

Sec. 21a-115-18. Inadequate labeling. Language

(a) A word, statement or other information required by or under authority of the act to appear on the label may lack that prominence and conspicuousness required by section 21a-106 (c) of the general statutes by reason, among other reasons, of (1) the failure of such word, statement or information to appear on the part or panel of the label which is presented or displayed under customary conditions of purchase; (2) the failure of such word, statement or information to appear on two or more parts or panels of the label, each of which has sufficient space therefor, and each of which is designed as to render it likely to be, under customary conditions of purchase, the part or panel displayed; (3) the failure of the label to extend over the area of the container or package available for such extension, so as to provide sufficient label space for the prominent placing of such word, statement or information; (4) insufficiency of label space, for the prominent placing of such word, statement or information, resulting from the use of label space for any word, statement, design or device which is not required by or under authority of the act to appear on the label; (5) insufficiency of label space, for the prominent placing of such word, statement or information, resulting from the use of label space to give materially greater conspicuousness to any other word, statement or information, or to any design or device; or (6) smallness or style of type in which such word, statement or information appears, insufficient background contrast, obscuring designs or vignettes, or crowding with other written, printed or graphic matter.

(b) No exemption depending on insufficiency of label space, as prescribed in regulations promulgated under section 21a-106 of the general statutes, shall apply if such insufficiency is caused by (1) the use of label space for any word, statement, design or device which is not required by or under authority of the act to appear on the label; (2) the use of label space to give greater conspicuousness to any word, statement or other information than is required by section 21a-106 (c) of the general statutes, or (3) the use of label space for any representation in a foreign language.

(c) (1) All words, statements and other information required by or under authority of the act to appear on the label or labeling shall appear thereon in the English language. (2) If the label contains any representation in a foreign language, all words, statements and other information required by or under authority of the act to appear on the label shall appear thereon in the foreign language. (3) If the labeling contains any representation in a foreign language, all words, statements and other information required by or under authority of the act to appear on the label or labeling shall appear on the labeling in the foreign language.

(See 1963 Supp. § 21a-106.)

(Effective July 27, 1984)