

Variable Tare Deductions on Individually Wrapped Products Sold From Bulk

Effective Date: December 18, 1995

[Back to Table of Contents](#)

 [Wis. Stats. 98](#)
 [ATCP 90](#)

Background

Presently, retail outlets have the ability to take tare on the container in which the product is held, but generally lack the flexibility to take tare on the individual wrappers. How should those variable tare products be enforced?

Commodities shall be sold by the net quantity of contents:

Wis. Stats. § 98.01(6) "Weight" means net weight when used in reference to a commodity.

When in package form, net quantity is exclusive of wrappers and all other packaging material:

Wis. Admin. Code § ATCP 90.04 Declaration of net quantity. (1) DECLARATION REQUIRED
(a) General. Except as provided under par. (b), no person may sell or distribute any consumer commodity in package form unless each package of that commodity bears a declaration of net quantity. The declaration of net quantity shall clearly and conspicuously disclose the net quantity of the consumer commodity contained in that package, exclusive of wrappers and other material packaged with the commodity. Except where different net quantity declarations are provided for specific packages or commodities under s. ATCP 90.08, the declaration of net quantity shall comply with this section.

Interpretation

Businesses that have for sale bulk, individually wrapped products weighed at time of sale, shall make an accurate deduction for the weight of the wrappers and the container.

This shall be accomplished by either using variable tare scales or by deducting the weight of the container plus the weight of the individual wrappers appropriate to the size of the sale.

The appropriate deduction shall be based upon recommendations of the candy manufacturer or packer; or by verifying the exact weight of wrappings from one pound product samples of each type and size of wrapping.