Packer & Importers

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HB **Packer** 


- ▶ *The packer or importer shall be responsible for... ensuring that prepackages meet the requirements of this Directive.*
- ▶ Packer
 - Makes up prepackages
 - Business and / or employee
 - Labeller
 - Retailer – packer & importer
 - Contract packer – who is responsible?

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HB **Importer** 


- ▶ *The packer or importer shall be responsible for...*
- ▶ Prepackages from outside the EEA and enlargement countries that have implemented Directive
- ▶ Identified from importation documentation
- ▶ May be retailer
- ▶ May not physically have prepackages

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HB Directive's requirements 


- ▶ ... ensuring that prepackages meet the requirements of this Directive.
- ▶ Inscriptions and makings - next session
 - Quantity
 - Person
 - 'e' mark
- ▶ Quantity
 - 3 Packers Rules
 - Example, 65 g, TNE 4.5% = 5.7 g

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HB Actual Contents 

- ▶ The quantity of product contained in a prepackage (or packing quantity), known as the 'actual contents', ...
- ▶ Total amount of product
- ▶ Where drained weight given, actual content is the drained weight plus the quantity of liquid medium
- ▶ Glazed frozen foods are dealt with similarly
 - Ice on prawns

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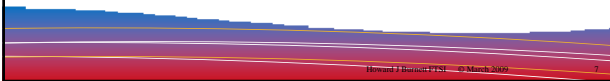
HB Measure or check 

- ▶ ... shall be measured or checked by weight or volume ...
- ▶ This gives two options:
 - To measure the quantity of product going into each prepackage, or
 - To produce the prepackages and then carry out a check on the quantity.
- ▶ Importers would only be able to carry out checks

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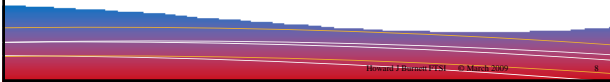
HB Responsibilities

- ▶ ... on the responsibility of the packer and/or importer.
- ▶ This precludes a retail chain from having any responsibility.
- ▶ Agents may be used to carry out checks – but the packer or importer remains responsible for the duty to be carried out, including making records & taking necessary corrective actions



HB Legal Measuring Instrument

- ▶ *The measurement or check shall be carried out by means of a legal measuring instrument ...*
- ▶ Verified non automatic weighing instruments (NAWI), Directive 90/384/EEC
- ▶ If implemented, verified Measuring Instruments (MID), Directive 2004/22/EC
- ▶ Measuring Container Bottles, Directive 75/107/EEC
- ▶ Meet domestic requirements
 - Thermometers, density bottles & meters, templet



HB Automatic Gravimetric Weighing Instrument – 2 x 2 rough / fine feed





Suitable Equipment



- ▶ ... suitable for effecting the necessary operations.
- ▶ Suitable
 - Accuracy
 - Traceable
- ▶ Guidance, error < 0.2 TNE, but if larger an allowance needs to be made.
- ▶ Example
 - 1kg, TNE = 15 g, d = 2 g < 3 g,
 - 1kg, TNE = 15 g, d = 5 g > 3 g, so error needs to be allowed for
 - MCB uses templet, temperature, closure variability, templet accuracy, accuracy of reading meniscus level
 - Volume via density, density & temperature measurement

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Sample Checks



- ▶ The check may be carried out by sampling.
- ▶ 100% checks may be carried out on automatic checkweighers
- ▶ Samples can be taken; it is not specified what the sample size or frequency should be, this is determined by the packer or importer
 - These issues are addressed later

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Automatic Checkweigher



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Organised checks – contents measured




- ▶ Where the actual contents are not measured, the check carried out by the packer shall be so organized that the quantity of the contents is effectively ensured.
- ▶ Where actual contents **are** measured, no system is needed.
 - Case C – 96/84
 - no 'recognition' needed,
 - Where a packer measures the quantity in each pack he is entitled to affix the 'e' mark without the need for authorisation

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Organised checks




- ▶ *so organized that the quantity of the contents is effectively ensured*
- ▶ Formal system needs to be in place
 - Documented or electronically stored.
 - Controlled system
 - Accessible to staff
 - Staff training
 - Maintenance of equipment
 - Establishment of targets & limits
 - Records
- ▶ Ensure 3 Packers' Rules also met
 - Will pass reference test, whatever batch portion tested

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Importer's Reduced Sampling Plan



Group or batch size	Sample sizes			Test for non-standard			Criterion for average contents k factor
	1st	2nd	Total	Accept	Refer	Reject	
100 - 500	8			0	1	2	0.599
		12	20	1	-	2	0.64
501 - 3,200	12			0	1	2	0.43
		18	30	2	-	3	0.503
over 3,200	20			1	2	3	0.297
		28	48	3	-	4	0.387

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Recognised Procedures



- ▶ *This condition is fulfilled if the packer carries out production checks in accordance with procedures recognized by the competent departments in the Member State and ...*
- ▶ Method of recognition in domestic legislation
 - Formal certification,
 - notification,
 - Implied
 - Other



Records – 1



- ▶ *... if he holds at the disposal of those departments the documents containing the results of such checks, in order to certify that these checks, together with any corrections and adjustments which they have shown to be necessary, have been properly and accurately carried out.*
- ▶ Packer or importer must make them available to Inspector
 - Even if an agent is used to carry out the checks



HB Importer's Evidence

- ▶ *In the case of imports from non-EEC countries, the importer may instead of measuring and checking provide evidence that he is in possession of all the necessary guarantees enabling him to assume responsibility.*
- ▶ May be specified in domestic legislation
 - Copy of packer's records for prepackages
 - Certificated system by accredited body
 - Packer's self declaration - minimum
 - Certificate from recognised competent department
- ▶ Importer is still responsible for prepackages compliance


HB Measuring Container Bottles – MCB

- ▶ *In the case of products in quantities expressed in units of volume, one of several methods of meeting the measuring and checking requirements is to use, when making up the prepackage, a measuring container of the type defined in the Directive relating thereto, filled under the conditions prescribed in that Directive and herein.*
- ▶ Permits use of MCB complying with Directive 75/107/EEC - filled to correct level



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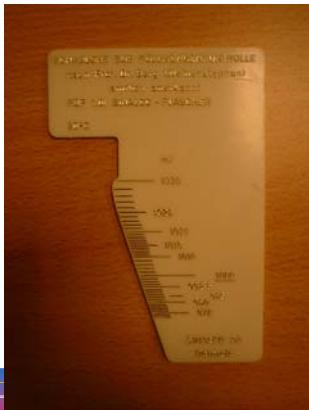
Templets




- ▶ Appropriate to MCB
- ▶ Can be used over a closure (e.g. cap) & at temperatures other than 20°C (e.g. 5°C for milk)
- ▶ Recommended markings
 - Nominal fill height, T1 & T2
 - Unit of measurement, mm or ml
 - Identification of MCB it is suitable for
 - If not used at 20°C, apparent co-efficient of cubical expansion of liquid
- ▶ For mm templets, use conversion chart for ml
- ▶ Suitability, 1 mm => 0.2 TNE

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26


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Templet Suitability




- ▶ Templet scale error < 0.5 mm
- ▶ Example: 330 ml bottle water, internal diameter of MCB at fill height is 30 mm, is this suitable?
- ▶ $Q_n = 330$ ml, TNE is 3% = 9.9 ml, $0.2TNE \approx 2$ ml
- ▶ As 1 ml = 1 cm³, calculate in cm
- ▶ Volume equivalent to 1 mm in liquid height = $\frac{1}{4}\pi 3^2 \times 0.1 = 0.7$ ml so suitable

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27

HB **Templet Calibration Curve** 

- ▶ Select 10 MCB, with design volume at design height.
- ▶ Fill each MCB to the stated fill height using a depth gauge.
- ▶ Weigh each filled MCB and record.
- ▶ Plot fill height and fill volume.
- ▶ Adjust the fill height by decreasing by 1 mm, & re-weigh
- ▶ Calculate the average weight loss and multiply by 0.9972 to calculate the average volume change.
- ▶ Plot this height and volume.
- ▶ Repeat in 1 mm steps to enable to plots down to T2.
- ▶ Re-fill to stated fill height and repeat while increasing the fill level by 1 mm increments up to the maximum fill height likely to be produced by the filling process.
- ▶ Plot these results.

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HB **Packers' & Importers' Responsibilities** 

- ▶ Questions?

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