

Glossary of Weights and Measures Terms

July 31, 2006

Consumer Package - A package that is customarily produced or distributed for sale through retail sales agencies or instrumentalities for consumption or use by individuals for the purposes of personal care or in the performance of services ordinarily rendered in or about the household or in connection with personal possessions.

Declaration of Identity: Consumer Package - A declaration of identity of the contents of a consumer package. It shall appear on the principal display panel and shall not be misleading or deceptive. The identity shall be in terms of:

- a. The name specified in or required by any applicable Federal or State law or regulation or, in the absence of this,
- b. The common or usual name or, in the absence of this,
- c. The generic name or other appropriate description, including a statement of function (such as "cleaning powder").

Declaration of Identity: Non-consumer Package - A declaration of identity of the contents of a non-consumer package shall appear on the outside of a package and shall not be misleading or deceptive. The identity shall be in terms of:

- a. The name specified in or required by any applicable Federal or State law or regulation or, in the absence of this,
- b. The common or usual name or, in the absence of this,
- c. The generic name or other appropriate description, including a statement of function (such as "cleaning powder").

Declaration of Responsibility: Consumer and Non-consumer Packages - A declaration of the name and address of the manufacturer, packer or distributor. The name shall be the actual corporate name, or, when not incorporated, the name under which the business is conducted. The address shall include street address, city, State (or country if outside the United States), and ZIP Code (or the mailing code, if any, used in countries other than the United States); however, the street address may be omitted if this is shown in a current city directory or telephone directory.

If a person manufactures, packs, or distributes a commodity at a place other than his principal place of business, the label may state the principal place of business in lieu of the actual place where the commodity was manufactured or packed or is to be distributed, unless such statement would be misleading. Where the commodity is not manufactured by the person whose name appears on the label, the name shall be qualified by a phrase that reveals the connection such person has with such commodity, such as "Manufactured for and packed by _____," "Distributed by _____," or any other wording of similar import that expresses the facts.

Declaration of Quantity: Consumer Packages - The International System of Units (SI), known as the metric system and the inch-pound system of weights and measures are recognized as proper systems to be used in the declaration of quantity.

Header Strip - A header label or header strip is a label that is attached across the top of a transparent or opaque bag or other container that bears no other printed or graphic material.

Inch-Pound System/US Customary - The United States customary weights and measures system of declaring net quantity. Note: Current Colorado regulation allows for either inch-pound system units (oz, pt, qt, gal) or metric units (ml, l).

Label - Any written, printed, or graphic matter affixed to, applied to, attached to, blown into, formed, molded into, embossed on, or appearing upon or adjacent to a consumer commodity or a package containing any consumer commodity, for purposes of branding, identifying, or giving any information with respect to the commodity or to the contents of the package, except that an inspector's tag or other

non-promotional matter affixed to or appearing upon a consumer commodity shall not be considered a label requiring the repetition of label information required by this regulation.

Metric or SI units - Units of the International System of Units used for declaring net quantity as established in 1960 by the General Conference on Weights and Measures and interpreted or modified for the United States by the Secretary of Commerce. Note: Current Colorado regulation allows for either inch-pound system units (oz, pt, qt, gal) or metric units (ml, l).

Method of Sale – The method of sale shall provide accurate and adequate quantity information that permits the buyer to make price and quantity comparisons. Unless exempted, the method of sale of container plants is by fluid volume (ml, l, pt, qt, gal).

Misrepresentation of Quantity – (from the Colorado Measurement Standards Act, 35-14-110, Colorado Revised Statutes) No person shall sell, offer, advertise, or expose for sale less than the quantity of commodity that is represented.

Net quantile or net contents - That quantity of packaged product, expressed in the correct unit of measure. See Declaration of Quantity.

Non-consumer Package: Package of Non-consumer Commodity - Any package other than a consumer package, and particularly a package intended solely for industrial or institutional use or for wholesale distribution.

Package - Any commodity:

- a. Enclosed in a container or wrapped in any manner in advance of wholesale or retail sale, or
- b. Whose weight or measure has been determined in advance of wholesale or retail sale. An individual item or lot of any commodity on which there is marked a selling price based on an established price per unit of weight or of measure shall be considered a package or packages.

Packaged goods - Product or commodity put up in any manner in advance of sale suitable for either wholesale or retail sale.

Principal Display Panel or Panels - That part, or those parts, of a label that is, or are, so designed as to most likely be displayed, presented, shown, or examined under normal and customary conditions of display and purchase. Wherever a principal display panel appears more than once on a package, all requirements pertaining to the "principal display panel" shall pertain to all such "principal display panels."

Random Package - A package that is one of a lot, shipment, or delivery of packages of the same consumer commodity with no fixed pattern of net contents.

Spot Label - A spot label is a label clearly defined by means of a border, indentation, or other means that covers only a small portion of the surface of a principal display panel of a package; the entire portion of the principal display panel outside the area of the label contains no printed or graphic matter of any kind. A spot label may contain all required labeling information (identity, responsibility, and net contents), but it must at least indicate the identity and net contents.

Standard Package - A package that is one of a lot, shipment, or delivery of packages of the same commodity with identical net contents declarations; for example, 1 L bottles or 12 fl oz cans of carbonated soda, 500 g or 5 lb bags of sugar, or 100 m packages of rope.

Supplemental Declaration - When appropriate, the required quantity declaration may be supplemented by one or more additional declarations of weight, measure, count or size. All supplemental declarations shall be accurate and shall appear somewhere other than on the principal display panel.

Unit of Measure - An increment of weight, length, or volume. Container plants are typically sold by fluid volume.

Use of Units – The quantity declaration shall be in terms of the largest whole unit (1 qt, not .25 gal). The following volumetric symbols and abbreviations are acceptable: pint = pt, quart = qt, gallon = gal, milliliter = mL or ml, liter = L or l. Symbols are always written in the singular form (ml, not mls). Periods shall not be used after the symbol (qt, not qt.).

Glossary of Green Industry Terms

Cell packs are defined as a connected piece that can have multiple individual sections that contain a plant but are sold as one unit or pack.

Adjacent signage is defined as signs placed in close proximity to products and used to describe items on the bench or table on which the items are displayed.

Stick tag, pixie stick, or hang tag is defined as a tag inserted into the soil of an item or attached to the plant or container for the sake of providing defining language.

Product display area is defined as a table, bench, cart, or other area used to display materials.

Unique and distinctive container plants are those with a very limited production run for which a declaration of net contents may be difficult to obtain. Examples: certain plants in hand-thrown pots and certain artistic arrangements.