



Product Labeling Requirements

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RESOURCES

More information on applicable Wisconsin laws can be found at these links:

Wis. Stat. 98
docs.legis.wisconsin.gov/statutes/statutes/98

Wis. Admin. Code ATCP 90
docs.legis.wisconsin.gov/code/admin_code/atcp/090/113

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

Packaged goods sold in Wisconsin must clearly state a product's identity; the responsible distributor, packer, or manufacturer; and the product's net quantity on the label. These items must be printed in conspicuous, easily legible, and contrasting type. They must be generally parallel to the base on which the package is designed to rest when the product is displayed, and be positioned so that the declaration can be readily seen and understood by consumers.

Declaration of product identity

A packaged product's labeling must clearly and conspicuously identify the product contained in that package. The declaration of identity must:

- Identify the commodity by its common name, by its legally required name when applicable, or by a generic name or description understood by consumers.
- Appear as a principal feature on the principal display panel. The principal display panel is that part of a package which is most likely to be displayed to or examined by a consumer under normal conditions of retail sale.
- Not be false, deceptive or misleading. Ingredients or components that are not present in the product in substantial or significantly effective amounts may not be featured in the declaration of identity.

Declaration of responsibility

If a packaged product is sold at a location other than where it was packaged, the product's labeling must clearly and conspicuously identify the party responsible for the product, including all of the following:

- *Name of responsible person.* This is the name of the manufacturer, packer, or distributor who is responsible for introducing the commodity into commerce in package form. If the responsible person is a corporation, the label must list the legal name of that corporation. If the responsible person is not a corporation, the label must specify the correct name under which that person does business.
- *Business address.* The business address of the responsible person listed above, including the street address, city, state, and ZIP code. The street address may be omitted if it is listed in a readily accessible and publically available source, such as a printed directory or web site. If a person manufactures, packs, or distributes a consumer commodity at a place of business other than the person's principal place of business, the label may disclose the address of that principal place of business rather than the actual place of manufacture, packing, or distribution, provided that the substitute disclosure is not deceptive or misleading.
- *Connection to commodity.* If the responsible person is not the person who manufactured or produced the consumer commodity, the responsible person's name shall be qualified by a phrase, such as "Manufactured for and packed by _____" or "Distributed by _____," that indicates the responsible person's connection to the consumer commodity.

Declaration of net quantity

Labels on packaged products must also include a declaration of net quantity (except where different requirements are provided for specific packages or commodities under s. [ATCP 90.08](#)).

A declaration of net quantity must:

- Appear on the principal display panel of each package, and comply with s. [ATCP 90.07](#).
- Be separate from other printed information contained on the principal display panel
- Be expressed in terms of weight, measure, or count, as provided under s. [98.06](#), Stats., and ch. [ATCP 91](#).
- Be expressed in appropriate inch-pound units under s. [ATCP 90.05](#) and in appropriate metric units under s. [ATCP 90.06](#), if the quantity is expressed in terms of weight or measure.
- Not use abbreviations other than those listed in ATCP 90.04(7).

Required Combination Declarations

- **Weight declaration; combined with measure or count.** If a declaration of net quantity is expressed in terms of weight, the weight declaration must be combined with an appropriate declaration of measure or count, unless the weight declaration alone is fully informative.
- **Declaration of measure; combined with weight or count.** If a declaration of net quantity is expressed in terms of measure, the declaration of measure must be combined with an appropriate declaration of weight or count, unless the declaration of measure alone is fully informative.
- **Declaration of count; combined with weight or measure.** If a declaration of net quantity is expressed in terms of count, the declaration of count must be combined with an appropriate declaration of weight or measure, unless the declaration of count alone is fully informative.

If a declaration of net quantity includes any declaration of count, either as a primary or supplementary declaration, it must also specify the size of the individual counted units unless the declaration of count is fully informative without a declaration of unit size.

Combination declarations required under this subsection shall be included as part of the principal declaration of net quantity on the principal display panel of the package

Optional supplementary declarations of quantity

Net quantity declarations required under ATCP 90.04 may be supplemented by other declarations of weight, measure, or count, provided that the supplementary declarations are not deceptive or misleading. A supplementary declaration of net quantity may not appear on the principal display panel of a package, or in conjunction with the principal declaration of net quantity, unless the supplementary declaration is required or specifically authorized under ATCP 90 to appear in conjunction with the principal declaration.

Products that do not require a declaration of net quantity

- Commodities sold by count if the package contains only one unit of that commodity, or a small combination of items that are customarily sold together as a single unit and understood by consumers as constituting a single unit.
- Commodities sold by count if the package contains 6 or fewer units and the number of units can be easily counted by consumers without opening the package.
- Random packages of a commodity sold at wholesale, for weighing and labeling at the point of retail sale, provided that the random packages are contained in a wholesale container that is labeled to show the combined net weight of the contents of those random packages. This exemption does not apply to a random package when sold at retail.
- Commodities that are exempt from quantity disclosure, pursuant to an exemption under ch. [ATCP 91](#).