

Addendum Sheet

Laws and Regulations (L&R) Committee Interim Report

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Westchester County, New York

2000 INTRODUCTION

The Laws and Regulations Committee (hereinafter referred to as “Committee”) submits its Interim Report to the National Conference on Weights and Measures. The Report consists of the Interim Report offered in Publication 16, “NCWM Committee Reports,” and this Addendum. Page numbers in tables below refer to pages in the Addendum.

Presented below is a list of voting and information items. Voting items are indicated by the suffix **V** or, if the voting item is part of the Consent Calendar, by the suffix **VC**. If the item is an Information item, it is indicated by the suffix **I**; if the item is Withdrawn, it is indicated by the suffix **W**. Items marked with a **D** after the key numbers are Developing items. The developing designation indicates an item has merit; however, the item is returned to the submitter for further development before any action at the national level. The Committee’s Final Report is proposed to be grouped in the following order:

Consent Calendar Item(s)

Reference Key	Title of Item	Addendum L&R Page
2302	NIST HANDBOOK 130 – UNIFORM REGULATION FOR THE METHOD OF SALE COMMODITIES	5
2302-8 VC	Section 2.23. Animal Bedding	9
2302-9 VC	Section 2.XX. Transmission Fluid. (See Related Item 2307-1).....	9
2307	NIST HANDBOOK 130 – UNIFORM ENGINE FUELS AND AUTOMOTIVE LUBRICANTS REGULATION	11
2307-1 VC	Section 2.14. Products for Use in Lubricating Automatic Transmission Fluids and Section 3.14. Automatic Transmission Fluid. (See Related Item 2302-9).....	11
2500	NCWM POLICY, INTERPRETATIONS, AND GUIDELINES	15
2500-1 VC	Sections 2.1.1. Weight(s) and/or Measure(s)., 2.1.2. Weight(s) and/or Measure(s), 2.1.3. Definition of Net Weight., 2.2.1. Gift Packages., 2.2.2. Sand., 2.2.3. Sold by 4/5 Bushel., 2.2.5. Lot, Shipment, or Delivery., 2.2.6. Aerosols and Similar Pressurized Containers., 2.2.7. Aerosol Packaged Products., 2.2.8. Variety and Combination Packages., 2.2.9. Textile Products., 2.2.10. Yarn., 2.2.11. Tint Base Paint., 2.2.12. Reference Temperature for Refrigerated Products: When a Product is Required to be Maintained under Refrigeration. 2.3.9. Fireplace Logs., 2.3.11. Packaged Foods or Cosmetics Sold from Vending Machines., 2.3.12. Movie Films, Tapes, Cassettes.....	15
2600	HANDBOOK 133.....	16
2600-1 VC	Section 1.2.1. Inspection Lots and Section 3.10. Mulch and Soils Labeled by Volume..... _Toc476053229	16

Voting Item(s)

Reference Key	Title of Item	Addendum L&R Page
2302	NIST HANDBOOK 130 – UNIFORM REGULATION FOR THE METHOD OF SALE COMMODITIES	5
2302-1 V	Section 1. Food Products and Section 2. Non-Food Products.....	5
2302-2 V	Section 1.12. Ready-to-Eat Food	6
2302-6 V	Section 2.17. Precious Metals	7
2302-7 V	Section 2.20. Gasoline – Oxygenate Blends and Section 2.30. Ethanol Flex-Fuel (See related Item 2307-2)	7
2307	NIST HANDBOOK 130 – UNIFORM ENGINE FUELS AND AUTOMOTIVE LUBRICANTS REGULATION	11
2307-2 V	Section 3.8. Ethanol Flex Fuel (See related item 2302-7).....	14
2600	HANDBOOK 133.....	16
2600-4 V	Section 4.5 Polyethylene Sheeting, Bags and Liners.....	16

Informational Item(s)

Reference Key	Title of Item	Addendum L&R Page
2302	NIST HANDBOOK 130 – UNIFORM REGULATION FOR THE METHOD OF SALE COMMODITIES	5
2302-5 I	Section 2.13. Polyethylene Products.....	7
2307	NIST HANDBOOK 130 – UNIFORM ENGINE FUELS AND AUTOMOTIVE LUBRICANTS REGULATION	11
2307-3 I	Section 4.1. Water in Retail Engine Fuel Storage Tanks, Gasoline Alcohol Blends, Biodiesel Blends, Ethanol Flex Fuel, Aviation Gasoline, and Aviation Turbine Fuel. and Section 4.2. Water in Gasoline, Diesel, Gasoline Ether, and Other Fuels.	15

Developing Item(s)

Reference Key	Title of Item	Addendum L&R Page
2302	NIST HANDBOOK 130 – UNIFORM REGULATION FOR THE METHOD OF SALE COMMODITIES	5
2302-11 D	Electric Watthour.....	11
2600	HANDBOOK 133.....	15
2600-3 D	Recognize the Use of Digital Density Meters.....	16
2700	OTHER ITEMS	17
2700-1 D	Fuels and Lubricants Subcommittee	17
2700-2 D	Packaging and Labeling Subcommittee	17

Withdrawn Item(s)

Reference Key	Title of Item	Addendum L&R Page
2301	NIST HANDBOOK 130 – UNIFORM PACKAGING AND LABELING REGULATION	5
2301-1 W	Section 11. Exemptions, 11.XX. Multi-unit Fresh Fruit and Vegetable Packages.	5
2302	NIST HANDBOOK 130 – UNIFORM REGULATION FOR THE METHOD OF SALE COMMODITIES	5
2302-3 W	Section 1.12. Ready-to-Eat Food.	6
2302-4 W	Section 1.7.X. Bulk Ice Cream and Similar Frozen Products	7
2302-10 W	Section 2.XX. Agricultural Vending.....	11
2307	NIST HANDBOOK 130 – UNIFORM ENGINE FUELS AND AUTOMOTIVE LUBRICANTS REGULATION	11
2307-4 W	Section 4.3. Dispenser Filters	15
2600	HANDBOOK 133.....	15
2600-2 W	Section 1.2.3. Individual Package Requirement	16
2600-5 W	Table 2-12. Upper and Lower MAV Limits for Fish and Fishery Products Labeled with a Count.....	17
2700	OTHER ITEMS	17
2700-3 W	NIST Handbook 158.....	17

Details of All Items
(In order by Reference Key)

**2301 NIST HANDBOOK 130 – UNIFORM PACKAGING AND LABELING
REGULATION**

2301-1 W Section 11. Exemptions, 11.XX. Multi-unit Fresh Fruit and Vegetable Packages.

No changes.

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

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

The Committee heard testimony and received a minor change from the submitter for this item. There were several voices of support of this. A retired NY regulator expressed his objections to this item in its entirety. He believes that the HB130 Uniform Weights and Measures Law provides the Director authority to enforce labeling laws. He stated that this language is outside the weights and measures authority. Ms. Quinn (MN) stated that when a consumer buys by count they also buy by grade. She supports the concept of the language but it needs additional work. The Committee did not concur with these statements. The Committee did concur with the modified language and moves it forward as a Voting item:

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) 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)

2302-2 V Section 1.12. Ready-to-Eat Food.

No changes.

2302-3 W Section 1.12. Ready-to-Eat Food.

No changes.

2302-4 W Section 1.7.X. Bulk Ice Cream and Similar Frozen Products

No changes.

2302-5 I Section 2.13. Polyethylene Products

The Committee heard and received written comments from a NY state retired regulator. There were also written comments received from the submitter of the proposal. These changes were reviewed by the Committee. At this time the Committee would like California and NIST to further vet this Item to stakeholders. The Committee would like to see any changes prior to the 2018 NCWM Interim Meeting. For these reasons the Committee moved this Item to Informational status.

2302-6 V Section 2.17. Precious Metals

The Committee believes that questions that were raised at the regional meetings have been addressed. This lets the consumer know how they arrive at the price. One Committee member felt that it should be withdrawn and have that additional work be done on the posted price chart, the percentages of precious metals (if it a weights and measures issue), and no record that it was vetted by industry. The Committee made no changes to the Item under Consideration.

2302-7 V Section 2.20. Gasoline – Oxygenate Blends and Section 2.30. Ethanol Flex-Fuel (See related Item 2307-2)

Dr. Curran informed the Committee that FALS met during their Sunday session. There was extensive discussion on this item. The EPA and FTC have conflicting regulations. The FTC has labeling requirements which have fewer elements. The FALS took a vote for those in attendance as to whether they support the Item under Consideration and they could not achieve consensus.

The Committee noted that Section 2.30.1. was reflected as being stricken, this is not correct and must remain in the report. The Committee reviewed various language changes. The Committee did concur to add a cross reference to Section 2.20.3. EPA Labeling Requirements also Apply and Section 2.30.2. Labeling Requirements to add clarity. With these changes the Committee is recommending the following language for a Vote.

2.20. Gasoline-Oxygenate Blends.

2.20.1. Method of Retail Sale. – Type of Oxygenate must be Disclosed. – All automotive gasoline or automotive gasoline-oxygenate blends kept, offered, or exposed for sale, or sold at retail containing at least 1.5 mass percent oxygen shall be identified as “with” or “containing” (or similar wording) the predominant oxygenate in the engine fuel. For example, the label may read “contains ethanol” or “with MTBE.” The oxygenate contributing the largest mass percent oxygen to the blend shall be considered the predominant oxygenate. Where mixtures of only ethers are present, the retailer may post the predominant oxygenate followed by the phrase “or other ethers” or alternatively post the phrase “contains MTBE or other ethers.” In addition, gasoline-methanol blend fuels containing more than 0.15 mass percent oxygen from methanol shall be identified as “with” or “containing” methanol. This information shall be posted on the upper 50 % of the dispenser front panel in a position clear and conspicuous from the driver’s position in a type at least 12.7 mm (½ in) in height, 1.5 mm (¹/₁₆ in) stroke (width of type).
(Amended 1996)

2.20.2. Documentation for Dispenser Labeling Purposes. – The retailer shall be provided, at the time of delivery of the fuel, on product transfer documents such as an invoice, bill of lading, shipping paper, or other documentation:

- (a) Information that complies with 40 CFR § 80.1503 when the fuel contains ethanol.
- (b) For fuels that do not contain ethanol, information that complies with 40 CFR § 80.1503 and a declaration of the predominant oxygenate or combination of oxygenates present in concentrations sufficient to yield an oxygen content of at least 1.5 mass percent in the fuel. Where mixtures of only ethers are present, the fuel supplier may identify either the predominant oxygenate in the fuel (i.e., the oxygenate contributing the largest mass percent oxygen) or alternatively, use the phrase “contains MTBE or other ethers.”
- (c) Gasoline containing more than 0.15 mass percent oxygen from methanol shall be identified as “with” or “containing” methanol.

(Added 1984) (Amended 1985, 1986, 1991, 1996, and 2014)

2.20.3. EPA Labeling Requirements also Apply. – **Retailers and wholesale purchaser-consumers of gasoline shall comply with the EPA pump labeling requirements for gasoline containing greater than 10 volume percent (v%) up to 15 volume percent (v%) ethanol (E15) under 40 CFR § 80.1501. (for additional information refer to Section 2.30.2. Labeling Requirements)**

(Added 20XX)

2.30. Ethanol Flex Fuel.

2.30.1. How to Identify Ethanol Flex Fuel. – Ethanol flex fuel shall be identified as “Ethanol Flex Fuel or EXX Flex Fuel.”

2.30.2. Labeling Requirements.

~~(a) Ethanol flex fuel shall be identified and labeled in accordance with Federal Trade Commission Automotive Fuel Ratings, Certification and Posting Rule, 16 CFR, as amended with an ethanol concentration no less than 51 and no greater than 83 volume percent shall be labeled “Ethanol Flex Fuel, minimum 51% ethanol.” (for additional information refer to Section 2.20.3. EPA Labeling Requirements also Apply)~~

~~(Amended 2014 and 20XX)~~

~~(b) Ethanol flex fuel with an ethanol concentration less than or equal to 50 volume percent shall be labeled “EXX Flex Fuel, minimum YY % ethanol,” where the XX is the target ethanol concentration in volume percent and YY is XX minus five (-5). The actual ethanol concentration of the fuel shall be XX volume percent plus or minus five (±5) volume percent.~~

~~(Added 2014)~~

~~(c) A label shall be posted which states “For Use in Flexible Fuel Vehicles (FFV) Only.” This information shall be clearly and conspicuously posted on the upper 50 % of the dispenser front panel in a type at least 12.7 mm (1/2 in) in height, 1.5 mm (1/16 in) stroke (width of type). A label shall be posted which states, “CHECK OWNERS MANUAL,” and shall not be less than 6 mm (1/4 in) in height by 0.8 mm (1/32 in) stroke; block style letters and the color shall be in definite contrast to the background color to which it is applied.~~

~~(Amended 2014)~~

~~(Added 2007) (Amended 2014 and 20XX)~~

2302-8 V Section 2.23. Animal Bedding

No changes.

2302-9 V Section 2.XX. Transmission Fluid. (See Related Item 2307-1)

Kevin Ferrick (API) requested that two sentences in his original proposal be moved for clarity. Dr. Curran, FALS Chair remarked that FALS agreed with this change. During open hearings Kurt Floren had an issue with the term primary performance claims encompasses marketing statements like “last a thousand miles, cleans your transmission better.” Mr. Ferrick responded that suitability claims do not encompass performance claims. The term “performance claims” is considered an accepted industry term. The Committee did not make any changes from the FALS recommendation.

2.XX. Transmission Fluid.

2.XX.1. Products for Use in Lubricating Transmissions – Transmission fluids shall meet the original equipment manufacturer’s requirements for those transmissions or have demonstrated performance claims to be suitable for use in those transmissions. Where a fluid can be licensed against an original equipment manufacturer’s specification, evidence of current licensing by the marketer is acceptable documentation of performance against the specification. In the absence of a license from the original equipment manufacturer, adherence to the original equipment manufacturer’s recommended requirements shall be assessed after testing per relevant methods available to the lubricants industry and the state regulatory agency. Suitability for use claims shall be based upon appropriate field, bench and/or transmission rig testing. Any manufacturer of a transmission fluid making suitable-for-use claims shall provide, upon request by a duly authorized representative of the Director, credible documentation of such claims. If the product performance claims published by a blender and/or marketer are based on the claim(s) of one or more additive suppliers, documentation of the claims may be requested in confidence by a duly authorized representative of the Director. Supporting data may be supplied directly to the Director’s office by the additive supplier(s).

2.XX.1.1. Conformance. – Conformance of a fluid per Section 2.XX.1. Products for Use in Lubricating Transmissions does not absolve the obligations of a fluid licensee with respect to the licensing original equipment manufacturer or the original equipment manufacturer’s licensing agent(s), where relevant.

2.XX.1.2. Transmission Fluid Additives. – Any material offered for sale or sold as an additive to transmission fluids shall be compatible with the transmission fluid to which it is added, and shall meet all performance claims as stated on the label or published on any website referenced by the label. Any manufacturer of any such product sold in this state shall provide, upon request by a duly authorized representative of the Director, documentation of any claims made on their product label or published on any website referenced by the label.

2.XX.2 Labeling and Identification of Transmission Fluid. – Transmission fluid shall be labeled or identified as described below.

2.XX.2.1. Container Labeling. – The label on a container of transmission fluid shall not contain any information that is false or misleading. Containers include bottles, cans, multi-quart or liter containers, pails, kegs, drums, and intermediate bulk containers (IBCs). In addition, each container of transmission fluid shall be labeled with the following:

- (a) the brand name;**
- (b) the name and place of business of the manufacturer, packer, seller, or distributor;**

- (c) the words “Transmission Fluid,” which may be incorporated into a more specific description of transmission type such as “Automatic Transmission Fluid” or “Continuously Variable Transmission Fluid”;
- (d) the primary performance claim or claims met by the fluid and reference to where any supplemental claims may be viewed (for example, website reference). Performance claims include but are not limited to those set by original equipment manufacturers and standards-setting organizations such as SAE and JASO and are acknowledged by reference; and
- (e) an accurate statement of the quantity of the contents in terms of liquid measure.

2.XX.2.2. Identification on Documentation – Transmission fluid sold in bulk shall be identified on the manufacturer, packer, seller, or distributor invoice, bill of lading, shipping paper, or other documentation with the information listed below:

- (a) the brand name;
- (b) the name and place of business of the manufacturer, packer, seller, or distributor;
- (c) the words “Transmission Fluid,” which may be incorporated into a more specific description of transmission type such as “Automatic Transmission Fluid” or “Continuously Variable Transmission Fluid”;
- (d) the primary performance claim or claims met by the fluid or reference to where these claims may be viewed (for example, website reference). Performance claims include but are not limited to those set by original equipment manufacturers and standards-setting organizations such as SAE and JASO and are acknowledged by reference; and
- (e) an accurate statement of the quantity of the contents in terms of liquid measure.

2.XX.2.3. Identification on Service Provider Documentation – Transmission fluid installed from a bulk tank at time of transmission service shall be identified on the customer invoice with the information listed below:

- (a) the brand name;
- (b) the name and place of business of the service provider;
- (c) the words “Transmission Fluid,” which may be incorporated into a more specific description of transmission type such as “Automatic Transmission Fluid” or “Continuously Variable Transmission Fluid”;
- (d) the primary performance claim or claims met by the fluid or reference to where these claims may be viewed (for example, website reference). Performance claims include but are not limited to those set by original equipment manufacturers and standards-setting organizations such as SAE and JASO and are acknowledged by reference; and
- (e) an accurate statement of the quantity of the contents in terms of liquid measure.

2.XX.2.4. Bulk Delivery – When the transmission fluid is sold in bulk, an invoice, bill of lading, shipping paper, or other documentation must accompany each delivery. This document must identify the fluid as defined in Section 2.XX.2.2.

2.XX.2.5. Storage Tank Labeling. – Each storage tank of transmission fluid shall be labeled with the following:

- (a) **the brand name;**
- (b) **the primary performance claim or claims met by the fluid or reference to where these claims may be viewed (for example, website reference). Performance claims include but are not limited to those set by original equipment manufacturers and standards-setting organizations such as SAE and JASO and are acknowledged by reference.**

2.XX.3. Documentation of Claims Made Upon Product Label. – Any manufacturer, packer, or distributor of any product subject to this article and sold in this state shall provide, upon request of duly authorized representatives of the Director, credible documentation of any claim made upon their product label, including claims made on any website referenced by said label. If the product performance claims published by a blender and/or marketer are based on the claim(s) of one or more additive suppliers, documentation of the claims may be requested in confidence by a duly authorized representative of the Director. Supporting data may be supplied directly to the Director’s office by the additive supplier(s).
(Added 20XX)

2302-10 W Section 2.XX. Agricultural Vending

No changes.

2302-11 D Electric Watthour

No changes.

2307 NIST HANDBOOK 130 – UNIFORM ENGINE FUELS AND AUTOMOTIVE LUBRICANTS REGULATION

2307-1 V Section 2.14. Products for Use in Lubricating ~~Automatic~~ Transmission Fluids and Section 3.14. ~~Automatic~~ Transmission Fluid. (See Related Item 2302-9)

Kevin Ferrick (API) requested that two sentences in his original proposal be moved for clarity. Dr. Curran, FALS Chair remarked that FALS agreed with this change. During open hearings Kurt Floren had an issue with the term primary performance claims encompasses marketing statements like “last a thousand miles, cleans your transmission better.” Mr. Ferrick responded that suitability claims do not encompass performance claims. The term “performance claims” is considered an accepted industry term. The Committee did not make any changes from the FALS recommendation.

Section 2. Standard Fuel Specifications

~~2.14. Products for Use in Lubricating Automatic Transmissions. – Any automatic transmission fluid sold without limitation as to type of transmission for which it is intended shall meet all automotive manufacturers’ recommended requirements for transmissions in general use in the state. Automatic Transmission fluids that are intended for use only in certain transmissions, as disclosed on the label of its~~

~~container~~, shall meet the ~~latest automotive original equipment~~ manufacturer's ~~recommended~~ requirements for those transmissions ~~or have been demonstrated performance claims to be suitable for use in those transmissions~~. Where a fluid can be licensed against an original equipment manufacturer's specification, evidence of current licensing by the marketer is acceptable documentation of performance against the specification. In the absence of a license from the original equipment manufacturer, adherence to automotive the original equipment manufacturer's recommended requirements shall be assessed after testing per relevant methods based on tests currently available to the lubricants industry and the state regulatory agency. ~~Any material offered for sale or sold as an additive to automatic transmission fluids shall be compatible with the automatic transmission fluid to which it is added, and shall meet all performance claims as stated on the label. Any manufacturer of any such product sold in this state shall provide, upon request by duly authorized representative of the Director, documentation of any claims made on their product label.— Suitability for use claims shall be based upon appropriate field, bench and/or transmission rig testing. Any manufacturer of a transmission fluid making suitable-for-use claims shall provide, upon request by a duly authorized representative of the Director, credible documentation of such claims. If the product performance claims published by a blender and/or marketer are based on the claim(s) of one or more additive suppliers, documentation of the claims may be requested in confidence by a duly authorized representative of the Director. Supporting data may be supplied directly to the Director's office by the additive supplier(s).~~

(Added 2004, Amended 20XX)

2.14.1. Conformance. – Conformance of a fluid per Section 2.14. Products for Use in Lubricating Transmissions does not absolve the obligations of a fluid licensee with respect to the licensing original equipment manufacturer or the original equipment manufacturer's licensing agent(s), where relevant.

2.14.2. Transmission Fluid Additives. – Any material offered for sale or sold as an additive to transmission fluids shall be compatible with the transmission fluid to which it is added, and shall meet all performance claims as stated on the label or published on any website referenced by the label. Any manufacturer of any such product sold in this state shall provide, upon request by a duly authorized representative of the Director, documentation of any claims made on their product label or published on any website referenced by the label.

(Added 20XX)

Section 3. Classification and Method of Sale of Petroleum Products

3.14. Automatic Transmission Fluid.

3.14.1 Labeling and Identification of Transmission Fluid. – Transmission fluid shall be labeled or identified as described below.

3.14.12. Container Labeling. – The label on a container of automatic transmission fluid shall not contain any information that is false or misleading. Containers include bottles, cans, multi-quart or liter containers, pails, kegs, drums, and intermediate bulk containers (IBCs). In addition, each container of automatic transmission fluid shall be labeled with the following:

- (a) the brand name;
- (b) the name and place of business of the manufacturer, packer, seller, or distributor;
- (c) the words "~~Automatic~~ Transmission Fluid" which may be incorporated into a more specific description of transmission type such as "Automatic Transmission Fluid" or "Continuously Variable Transmission Fluid";
- (d) ~~the duty type of classification; the primary performance claim or claims met by the fluid and reference to where any supplemental claims may be viewed (for example, website~~

reference). Performance claims include but are not limited to those set by original equipment manufacturers and standards-setting organizations such as SAE and JASO and are acknowledged by reference; and

(e) an accurate statement of the quantity of the contents in terms of liquid measure.

(Amended 20XX)

3.14.3. Identification on Documentation. – Transmission fluid sold in bulk shall be identified on the manufacturer, packer, seller or distributor invoice, bill of lading, shipping paper, or other documentation with the information listed below:

(a) the brand name;

(b) the name and place of business of the manufacturer, packer, seller, or distributor;

(c) the words “Transmission Fluid” which may be incorporated into a more specific description of transmission type such as “Automatic Transmission Fluid” or “Continuously Variable Transmission Fluid”;

(d) the primary performance claim or claims met by the fluid or reference to where these claims may be viewed (for example, website reference). Performance claims include but are not limited to those set by original equipment manufacturers and standards-setting organizations such as SAE and JASO and are acknowledged by reference; and

(e) an accurate statement of the quantity of the contents in terms of liquid measure.

(Added 2004, Amended 20XX)

3.14.4. Identification on Service Provider Documentation – Transmission fluid installed from a bulk tank at time of transmission service shall be identified on the customer invoice with the information listed below:

(a) the brand name;

(b) the name and place of business of the service provider;

(c) the words “Transmission Fluid” which may be incorporated into a more specific description of transmission type such as “Automatic Transmission Fluid” or “Continuously Variable Transmission Fluid”;

(d) the primary performance claim or claims met by the fluid or reference to where these claims may be viewed (for example, website reference). Performance claims include but are not limited to those set by original equipment manufacturers and standards-setting organizations such as SAE and JASO and are acknowledged by reference; and

(e) an accurate statement of the quantity of the contents in terms of liquid measure.

(Added 20XX)

3.14.5. Bulk Delivery – When the transmission fluid is sold in bulk, an invoice, bill of lading, shipping paper, or other documentation must accompany each delivery. This document must identify the fluid as defined in Section 3.14.2. Container Labeling.

(Added 20XX)

3.14.6. Storage Tank Labeling. – Each storage tank of transmission fluid shall be labeled with the following:

(c) the brand name;

- (d) the primary performance claim or claims met by the fluid or reference to where these claims may be viewed (for example, website reference). Performance claims include but are not limited to those set by original equipment manufacturers and standards-setting organizations such as SAE and JASO and are acknowledged by reference.

(Added 20XX)

3.14.2.7. Documentation of Claims Made Upon Product Label. – Any manufacturer, ~~or~~ packer, **or distributor** of any product subject to this article and sold in this state shall provide, upon request of duly authorized representatives of the Director, **credible** documentation of any claim made upon their product label, **including claims made on any website referenced by said label. If the product performance claims published by a blender and/or marketer are based on the claim(s) of one or more additive suppliers, documentation of the claims may be requested in confidence by a duly authorized representative of the Director. Supporting data may be supplied directly to the Director’s office by the additive supplier(s).**

(Added 20XX)

2307-2 V Section 3.8. Ethanol Flex Fuel (See related item 2302-7)

Dr. Curran informed the Committee that FALS met during their Sunday session. There was extensive discussion on this item. The EPA and FTC have conflicting regulations. The FTC has labeling requirements which have fewer elements. The FALS took a vote for those in attendance as to whether they support the Item under Consideration and they could not achieve consensus.

The Committee did concur to add a cross reference to Section 3.8.2. Labeling Requirements and Section 3.2.8. EPA Labeling Requirements also Apply to provide clarity. With these changes the Committee is recommending the following language for a Vote.

3.2.8. EPA Labeling Requirement also Apply – Retailers and wholesale purchaser-consumer of gasoline shall comply with the EPA pump labeling requirements for gasoline containing greater than 10 volume percent (V%) up to 15 volume percent (V%) ethanol (E15) under 40 CFR § 80.1501. **(for additional information refer to Section 3.8.2. Labeling Requirements)**

3.8. Ethanol Flex Fuel.

3.8.1. How to Identify Ethanol Flex Fuel. – Ethanol flex fuel shall be identified as Ethanol Flex Fuel or EXX Flex Fuel.

3.8.2. Labeling Requirements.

~~(a) Ethanol flex fuel with an ethanol concentration no less than 51 and no greater than 83 volume percent shall be labeled “Ethanol Flex Fuel, minimum 51 % ethanol.” shall be identified and labeled in accordance with the Federal Trade Commission Automotive Fuel Ratings, Certification and Posting Rule, 16 CFR 306, as amended. (for additional information refer to Section 3.2.8. EPA Labeling Requirements also Apply)~~

(Amended 20XX)

~~(b) Ethanol flex fuel with an ethanol concentration less than or equal to 50 volume percent shall be labeled “EXX Flex Fuel, minimum YY % ethanol,” where the XX is the ethanol concentration~~

~~in volume percent and YY is XX minus five (- 5). The actual ethanol concentration of the fuel shall be XX volume percent plus or minus five (± 5) volume percent.~~

~~(Added 2014)~~

~~(e) A label shall be posted which states "For Use in Flexible Fuel Vehicles (FFV) Only." This information shall be clearly and conspicuously posted on the upper 50 % of the dispenser front panel in a type at least 12.7 mm (. in) in height, 1.5 mm ($^{1}/_{16}$ in) stroke (width of type). A label shall be posted which states, "CHECK OWNER'S MANUAL," and shall not be less than 6 mm (. in) in height by 0.8 mm ($^{1}/_{32}$ in) stroke; block style letters and the color shall be in definite contrast to the background color to which it is applied.~~

~~(Amended 2007, 2008, and 2014, and 20XX)~~

2307-3 I Section 4.1. Water in Retail Engine Fuel Storage Tanks, Gasoline Alcohol Blends, Biodiesel Blends, Ethanol Flex Fuel, Aviation Gasoline, and Aviation Turbine Fuel. and Section 4.2. Water in Gasoline, Diesel, Gasoline Ether, and Other Fuels.

No changes.

2307-4 W Section 4.3. Dispenser Filters

No changes.

2500 NCWM POLICY, INTERPRETATIONS, AND GUIDELINES

2500-1 V Sections 2.1.1. Weight(s) and/or Measure(s)., 2.1.2. Weight(s) and/or Measure(s), 2.1.3. Definition of Net Weight., 2.2.1. Gift Packages., 2.2.2. Sand., 2.2.3. Sold by $^{4}/_{5}$ Bushel., 2.2.5. Lot, Shipment, or Delivery., 2.2.6. Aerosols and Similar Pressurized Containers., 2.2.7. Aerosol Packaged Products., 2.2.8. Variety and Combination Packages., 2.2.9. Textile Products., 2.2.10. Yarn., 2.2.11. Tint Base Paint., 2.2.12. Reference Temperature for Refrigerated Products: When a Product is Required to be Maintained under Refrigeration. 2.3.9. Fireplace Logs., 2.3.11. Packaged Foods or Cosmetics Sold from Vending Machines., 2.3.12. Movie Films, Tapes, Cassettes.

No changes.

2600 HANDBOOK 133

2600-1 V Section 1.2.1. Inspection Lots and Section 3.10. Mulch and Soils Labeled by Volume

No changes.

2600-2 W Section 1.2.3. Individual Package Requirement

No changes.

2600-3 D Recognize the Use of Digital Density Meters

No changes.

2600-4 V Section 4.5. Polyethylene Sheeting, Bags and Liners

The Committee reviewed all submitted proposed changes. Due to the size of this test procedure, the Committee has only carried forward the one change that is on L&R page 43. The Committee will not be moving forward the language in Section 4.5.2.(a)2. Test Procedure. They believe there is no need to make this change until the Method of Sale (Item 2302-5) is adopted through the conference. The language below is how it currently appears in NIST Handbook 133 with the exception of the title of the Section 4.5.2.a. When Item 2302-5 is adopted, any changes to the Method of Sale should also be reflected in NIST Handbook 133. The Committee grants editorial changes for this section to be modified.

4.5.2. Test Procedures

a. Test Procedure for Polyethylene Sheeting

1. Follow Section 2.3.1. "Define the Inspection Lot." Use a "Category A" sampling plan in the inspection; select a random sample.
2. Be sure the product is not mislabeled. Check the label declaration to confirm that all of the declared dimensions are consistent with the required standards. The declaration on sheeting, film, and bags shall be equal to or greater than the weight calculated by using the formulas below. Calculate the final value to four digits and declare to three digits dropping the final digit no more than two digits after the decimal and truncate any additional digits (e.g., if the calculated value is 2.078 lb, then the declared net weight is truncated to 2.07 lb).

Example:

Label –

<p>Polyethylene Sheeting</p> <p>1.82 m (6 ft) × 30.48 m (100 ft)</p> <p>101.6 μm (4 mil)</p> <p>5.03 kg (11.1 lb)</p>

2600-5 W Table 2-12. Upper and Lower MAV Limits for Fish and Fishery Products Labeled with a Count

No changes.

2700 OTHER ITEMS

2700-1 D Fuels and Lubricants Subcommittee

No changes.

2700-2 D Packaging and Labeling Subcommittee

No changes.

2700-3 W NIST Handbook 158

No changes.



Mr. Ethan Bogren, Westchester County, New York | Committee Chair
Mr. Louis Sakin, Towns of Hopkinton/Northbridge, Massachusetts | Member
Mr. John Albert, Missouri | Member
Ms. Michelle Wilson, Arizona | Member
Mr. Hal Prince, Florida | Member
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