



Ohio Administrative Code Rule 901:6-3-02 Definitions.

Effective: July 15, 2016

(A) Package.

Except as modified by rule 901:6-3-01 of the Administrative Code, the term "package," whether standard package or random package, shall be construed to mean any commodity:

(1) Enclosed in a container or wrapped in any manner in advance of wholesale or retail sale, or

(2) 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.

(B) Consumer package: package of consumer commodity.

A "consumer package" or "package of consumer commodity" shall be construed to mean a package that is customarily produced or distributed for sale through retail sales agencies or instrumentalities for consumption by individuals 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.

(C) Nonconsumer package: package of nonconsumer commodity.

A "nonconsumer package" or "package for nonconsumer commodity" shall be construed to mean any package other than a consumer package, and particularly a package intended solely for industrial or institutional use or for wholesale distribution.

(D) Random package.

The term "random package" shall be construed to mean 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.

(E) Label.

The term "label" shall be construed to mean 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 nonpromotional matter affixed to or appearing upon a consumer commodity shall not be considered a label requiring the repetition of label information required by this chapter.

(F) Mass and weight

The "mass" of an object is a measure of its inertial property or the amount of matter it contains. The "weight" of an object is a measure of the force exerted on it by gravity or the force needed to support it. The pull of gravity on the earth gives an object a downward acceleration of about 9.8 m/s. In trade and commerce and everyday use, the term "weight" is often used as a synonym for "mass." The "net mass" or "net weight" declared on a label indicates that the package contains a specific amount of commodity exclusive of wrapping materials.

(G) Principal display panel or panels.

The term "principal display panel" or "panels" shall be construed to mean 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."

(H) Multi-unit package.

The term "multi-unit package" shall be construed to mean a package containing two or more individual packages of the same commodity, in the same quantity, intended to be sold as a multi-unit



package, but where the component packages are labeled individually in full compliance with all requirements of this chapter.

(I) Combination package.

The term "combination package" shall be construed to mean a package intended for retail sale, containing two or more individual packages or units of dissimilar commodities (examples: An antiquing or housecleaning kit; sponge and cleaner; lighter fluid and flints).

(J) Variety package.

The term "variety package" shall be construed to mean a package intended for retail sale, containing two or more individual packages or units of similar, but not identical, commodities. Commodities that are generically the same, but that differ in weight, measure, volume, appearance, or quality, are considered similar but not identical (examples: Two sponges of different sizes; plastic tableware consisting of four spoons, four knives, and four forks).

(K) Petroleum products.

The term "petroleum products" shall be construed to mean gasoline, diesel fuel, kerosene, or any product (whether or not such a product is actually derived from naturally occurring hydrocarbon mixtures known as "petroleum") commonly used in powering, lubricating, or idling engines or other devices, or is labeled as fuel to power camping stoves or lights. Therefore, sewing machine lubricant, camping fuels, and synthetic motor oil are "petroleum products" for the purposes of this rule. Brake fluid, copier machine dispersant, antifreeze, cleaning solvents, and alcohol are not "petroleum products."

(L) Spot label.

The term "spot label" shall be construed to mean 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 shall at least indicate the identity and net contents. See rule 901:6-3-11 of the Administrative Code for net contents placement exemption for a spot label.

(M) Header strip.

The term "header strip" or "header label" shall be construed to mean 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. See rule 901:6-3-11 of the Administrative Code for net contents placement exemptions.

(N) Standard package.

The term "standard package" shall be construed to mean a package that is one of a lot, shipment, or delivery of packages of the same commodity with identical net contents declarations (examples: One-liter bottles or twelve-fluid ounce cans of carbonated soda, five hundred-gram or five-pound bags of sugar, or one hundred-meter packages of rope).

(O) SI or SI units.

The term "SI" or "SI units" means the "International System of Units" 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 [see Metric Conversion Act of 1975, section 3(1) and section 4(4), and "National Institute of Standards and Technology Special Publication 814, 'Metric System of Measurement; Interpretation of the International System of Units for the United States,' " or the Federal Register of December 20, 1990 (FR 90-21913)].

(P) Person. The term "person" means either singular or plural and shall include any individual, partnership, company, corporation, association, or society.