

100th Annual Meeting of the National Conference on Weights and Measures

July 19 – 23, 2015
Philadelphia, Pennsylvania

Addendum Sheets to the Interim Report of the Laws and Regulations Committee

200 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 Publication 16.

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 If the item is an Information item, it is indicated by the suffix **I**; if the item is Withdrawn, it is indicated by the suffix **W**.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 Items

Reference Key Number	Title of Item	L&R Page No.
None		

Voting Items

Separate vote (V) of the NCWM is being requested on the following items:

Reference Key Number	Title of Item	L&R Page No.
200	INTRODUCTION	ERROR! BOOKMARK NOT DEFINED.
231	NIST HANDBOOK 130 – UNIFORM PACKAGING AND LABELING REGULATION.....	3
231-1	V Sections 6.4., 6.5., and 6.7. Addition of Tables	3
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Withdrawn Items

The following items were withdrawn (W) and require no formal action of the NCWM:

Reference Key Number	Title of Item	L&R Page No.
200	INTRODUCTION	ERROR! BOOKMARK NOT DEFINED.
221	NIST HANDBOOK 130 – UNIFORM WEIGHTS AND MEASURES LAW	2
221-1	W Section 1.8. Net “Mass” or Net “Weight.”	2
232	NIST HANDBOOK 130 – UNIFORM REGULATION FOR THE METHOD OF SALE COMMODITIES	3
232-2	W Section 2.20.3. Street Sign Prices and Advertising.....	3

Informational and Developing Items

The following items are informational (I) or under development (D) and require no formal action of the NCWM:

Reference Key Number	Title of Item	L&R Page No.
200	INTRODUCTION	ERROR! BOOKMARK NOT DEFINED.
232	NIST HANDBOOK 130 – UNIFORM REGULATION FOR THE METHOD OF SALE COMMODITIES	3
232-1	I Section 1.5. Meat, Poultry, Fish, and Seafood.....	3
237	NIST HANDBOOK 130 – UNIFORM ENGINE FUELS AND AUTOMOTIVE LUBRICANTS REGULATION	6
237-2	I Sections 2.1.3. Minimum Antiknock Index (AKI), Section 2.1.4. Minimum Motor Octane Number, and Section 3.2.5. Prohibition of Terms – Table 1.	6
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270-1	D Fuels and Lubricants Subcommittee.....	9
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Details of All Items

(In order by Reference Key Number)

221 NIST HANDBOOK 130 – UNIFORM WEIGHTS AND MEASURES LAW

221-1 W Section 1.8. Net “Mass” or Net “Weight.”

No change.

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

231-1 V Sections 6.4., 6.5., and 6.7. Addition of Tables

No change.

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

232-1 I Section 1.5. Meat, Poultry, Fish, and Seafood.

No change. The Committee recommends that a NIST facilitated workgroup comprised of stakeholders (primarily supermarkets and regulatory officials) be formed. The workgroup will review the original proposal, changes made at the 2015 Interim, and the NIST language submitted for consideration, and provide a recommendation at the 2016 Interim.

232-2 W Section 2.20.3. Street Sign Prices and Advertising

232-3 V Section 2.23. Animal Bedding

Due to concerns raised by regulatory officials over the new expanded definition of animal bedding in 2.23.1 (a), the Committee defaulted to the current definition in Handbook 130. The current definition in the Handbook is widely accepted and a revised definition can be developed and revisited in the future. The use of the term “Expanded Volume” was changed to “Usable Volume” in sections 2.23.1 and 2.23.2. The examples in section 2.23.2 (c) were moved to 2.23.2. (b). A note was added at the end 2.23.3. stating “This method of sale for animal bedding shall be enforceable after January 1, 2018.”

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

2.23. Animal Bedding. —~~Packaged animal bedding of all kinds, except for baled straw, shall be sold by volume, that is, by the cubic meter, liter, or milliliter and by the cubic yard, cubic foot, or cubic inch. If the commodity is packaged in a compressed state, the quantity declaration shall include both the quantity in the compressed state and the usable quantity that can be recovered. Compressed animal bedding packages shall not include pre-compression volume statements.~~

Example:

250 mL expands to 500 mL (500 in³ expands to 1000 in³).

2.23.1. Definitions.

- (a) Animal Bedding – Packaged animal bedding of all kinds, except for baled straw. ~~any material, except for baled straw kept, offered or exposed for sale or sold for primary use as a medium for any companion or livestock animal to nest or eliminate waste, including pet or stall bedding, cat or pet litter, or simply bedding.~~
- (b) Expanded Usable Volume – the volume of the product that can be recovered from the package by the consumer after it is unwrapped and uncompressed.

2.23.2. Method of Sale.

- (a) Packaged animal bedding shall be advertised, labeled, offered and exposed for sale and sold on the basis of the expanded usable volume. If unit pricing is offered to retail consumers, it shall be in terms of the price per liter.
- (b) The quantity declaration shall include the terms “~~Expanded Usable Volume~~” or wording of similar import that expresses the facts, and shall be in terms of the largest whole unit of the milliliter, liter or cubic meter. A declaration may also include the quantity in terms of largest whole unit of cubic inches, cubic foot, or cubic yard only.

Examples:

~~Expanded Usable Volume 41 Liters (1.4 Cubic Feet)~~

~~Expanded Usable Volume 1.4 Cubic Feet (41 Liters)~~

~~Expanded Usable Volume 27.9 Liters (1700 Cubic Inches)~~

~~Expanded Usable Volume 113 L (4 Cubic Feet)~~

~~Expanded Usable Volume 8 Cubic Feet (226 L)~~

- (c) The display of pre-compression volume, compressed volume or supplementary dry measure units (e.g., dry quart, bushel) anywhere on the package is prohibited.

Examples:

~~Expanded Volume 41 Liters (1.4 Cubic Feet)~~

~~Expanded Volume 1.4 Cubic Feet (41 Liters)~~

~~Expanded Volume 27.9 Liters (1700 Cubic Inches)~~

~~Expanded Volume 113 L (4 Cubic Feet)~~

~~Expanded Volume 8 Cubic Feet (226 L)~~

2.23.1.3. Exemption - Non-Consumer Packages of Animal Bedding Sold to Laboratory Animal Research Industry. – Packaged Animal Bedding consisting of granular corncobs and other dry (8 % or less moisture), pelleted, and/or non-compressible Bedding materials that are sold to commercial (non-retail) end users in the laboratory animal research industry (government, medical, university, preclinical, pharmaceutical, research, biotech, and research institutions) may be sold on the basis of weight.

(Added 1990) (Amended 2012 **and 20XX**)

Note: This method of sale for animal bedding shall be enforceable after January 1, 2018.

232-4 V Section 2.27. Retail Sales of Natural Gas Sold as a Vehicle Fuel

The Committee believes the changes submitted during open hearings and the language that appears below are fully developed and will align with language proposed in S&T 337-1. These changes in language support clarifying that two types of natural gas exist as a motor vehicle fuel (compressed and liquefied). Additionally, the proposal makes clear that the method of sale for compressed natural gas may be either GGE, DGE or mass, and for liquefied natural gas the method of sale may be DGE or mass; however, all natural gas sold as a vehicle fuel shall be measured in mass. Renumbering of sections will remain editorial. The changes are as follows:

Under 2.27.1. Definitions: Section 2.27.1.2. Gasoline Liter Equivalent (GLE) and Section 2.27.1.4. Diesel Liter Equivalent (DLE) were deleted in their entirety. Under 2.27.1.3. the metric equivalent 2.567 kg was removed.

Under 2.27.2. Method of Retail Sale and Dispenser Labeling

In the entire section, the term “is equal to” was replaced with “means”. Under 2.27.2.1. the terms “liter equivalent (GLE) or gasoline” and diesel liter equivalent (DLE) was deleted. - Under 2.27.2.2. the term “kilogram” was deleted along with “1 Gasoline Liter Equivalent (GLE) is equal to 0.678 kg of Natural Gas”. Under 2.27.2.3. the term “liter equivalent (DLE), diesel” was deleted. Under 2.27.2.4. the term “kilogram (kg) or” was deleted along with “1 Diesel Liter Equivalent (DLE) is equal to means 0.726 kg of Liquefied Natural Gas” or. In the last sentence “consistent with the method of sale used” was deleted.

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.

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

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

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

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.

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.

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.

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”.

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

237-1 V Section 1. 1.36. Liquefied Natural Gas (LNG) and Section 3.11. Compressed Natural Gas (CNG)

No change.

237-2 I Sections 2.1.3. Minimum Antiknock Index (AKI), Section 2.1.4. Minimum Motor Octane Number, and Section 3.2.5. Prohibition of Terms – Table 1.

No change.

237-3 V Section 4.3. Dispenser Filters

No change.

260 HANDBOOK 133

260-1 V Section 2.7. Chitterling Test Procedure (and beef tripe).

NIST was contacted on July 21, 2015 by the Vice President of Regulatory Affairs of the North American Meat Institute (NAMI). A letter was also submitted to the L&R Committee chair. NAMI has requested that NCWM remove reference to beef tripe from the proposed Chitterling (and beef tripe) test procedure. They requested an opportunity to conduct research and carry out tests to determine if a 20% purge is reasonable for beef tripe. NAMI affirmed their support for the chitterlings test procedure and for using the procedure for beef tripe. They are also supportive of a 20% purge for fresh and frozen chitterlings. NAMI will work with NIST and the NCWM and come back with a proposal in the fall with a recommendation of the purge for beef tripe and for adding beef tripe to the test procedure.

The Committee agrees with the NAMI request. All references to beef tripe were removed from item 260-1. Section 2.7. Chitterling Test Procedure (~~and beef tripe~~). This will also address concerns raised during open hearing about the appropriateness of the 20% purge for beef tripe.

The footnote in Step 5 (L&R - 43) was deleted.

¹If carried out with proficiency, which comes with practical experience, the procedures in Method a. and Method b. will provide identical results. The procedure in Method b requires additional steps to calculate the Purged Net Weight but some inspectors have indicated that they prefer Method b. because the drain time and product is easier to control (because the chitterlings in the sieve may continue to drain). Regardless of the method used the inspector must handle the product carefully but quickly to avoid errors that may void the test. Also, some inspectors often use a waste container to collect the package liquids so that all of the product can be returned the package for subsequent return to the packer. Other inspectors report that some retailers do not want the product repackaged so the liquids are drained into a sink, the solids discarded, and the disposition reported on the inspection report.

The reference to footnote 9 in Step 5, Method A (L&R – 44) was deleted.

Method A. **Place a sieve over a sink or waste collection container.⁹ Pour the chitterlings into the sieve and distribute them over the surface of the sieve with a minimum of handling. Hold the sieve firmly and incline it 30 degrees (see Figure 1 for an example of a tilt block for use with a sink drain set at 30 degrees) to facilitate drainage, then start the stop watch and drain for exactly two-minutes. At the end of the drain time immediately transfer the chitterlings to a drain pan for weighing. Determine the Purged Net Weight of the chitterlings using the following formula and record in Column F, “Purged Net Wt.”**

260-2 V Section 3.9. Dimensional Test Procedure for Verifying the Compressed Quantity Declaration on Packages of Peat Moss.

The Committee made the following editorial changes:

Deleted Figure 3.1 under 3.9.1. More accurate figures are in Step 6 on L&R 52 – 53.

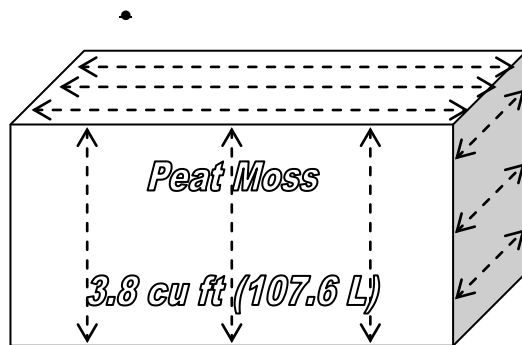


Figure 3-1. Peat Moss

Editorial revisions were made to correct section 3.9.11 to read 3.9.1.1.

The MAV in Section 3.9.1.2., Step 7 in the NOTE on L&R 53 was corrected by deleting the current language which says “Apply a tentative MAV of 5% to a dimensional measured volume.” It was replaced with “To determine the value of the MAV look up the labeled quantity in Appendix A, Table 2-6. Maximum Allowable Variations for Packages Labeled by Liquid and Dry Volume.”

7. Record the dimensions of each package in millimeters in a software program or inspection form that includes the information shown in the sample worksheet “Calculate the Compressed Volume of the Package in Liters” (below). Enter the measurements in the appropriate spaces and calculate the volume in liters. Calculate the package error by following the steps listed in the table and then calculate the average error for the sample.

Note: The following table is an example of the information from an actual test that is included in a worksheet for verifying the compressed volume on packages of peat moss. The Inspection Worksheet for Dimensional Testing (see Appendix C) has space for a sample of 12 packages and includes the steps for calculating the Average Package Error. Here, the package error in the dimensional volume was + 6.8 L (+ 0.24 ft³). ~~Apply a tentative MAV of 5 % to a dimensional measured volume. To determine the value of the MAV look up the labeled quantity in Appendix A, Table 2-6. Maximum Allowable Variations for Packages Labeled by Liquid and Dry Volume.~~”

260-3 V Section 3.15. Test Procedure for Verifying the Expanded Volume Declaration on Packages of Animal Bedding

Editorial revisions were made to:

Change all references to “Expanded Volume” to say “Usable Volume” throughout Item 260-3.

An error in Note (a) in Table 2 on L&R 60 was corrected by removing the word “mulch” and replacing it with “animal bedding.”

Notes for Table 2:

- a. Rectangular and Square Based Dry Measures are typically constructed of 12.7 mm to 19.05 mm (0.5 in to 0.75 in) Marine Plywood. A 4.76 mm (³/₁₆ in) transparent sidewall is useful for determining the level of fill, but must be reinforced or be made of thicker material if it distorts when the measure is filled. If the measure has a clear front, place the level gage at the back (inside) of the measure so that the markings are read over the top of the ~~mulch~~ animal bedding. Any of these measures may be made without an attached bottom for ease of emptying if they are placed on a solid level base during filling and measurement.

In the second paragraph in Step 7 on L&R 70, the words “on the Inspection Worksheet” were added in the last sentence to read “If the Average Error is a negative value go to Step 4 in the Inspection Worksheet”.

7. Evaluation of the Test Results and Determination of Pass or Fail

- Determine if any of the minus package errors exceeds the MAV. Apply a tentative MAV value of 5 % (0.05 × labeled expanded volume) to single measurement volume determinations and a tentative MAV value of 10 % (0.10 × labeled expanded volume) on multiple-measurement volume determinations (enter in Box 4 “MAV”). If none of the minus package errors exceeds the MAV, go to Step 3. If any of the minus package errors exceed the MAV, enter the number of packages in Box 9 “Number of Unreasonable Minus Errors”. Go to Box 10 “Is Box 9 Greater than Box 7?” and determine if the value exceeds the number in Box 7 “Number of Unreasonable Package Errors Allowed for Sample Size”. If the number of packages with unreasonable errors exceeds the number permitted in Box 7 “Number of Unreasonable Package Errors Allowed for Sample Size,” the sample fails. Go to Box 17 “Disposition of the Inspection Lot” and reject the Inspection Lot.
- Calculate the Average Error for the sample by dividing Box 8 “Total Error,” by Box 6 “Sample Size” and enter the value in Box 11 “Calculate Average Error,” then go Box 12

“Does Box 11 equal Zero or Plus?” If the Average Error is zero or a positive number the sample passes, go to Box 17 “Disposition of the Inspection Lot” and approve the inspection lot. If the Average Error is a negative value go to Step 4 on the Inspection Worksheet.

270 OTHER ITEMS

270-1 D Fuels and Lubricants Subcommittee

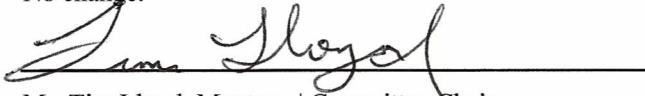
No change.

270-2 D Packaging and Labeling Subcommittee

No change.

270-3 D Moisture Allowance Task Group (MATG)

No change.



Mr. Tim Lloyd, Montana | Committee Chair

Mr. Richard Lewis, Georgia | Member

Mr. Louis Sakin, Towns of Hopkinton/Northbridge, Massachusetts | Member

Mr. John Albert, Missouri | Member

Ms. Kristin Macey, California | Member

Mr. Lance Robertson, Measurement Canada | Canadian Technical Advisor

Mr. David Sefcik, NIST, OWM | NIST Technical Advisor