



National Conference on Weights and Measures
"That Equity May Prevail"

NCWM Package and Labeling Subcommittee (PALS)

Proposed Regulation for E-Commerce Sites and Products

Chris Guay
September, 2021



Meeting Agenda/Objectives

- Who/What is NCWM PALS?
- Information about e-Commerce
- Model Regulation Elements for Sites
- Model Regulation Elements for Products



NCWM Package and Labeling Subcommittee

- Comprised about equally of regulatory officials and industry voting representatives, but open to all interested individuals
- Provides recommendations and support for NCWM on packaging and labeling issues.
- Identifies and makes recommendations on emerging issues/questions related to packaging and labeling
- Develops NCWM positions and recommendations for Federal and State agencies (e.g., FTC, FSIS, TTB Net Content regulations).



Package & Labeling Subcommittee Voting Members

- Chris Guay, Chairman (CGGT Resources)
- Angela Godwin (Ventura County, CA)
- John McGuire (New Jersey)
- Nicholas Owens (Stark County, OH)
- Hal Prince (Florida)
- Ann Boeckman (Kraft Heinz)
- Zina Juroch (Juroch Consulting)
- Krister Hard af Segerstad (IKEA Retired)
- Heidi Robinson (v) (Publix)
- Dave Sefcik, Technical Advisor (NIST)



E-Commerce Question

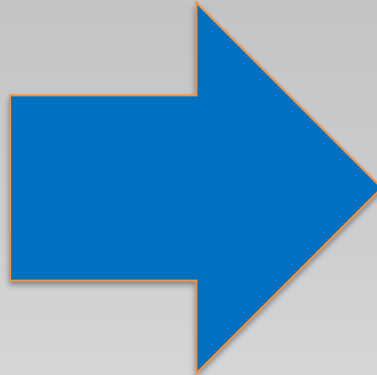


What % of US households are Amazon Prime Members?

**64%
(2017)**



E-Commerce?



NOT EXACTLY



Challenges

- Packages not intended to be shipped
- Packages created only for shipping and not for placement on retail shelves
- Different Consumer Engagement
- Consumer No Longer Sees Product being purchased
- Enforcement Challenges for Products Purchased On-Line
- Lack of clear requirements specific to e-commerce



Current PALS Proposal

A new Model Regulation to address products sold via e-commerce

What should be expected when:

- **Purchasing On-Line**
- **Upon Delivery of the Product**

Looking to establish basic requirements that broadly apply:

- **FDA and FTC commodities**
- **All other consumer products**
- **Business to Business**



Product Information On-Line

Information which should be provided on-line at time of purchase

- **Product Statement of Identity**
- **Declaration of Net Quantity (range and max for products not yet packaged)**
- **Brand Name or Name of Responsible Party (if not retailer)**
- **Product Price Information**
- **Product Photo or Product Representation**



Product Information provided upon Delivery

Information to be provided on/attached to product when received

- **Product Statement of Identity**
- **Declaration of Net Quantity**
- **Declaration of Responsible Party**

Information to be provided on transaction receipt if not on/in/attached to product

- **Product Total Price (and unit price if not standard package)**
- **Product Identity**
- **Net Quantity**



Regulation Requirements

Regulation is More Prescriptive on WHAT information e-commerce sellers must be provide.

Regulation is Less Prescriptive on HOW e-commerce sellers provide this information.

- Packages sold both on-line & through e-commerce
- Products sold using computers, phones, apps, etc.
- Packages not subject to FPLA
- Packages sold Business to Business
- Varying consumer preferences for information on paper or electronically.



And Finally,

Thank You on Behalf of PALS!

