

## CALIFORNIA WEIGHTS AND MEASURES LABEL REQUIREMENTS

Cannabis products sold in California must also meet the labeling requirements for the California Department of Public Health. Contact the appropriate agency for specific requirements.

This is a brief summary of regulations adopted by the State of California, pursuant to the Fair Packaging and Labeling Act, for packages in general. For complete requirements, consult the [California Code of Regulations \(CCR\), Title 4](#). Other agencies may have different or additional labeling requirements (e.g., ingredient, nutritional labeling, pharmacological, safety related). Those requirements are not covered in this guide.

Packages and their labels should enable consumers to obtain accurate information as to the quantity of the contents and should facilitate value comparisons.

The **three basic requirements** are:

1. A declaration of **identity** that is the common or usual name of the commodity.
2. A declaration of **responsibility** that includes the **name, address, and zip code** of the manufacturer, packer, or distributor. A street address is required if the name is not listed in a current directory, which can include an online source. The connection of a distributor must be shown (e.g., “packed for, distributed by”). This statement is not required to be on the principal display panel.
3. A declaration of the **quantity** of the commodity in the lower 30% of the principal display panel area, in a size depending upon the area of the principal display panel.

Units of Weight or Measure: Both SI (metric) and inch-pound units are **required** for most consumer packages. SI units may appear first and the converted value must not overstate the net contents. Exceptions include: labels printed before February 14, 1994, random weight packages, foods packed at retail, camera film, audio and video recording media. There may be different requirements for the following federally regulated commodities: meat, poultry, alcoholic beverages, drugs, cosmetics, insecticides, fungicides, rodenticides, and tobacco products.

### CONSUMER PACKAGES

Principal Display Panel Area Determination: This area, not the area of the label, determines the minimum height requirement of the declaration of quantity (see table).

1. A rectangular package where an entire side is the principal display panel - height times width.
2. A cylindrical or nearly cylindrical container - 40% of the product of the height times the circumference.
3. Other shaped containers - 40% of the entire square area of the container.
4. Obvious principal display panels - the actual square area of the panel.

Determination of the principal display panel shall exclude tops, bottoms, flanges at tops and bottoms of cans, and shoulders and necks of bottles or jars.

Minimum Height of Numbers and Letters for Principal Display Panel		
Area of Principal Display Panel	Minimum Height of Numbers and Letters (Printer)	Minimum Height Label Information (Blown or Molded)
<b>32 cm<sup>2</sup></b> (5 in <sup>2</sup> ) or <b>less</b>	1.6 mm (1/16 in)	3.2 mm (1/8 in)
Over <b>32 cm<sup>2</sup></b> (5 in <sup>2</sup> ) to <b>161 cm<sup>2</sup></b> (25 in <sup>2</sup> )	3.2 mm (1/8 in)	4.8 mm (3/16 in)
Over <b>161 cm<sup>2</sup></b> (25 in <sup>2</sup> ) to <b>645 cm<sup>2</sup></b> (100 in <sup>2</sup> )	4.8 mm (3/16 in)	6.4 mm (1/4 in)
Over <b>645 cm<sup>2</sup></b> (100 in <sup>2</sup> ) to <b>2581 cm<sup>2</sup></b> (400 in <sup>2</sup> )	6.4 mm (1/4 in)	7.9 mm (5/16 in)
Over <b>281 cm<sup>2</sup></b> (400 in <sup>2</sup> )	12.7 mm (1/2 in)	14.3 mm (9/16 in)

**Proportion:** Letters of a declaration of quantity must not be more than three (3) times as high as they are wide. Except for blown or molded declarations, the style of type or lettering shall be bold, clear, and conspicuous against its background.

**A Free Area:** A free area, equal to at least the height of the lettering, is required above and below the quantity declaration. At each end, the free area must be equal to twice the width of the capital “N” of the style and size of type used.

**Decimal Fractions:** Decimal fractions may be carried to three places. SI unit declarations may contain only decimal fractions. Decimal fractions are permitted in inch-pound declarations.

**Common Fraction:** Common fraction use is restricted to inch-pound units and is normally limited to halves, quarters, eighths, sixteenths, and thirty-seconds to the lowest term. Each number of a fraction in a declaration of quantity must be at least 1/2 the minimum height.

**Abbreviations:**

**Inch-pound:** avdp, lb, oz, gal, qt, pt, yd, ft, in, sq, **and** cu

**SI units:** kg, g, mg, L **or** l, mL **or** ml, m, cm, mm, m, m<sup>2</sup>, dm<sup>2</sup>, cm<sup>2</sup>, m<sup>3</sup>, dm<sup>3</sup>, **and** cm<sup>3</sup>

**Both systems may use:** wt, fl, liq, dr, dia, pc, ea, **and** ct

Periods and plural forms are not recommended for inch-pound units and are prohibited for metric.

**Rule of 1000 for SI Units:** Numerical values should be between 1 and 1000 (e.g., 500 g not 0.5 kg; 1.96 kg not 1960 g; 750 ml not 0.75 l; 750 mm or 75 cm not 0.75 meters).

**Weight Declarations:** The words “net mass” or “net weight” are optional.

**Less than 1 kilogram:** must be stated in grams, decimals of a gram or milligrams.

**1 kilogram or more:** kilograms and decimals of a kilogram up to three places.

**Less than 1 pound:** must be stated as ounces or fraction of ounces.

**1 pound or more:** in pounds, with remainder in fractions of pounds, or ounces and fractions of ounces.

**Fluid Declarations:** The words “net” or “net contents” are optional. “Fluid” is required with ounces (e.g., 12 fl oz) unless the meaning is obvious by association (e.g., 1 pint 4 ounces).

**Less than 1 liter:** must be stated in milliliters.

**1 liter or more:** liters and decimal fractions of a liter up to three places.

**Less than 1 pint:** fluid ounces and fractions of an ounce.

- 1 pint to less than 1 gallon:** largest whole unit (quarts or pints as appropriate), with remainder in ounces, fractions of a pint or a quart. (2 quarts may be stated as 1/2 gallon)
- 1 gallon or more:** gallons and fractions of a gallon.

Supplementary Declarations: Non-required quantity declarations are not permitted on the principal display panel.

Qualifying Statements: Quantity declarations containing qualifying words are not permitted. Words such as “minimum,” “approximately,” “when packed,” or any words that tend to exaggerate are considered qualifying words.

Multi-Unit, Combination or Variety Packages: Consult California Code of Regulations, Title 4, for specific requirements.

## **NONCONSUMER PACKAGES**

Nonconsumer Package: This term applies to any package other than a consumer package, and particularly a package intended solely for industrial or institutional use or for wholesale distribution.

Basic Requirements: A declaration of identity of the commodity, the name, address, and zip code of the packer, and a declaration of quantity shall be prominently and conspicuously displayed on the outside of the package.

Declaration of Quantity: The declaration of quantity shall be in the largest whole unit. SI and inch-pound units may be used, individually or together.

## **EXEMPTIONS FROM LABELING REQUIREMENTS**

### Bulk Foods Repacked and Sold by Retailer - Food and Drug Administration (FDA) Retail Food Labeling Exemptions

FDA regulations specify that foods **received by retailers in bulk quantities that are repackaged by the retailer and displayed for sale on the premises**, are exempt from:

1. Net content statements - if it is obvious that they are to be weighed, measured, or counted, within view of the customer or in compliance with the customer's order. [21 CFR § 1.24(a)(I)]
2. Identity statements - if a placard, counter card, or the master container bears the identity statement. [21 CFR § 101.100(b)(3)]
3. Responsibility statements. [21 CFR § 101.100(b)(I)]

### Commodities Packed and Sold on the Same Premises

A package sold on the same premises where it was packed is not required to have a declaration of responsibility (i.e., name and address of the manufacturer, packer, or distributor).  
[CCR § 4510 UPLR 5]

However, the package must still have the declarations of quantity and identity.  
[CCR § 4510 UPLR 3, 4, 6, 7]

## Random Weight Packages

These are packages from a lot having identical labels **except** for the net weight. An example would be packages of bricks of cheese labeled: *Extra Sharp Cheddar, Audry Cheese Company, Sell by April 25 '18*, each package having a different net weight ranging from 0.94 to 1.64 lb.

As of January 1, 2000, a random weight package must bear a label conspicuously declaring:

- a) the net weight
- b) unit price
- c) the total price

[CCR § 4510 UPLR 6.16, 11.1]

## Exemptions

1. If the random weight package is packaged for sale at another location, the unit price and total price may be omitted providing they are on the package at the time of sale. [CCR § 4510 UPLR 6.16]
2. Random weight packages are not required to be labeled with the net weight if they are “sold intact and intended to be weighed and marked with the correct quantity statement prior to or at the point of retail sale.” For this exemption, no quantities can be represented on the package prior to being weighed or measured at the time of sale. The outside container is required to bear a label declaration of the total net weight. [CCR § 4510 UPLR 11.26]

A random weight package will have a conspicuous label stating:

- a) net weight
- b) price per pound
- c) total sales price

It is exempt from the requirements for:

- a) SI (Metric) quantity labeling
- b) type size
- c) placement in the lower 30% of the principal display panel free area

[CCR § 4510 UPLR 11.1]

3. If the random weight package does not state the net weight, price per pound and total sales on the same label at the time of sale, it must conform to all package labeling requirements. This includes placement, letter size, color contrast, prominence, etc., unless it is done as an indirect sale. [CCR § 4510 UPLR 11.1 and 11.1.1]
4. Indirect sales, such as internet orders, shall be exempt from the labeling requirements of unit price and total price when at the time of delivery, the package is marked with a statement of net weight and all of the following requirements are met:
  - (a) the unit price is set forth and established in the initial product offering
  - (b) the maximum possible net weight, unit price, and maximum possible price are provided to the customer by order confirmation when the product is ordered
  - (c) at delivery, the customer receives a receipt bearing the following information: identity, declared net weight, unit price, and the total price. [CCR § 4510 UPLR 11.1.1]