



Chocolates and Candy Sold from a Bulk Case

BUREAU OF WEIGHTS AND MEASURES

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RESOURCES

Wis. Stat. Chapter 98
<http://docs.legis.wisconsin.gov/statutes/statutes/98/>
Title

Wis. Admin. Code ATCP 90
https://docs.legis.wisconsin.gov/code/admin_code/atcp/090/90

Wis. Admin. Code ATCP 91
https://docs.legis.wisconsin.gov/code/admin_code/atcp/090/91

Methods of Sale for Bulk Chocolates and Candies

Bulk chocolates and candies sold by weight at retail must be sold by one of the following methods:

- Product is weighed at the time of sale
- Individual product packages are labeled with their weight
- A placard stating the guaranteed minimum weight of the individual product is conspicuously posted at the display

Confection products enclosed in a wrapper and sold in the same location as produced must have a net weight statement on a placard or on their product label if there is one. Unpackaged products are considered bulk and should be sold by weight.

Deducting Tare Weight

Packaged chocolates and candies sold by weight must have the weight of the packaging deducted at the time of sale. Tare weight includes the packaging used to transport or contain the product, such as wrappers, plastic bags, and twist ties.

Price Display Requirements

The price must be computed, advertised, and displayed according to National Institute of Standards and Technology (NIST) Handbook 130, chapter IV.B, section 1.9. It must also be displayed in whole weight units of kilograms or pounds only, not in common or decimal fractions or in ounces. A supplementary declaration is permitted in print no larger than the whole unit price. This supplemental declaration may be expressed in common or decimal fractions or in ounces. For example:

Chocolates \$1.50 per piece 0.03 lb per piece or ½ oz/piece \$48.00 per lb	Chocolates \$1.00 per piece 13 grams per piece \$76.92 per kilogram
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Bulk Display Candy Boxes filled as a customer selects pieces from a bulk display can use a placard to provide the required price-per-pound information. For example:

16 pc box = \$20.00/lb
8 pc box = \$24.00/lb or \$12.00 for 1/2 pound
4 pc box = \$28.00/lb or \$7.00 for 1/4 pound

Packaging Display Requirements for Pre-packaged Chocolates and Candy

▪ **Principal Display Panel**

A “Principal Display Panel” (PDP) is the part of the package which is most likely to be displayed to a consumer. Each PDP on a package must meet the requirements.

▪ **Declaration of Product Identity**

The PDP must clearly identify the product in the package or container. This should be a principal feature of the PDP.

▪ **Declaration of Responsibility**

The responsible party’s name, business address, city, state, and zip code must be located on the product label. The street address may be omitted if it is listed in any publically available resource.

▪ **Declaration of Net Quantity**

The PDP must include a net quantity statement, separate from other information in conspicuous and easily legible print.

▪ **Sizes for Lettering and Numbers**

Minimum height. For declarations of net quantity, the height of each number and letter must not be less than that shown in Table 1, based on the area of the PDP.

Minimum width. For declarations of net quantity, no number or letter may be more than 3 times as high as it is wide.

Area of PDP	Minimum height	Minimum height if blown, formed, or molded into package surface
32 cm ² (5 in ²) or less	1.6 mm (1/16 in)	3.2 mm (1/8 in)
Greater than 32 cm ² (5 in ²) but not greater than 161 cm ² (25 in ²)	3.2 mm (1/8 in)	4.8 mm (3/16 in)
Greater than 161 cm ² (25 in ²) up to 645 cm ² (100 in ²)	4.8 mm (3/16 in)	6.4 mm (1/4 in)
Greater than 645 cm ² (100 in ²) up to 2,581 cm ² (400 in ²)	6.4 mm (1/4 in)	7.9 mm (5/16 in)
Greater than 2,581 cm ² (400 in ²)	12.7 mm (1/2 in)	14.3 mm (9/16 in)

Table 1