

## Annex : references

- **Nominal quantity**

### Directive 76/211/CEE

2.1. The nominal quantity (nominal weight or nominal volume) of the contents of a prepackage is the weight or volume indicated on the prepackage, i.e. the quantity of product which the prepackage is deemed to contain.

### FIC Regulation 1169/2011 - Annexe IX

2. Where the indication of a certain type of quantity (such as the nominal quantity, minimum quantity, or average quantity) is required by Union provisions or, where there are none, by national provisions, this quantity shall be regarded as the net quantity for the purposes of this Regulation.

### WELMEC guidelines 6.8 (2013)

#### **1.1 Nominal weight**

Quantity of product in a prepackage, including the liquid medium/glaze (see section 1.4), declared on the label.

- **Drained weight**

### WELMEC guidelines 6.3 (2009)

#### **2. Product contained in a liquid medium**

The drained weight of the product must comply with Directive 2000/13/EC.

The Working Group resolved that the Directive should:

- define 'individual package'<sup>28</sup> as 'everything that is meant to be left after use of the product, except for items naturally present in the product. Use includes consumption or subjecting to a treatment'<sup>29</sup>, and
- regard the net drained weight required by Directive 2000/13/EC as the nominal quantity and should be 'e' marked as such. This cannot occur until article 2.1 is amended as this defines 'product' as everything within the 'individual package'. Therefore the quantity of 'product' for a food in a liquid medium includes the quantity of liquid medium.

### WELMEC guidelines 6.5 (2012)

A.1.4 Prepackaged solid foodstuffs presented in a liquid medium shall be marked with an indication of drained weight in addition to an indication of weight<sup>11</sup>. At present the 'e' mark applies to the total weight of the foodstuff and liquid medium and not the drained weight.

#### **I.2 Drained weight**

I.2.1 The Directive pre-dates the requirement for drained weights on food products and so only applies to the total content of the prepackage. The drained weight of the product must comply with the requirements of directive 2000/13/EC. WELMEC document 6.8 provides guidance on a test method and tolerances to apply.

## [WELMEC guidelines 6.10 \(2011\)](#)

### 12.3 Drained Weight

For some foodstuffs in certain liquid mediums there is a requirement<sup>25</sup> to mark the packaging with a declaration of drained weight. The metrological requirements for the drained weight indication are not specified and guidance has been produced in WELMEC document 6.8. At present the tolerances applied by domestic legislation varies, and Table 20 indicates the present requirements.

**Table 20: Drained weight requirements**

Requirements	Countries
WELMEC document 6.8 (equivalent to OIML R87 tolerances)	CH, CY, NO, PT
Other tolerances, $T_{abs} = 3 \times TU1$	DE
No TU1 requirement, only TU2, and no "e" marked package permitted below TU2	FR
Nothing specified in legislation	AL, AT, BE <sup>26</sup> , BG, CZ <sup>27</sup> , DK <sup>28</sup> , EE, FI, GB <sup>28</sup> , GR, IE, IS, IT <sup>29</sup> , LT, LU, LV, MT, PL, RO, RS, , SE, SK, SI

- **E mark and drained weight**

## [WELMEC guidelines 6.6 \(2013\)](#)

### **2.21 Can the 'e' mark also refer to the drained weight of solids in liquids?**

No, the 'e' mark only refers to the content (product plus surrounding liquid) of the prepackages at present.

### **5.8 The assessment of 'e' pre-packaging**

#### **The drained weight**

In the case of food products consisting of a solid main component packed in a liquid medium the e-marking regulations apply on the total content of these prepackages.

## [WELMEC guidelines 6.4 \(2015\)](#)

### **4.3 Drained weight**

Regulation (EU) 1169/2011 requires the net quantity of the food to be labelled, and that the net quantity is considered to be equivalent to other quantities mentioned in legislation, such as the nominal quantity in Directive 76/211/EEC.

According to this the e-mark therefore applies to the net quantity.

If the food is presented in a liquid medium, Regulation (EU) 1169/2011 requires that the net quantity and the drained net weight must be declared.

In the case of ice glazed food the legislation requires that the net quantity applies to the food excluding the glaze. According to this the e-mark applies to the food without the glazing.

For guidance on drained weight, see WELMEC Guide 6.8 "Drained weight", this reflects the CODEX requirement<sup>8</sup> that the declaration of drained weight be subject to enforcement by reference to an average system of quantity control.