

I-10/17/2023-W&M
Government of India
Ministry of Consumer Affairs, Food & Public Distribution
Department of Consumer Affairs
Legal Metrology Division

Krishi Bhawan, New Delhi-01
Dated: 10.7.2023

To,
The Controller of Legal Metrology,
All States / UTs

Subject: Provisions of the Legal Metrology (Packaged Commodities) Rules, 2011 on Medical Devices -reg.

Sir,

The undersigned is directed to refer to the above mentioned subject and to state that Rule 26 of the Legal Metrology (Packaged Commodities) Rules, 2011 provides exemption from the Rules, that:

"26. Exemption in respect of certain packages.-Nothing contained in these rules shall apply to any package containing a commodity if— ...

(c) it contains scheduled formulations and non-scheduled formulations covered under the Drugs (Price Control) Order, 2013 made under section 3 of the Essential Commodities Act, 1955 (10 of 1955):

Provided that no exemption shall be applicable to medical devices declared as drugs."

2. Rule 6(1)(e) of the Legal Metrology (Packaged Commodities) Rules, 2011 provides that:

"(e) the retail sale price of the package, shall clearly indicate that it is the maximum retail price inclusive of all taxes in Indian currency:

Provided that for packages containing alcoholic beverages or spirituous liquor, the State Excise Laws and the rules made there under shall be applicable within the State in which it is manufactured and where the state excise laws and rules made there under do not provide for declaration of retail sale price, the provisions of these rules shall apply.

Provided further that if the retail sale price of any essential commodity is fixed and notified by the Competent Authority under the Essential Commodities Act, 1955 the same shall apply."

3. Therefore, it is requested to issue suitable directions to your field Officers to ensure the compliance of the provisions of Rules. If the prices are allowed to be revised by the Government/ NPPA/ any other Statutory Body, then the industries may be allowed to revise the prices as per the Notification issued by Government/ NPPA/ any other Statutory Body.

Yours faithfully



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