

What Is Slack Fill?

Slack Fill

The [Food and Drug Administration \(FDA\)](#) regulates how containers are filled in order to prevent the sale of partially filled containers that mislead consumers on the amount of food or supplements in a package. The FDA defines **nonfunctional slack fill** as the difference between the capacity of a container and the volume of product inside. Slack fill lawsuits have been filed against food and beverage makers who left empty space in a container for reasons other than functional ones, such as protecting contents or complying with shipping requirements.

What Laws Regulate Slack Fill?

The Food, Drug, and Cosmetic Act is a U.S. **law that regulates slack fill**. The law states that a food or dietary supplement is misbranded if its container is made, formed or filled to be misleading. In 1994, the FDA issued a rule on misleading containers and nonfunctional slack fill that clarifies this legal area. The rule explains that a container is misleading if it does not let consumers view the contents fully and contains slack fill that's not functional.

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