

**PROPOSAL TO 2017 NCWM L&R COMMITTEE
TO AMEND ITEM 2302-1**

From Kurt Floren, County of Los Angeles (original submitter)

2302 NIST HANDBOOK 130 – UNIFORM REGULATION FOR THE METHOD OF SALE COMMODITIES

2302-1 V 1. Food Products and Section 2. Non-Food Products

Source:

Los Angeles County, California (2016)

Purpose:

Clarify and formalize the long-standing, fundamental, core tenet of legal metrology and weights and measures regulation that the sale of any commodity, in any form or by any method, be according to legally-recognized, traceable units of measure.

Item under Consideration:

Amend NIST Handbook 130 Uniform Regulation for the Method of Sale of Commodities as follows:

Section 1. Food Products

- (a) Any food product, whether sold from bulk or in packaged form, shall be sold only in a unit of measure or weight that meets all of the following criteria:**
- (1) Is recognized and defined by NIST as legal for use in commerce**
 - (2) Has been published in the “Federal Register”; and**
 - (3) Has metrological traceability (NOTE #, page #) to a national standard**

Note: Sale of a product or commodity according to count, where appropriate to be fully informative to facilitate value comparison, is permissible as a method of sale.

- (b) Only at the discretion of the respective State Director, the following commodities may be exempted from the method of sale limitations set forth in Section 1. (a) and permitted to be sold according to “head” or “bunch,” as appropriate:**
- (1) Asparagus;**
 - (2) Brussels Sprouts (on stalk);**
 - (3) Rhubarb;**
 - (4) Edible Bulbs (onions [spring or green], garlic, leeks, etc.);**
 - (5) Flower Vegetables (broccoli, cauliflower, brussel sprouts, etc.);**
 - (6) Leaf Vegetables (lettuce, cabbage, celery, parsley, herbs, loose greens, etc.); and**
 - (7) Root Vegetables (turnips, carrots, radishes, etc.);**

(Added 20XX)

And

Section 2. Non-food Products [NOTE 1, page 109]

- (a). Any non-food product, whether sold from bulk or in packaged form, shall be sold only in a unit of measure or weight that meets all of the following criteria:**
- (1) Is recognized and defined by NIST as legal for use in commerce**
 - (2) Has been published in the “Federal Register” and**
 - (3) Has metrological traceability (NOTE #, page #) to a national standard**

Note: Sale of a product or commodity according to count, where appropriate to be fully informative to facilitate value comparison, is permissible as a method of sale.

~~**(b). The only exemption from the method of sale limitations set forth in Section 2(a) shall be retail sales of compressed natural gas sold as a vehicle fuel, which are permitted to be sold in terms of gasoline liter equivalent (GLE) or gasoline gallon equivalent (GGE) as defined in Section 2.27.1. Definitions**~~

~~**(b). The only exemptions from the method of sale limitations set forth in Section 2(a) shall be:**~~

~~**i. Retail sales of compressed natural gas (CNG) sold as a vehicle fuel, which are permitted to be sold in terms of gasoline gallon equivalent (GGE) or diesel gallon equivalent (DGE) as defined, respectively, in Section 2.27.1. Definitions**~~

~~**ii. Retail sales of liquefied natural gas (LNG) sold as a vehicle fuel, which are permitted to be sold in terms of diesel gallon equivalent (DGE) as defined in Section 2.27.1. Definitions.**~~

Note: As defined in NIST Handbook 130, Uniform Weights and Measures Law, Metrological traceability means the property of a measurement result whereby the result can be related to a reference through a documented unbroken chain of calibrations, each contributing to the measurement uncertainty.

(Added 20XX)

Justifications/Reasons for amendments to proposal:

First Proposed Amendment:

One State official indicated, to the author of the proposal, concern that the text of proposed Section 1. Food Products Subsection (b) regarding Methods of Sale for specified produce items (extracted from Interpretations and Guidelines) may be interpreted by affected industry representatives to allow them to independently (despite local laws or regulations to the contrary) exercise such an exemption. The phrase in question:

“...may be exempted from the method of sale limitations set forth in Section 1. (a) and permitted to be sold according to “head” or “bunch,” as appropriate...”

It was suggested that some States may have in place laws or regulations that do not permit, or directly prohibit, sales by “head” or “bunch.”

To alleviate such concerns, I submit for consideration the addition of the following conditional statement:

“At the discretion of the respective State Director, the following commodities may be exempted.....”

Second Proposed Amendment:

Approval/Adoption of NCWM L&R Item 232-8 (see below) at the 2016 Annual NCWM Meeting resulted in amendment of the method of sale for CNG (deleting allowance of sales according to gasoline liter equivalent [GLE]) and adding a new method sale for LNG, allowing sales according to diesel gallon equivalent (DGE).

Recognizing NCWM adoption of the above and incorporation into NIST Handbook 130, I am respectfully submitting proposed amendments to my original proposal to reflect these changes to adopted Methods of Sale regarding CNG and LNG and include them as exceptions to the proposed requirement that all other methods of sale be according only to legally-recognized, metrologically-traceable units of measure.

For Reference:

232-8 V Section 2.27. Retail Sales of Natural Gas Sold as a Vehicle Fuel

(This item was adopted at the NCWM 2016 Annual Meeting)

Source:

Clean Vehicle Education Foundation (2014)

Purpose:

Since natural gas is sold in the retail market place as compressed natural gas (CNG) to be an alternative fuel to gasoline and diesel fuel and as liquefied natural gas (LNG) to be an alternative fuel to diesel, the proposed additions and edits to Handbook 130 will provide definitions for natural gas equivalents for diesel liters and diesel gallons so that end users can readily compare cost and fuel economy. At present only CNG equivalents for gasoline are included in the handbooks.

Item under Consideration:

Amend the NIST Handbook 130, Method of Sale Regulation as follows:

2.27. Retail Sales of Natural Gas Sold as a Vehicle Fuel.

2.27.1. Definitions.

2.27.1.1. Compressed Natural Gas (CNG). – A gaseous fuel composed primarily of methane that is suitable for compression and dispensing into a fuel storage container(s) for use as an engine fuel.

(Amended 2016)

~~**2.27.1.2. Gasoline Liter Equivalent (GLE).** – Gasoline liter equivalent (GLE) means 0.678 kg of natural gas.~~

~~**2.27.1.2.3. Gasoline Gallon Equivalent (GGE).** – Gasoline gallon equivalent (GGE) means 2.567 kg (5.660 lb) of compressed natural gas.~~

(Amended 2016)

~~**2.27.1.3. Diesel Gallon Equivalent (DGE).** - Diesel gallon equivalent means 6.384 lb of compressed natural gas or 6.059 lb of liquefied natural gas.~~

(Added 2016)

~~**2.27.1.4. Liquefied Natural Gas (LNG).** – Natural gas which is predominantly methane that has been liquefied at – 162 °C (– 260 °F) at 14.696 psia and stored in insulated cryogenic fuel storage tanks for use as an engine fuel.~~

(Added 2016)

2.27.2. Method of Retail Sale and Dispenser Labeling.

~~**2.27.2.1. Method of Retail Sale.** – All compressed natural gas kept, offered, or exposed for sale and sold at retail as a vehicle fuel shall be measured in terms of mass, and indicated in the gasoline ~~liter equivalent (GLE)~~, ~~or gasoline~~ gallon equivalent (GGE), diesel gallon equivalent (DGE) units or mass.~~

(Amended 2016)

~~**2.27.2.2. Dispenser Labeling Compressed Natural Gas.** – All retail compressed natural gas dispensers shall be labeled with the equivalent conversion factor in terms of ~~kilograms or~~ pounds (**lb**). The label shall be permanently and conspicuously displayed on the face of the dispenser and shall have ~~either~~ the statement “1 Gasoline Gallon Equivalent (GGE) ~~is equal to~~ means 5.660 lb of Compressed Natural Gas” ~~or~~ “1 Diesel Gallon Equivalent (DGE) means 6.384 lb of Compressed Natural Gas” consistent with the method of sale used.~~

(Amended 2016)

~~**2.27.2.3. Method of Retail Sale.** –All liquefied natural gas kept, offered, or exposed for sale and sold at retail as a vehicle fuel shall be measured in mass, and indicated in diesel 1 gallon equivalent (DGE) units, or mass.~~

(Added 2016)

~~**2.27.2.4. Dispenser Labeling of Retail Liquefied Natural Gas.** – All retail liquefied natural gas dispensers shall be labeled with the equivalent conversion factor in terms of pounds (lb). The label shall be permanently and conspicuously displayed on the face of the dispenser and shall have the statement “1 Diesel Gallon Equivalent (DGE) means 6.059 lb of Liquefied Natural Gas”.~~

(Added 2016)