



Quantity-Related Expressions on a Principal Display Panel

Guidance for Manufacturers and Regulators

**Chris Guay
NCWM PALS**

OUR TORTILLAS

8 TORTILLAS

Net Wt. 12.7oz (360g)



Multi-Grain

Soft T

TEAR OUT
TO OPEN

Iced tea

SUGAR SWEETENED ICED TEA MIX

NATURAL LEMON
FLAVOR

MAKES 28 QUARTS



NET WT 4 lb 10.23 kg



gentle

perfumes
as dermatológicas

40 LOADS
LAVADAS



DETERGENT / DETERGENTE

56 OZ (3.5 LB) 1.6 kg

New!
Improved Clumping



CATS PRIDE®

SCOOPABLE

Premium Cat Litter

NET WT 14 LBS (6.35 kg)

**40%
MORE**

Litter per
Pound than
the Leading
National
Brands

Safe to
Flush†

Powerful
Odor Control

Same Fills As*

20 LBS.



Why is this Voluntary Added Expression Guidance Document Important and Very Much Needed?

- There is **NO** Regulation, **NO** Guidance and Essentially **NO** Enforcement in this Area
- This Guidance Document Establishes 12 Principles to Promote Accuracy, Consistency, Clarity, and Validity of Voluntarily Added Expressions
- Establishes a Roadmap (Pathway) for Manufacturers to follow when They choose to Create These Expressions
- Encourages Regulators to Verify Statements using this Document and NCWM Established Verification Methods and Engage Manufacturers on Questionable Expressions
- Even a Guidance Document Can Have a Profound Marketplace Impact – Major Retailers can choose to Require Their Suppliers to Adhere to these Principles.
- For these and other Reasons, This Guidance Document is Recommended by PALS to Become an NCWM Publication.



Draft Guidance Document: 12 Principles

- **Expression Should Provide Useful Information that Helps Consumers**
- **Expression Must be Accurate and Verifiable**
- **Expression Must be Clear and Unambiguous**
- **Expression Must Not Conflict with the Mandatory Declaration of Net Quantity**



Draft Guidance Document: 12 Principles

- **Expression Location and Prominence (Size, Font, Contrast) Must be Balanced Against the Declaration of Net Quantity**
- **Expression Should Provide Consumer Relevant Information**
- **Expressions Must Not Conflict with Units of Legal Metrology**
- **Expressions of a Reconstituted Quantity Must Provide Verifiable Directions Detailing How to Reconstitute the Product somewhere on the Package Label**



Draft Guidance Document: 12 Principles

- **Expressions Containing a Derived Unit Must Provide a Verifiable Definition of the Derived Unit somewhere on the Package Label.**
- **The Definition of a Derived Unit Must be Consistent Across Similar Products.**
- **A Comparative Expression Which Does Not Reference Units of Legal Metrology Must be Balanced and Complete**
- **A Comparative Expression Which Does Reference Units of Legal Metrology Must be Balanced, Complete, AND Appear in its Entirety in the Upper 70% of the Principal Display Panel.**



Draft Guidance Document: How it Works for Manufacturers

The Document is Organized to Lead a Manufacturer through a Process

Step One: Identify the Expression Category the Expression fits

5 Expression Categories are Recognized

Step Two: Identify Which Principles Apply to that Category

Step Three: Follow the Detailed Guidance for Each Principle that Applies to that Category

The Document Also Contains Two Appendices:

Appendix 1: History of “Supplemental Statements” in FPLA, FDA and FTC History

Appendix 2: Illustrations of Label Examples to Help Illustrate Document Principles

The Document Defines which Principles Apply to that Category of Expression



What Happens Next?

PALS Recommends this become an NCWM Publication – NCWM Guidance Document or NCWM Best Practice Document

PALS and NCWM Leadership want Member Input on Document Content – This Document is in Pub 16

PALS will Work with NCWM Leadership to Determine Review Process to Complete Before Possible NCWM Publication.

As a Guidance Document, FTC and FDA Approval/Concurrence not Necessary for Publication (Would be Required if this were Proposed Regulation).

With no Guidance, the Status Quo will continue – No one else is working on this topic.



Thank You!