

**Comments on S&T Item ABW-4**  
**A. Application and Appendix D; Definitions – Batching System**

Submitted by Henry Oppermann  
Weights and Measures Consulting

**Position:** I am opposed to both the proposed exemption and the proposed definition. The exemption is not appropriate, because the scales that are the objective of this exemption are, in fact, automatic bulk weighing systems. The proposed definition is incorrect and vague, which will cause more problems for weights and measures enforcement. I support the definition for batching scales contained in **OTH-6**, which correctly and specifically describes the operation of the scales that should be classified as batching scales.

**Discussion:** The proposed exemption is without merit. The scales that are the objective of the proposed exemption automatically weigh individual commodities (seed grain) in multiple drafts. These scales are automatic bulk weighing systems and should comply with all the requirements of the ABWS Code. The following criteria should be used to classify weighing systems.

- If a (hopper) scale weighs a commodity as a single, individual draft, whether the weighing process is automated or not, it is a hopper scale.
  - If a hopper scale is used to weigh individual loads of grain in a single draft, then it is a grain hopper scale.
- If a scale automatically weighs a commodity in multiple drafts for a single transaction, then it is an automatic bulk weighing system.
- If a scale weighs multiple products in the hopper as part of a single weighing cycle, whether the weighing process is automated or not, then it is a batching scale.

The proposed definition in **OTH-6** correctly describes the weighing operation described in the third bullet.

**batch (batching).** - **The separate weightment or measurement of two or more products consecutively, using the same load receiving or measuring element, without emptying or re-zeroing the device between weightments or measurements. Batching may be performed by many kinds of devices including but not limited to Scales and Automatic Bulk Weighing Systems.**

The proposed definition in **ABW-4** does not provide adequate criteria to distinguish one type of scale from another. A definition should identify either the scale design or the method of operation (or both) that distinguish one scale from another. The proposed definition in **ABW-4** does not do this. The proposed definition states that any scale used to weigh any product in some predetermined quantity (which could be a truck load), after which the product is subsequently processed, is a batching scale. Many commodities are processed in some form after they are weighed. What happens to a commodity after it is weighed is irrelevant.