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 If the item is an Information item, it is indicated by the suffix I; if the item is Withdrawn, it is indicated by the suffix W. Items marked with a D after the key numbers are Developing items.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:

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The following items were withdrawn (W) and require no formal action of the NCWM:

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## Information and Developing Items

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

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Recommendations from the CWMA, NEWMA, and other correspondence received by the Committee and referenced in the open hearings will be included or summarized in the Committee’s Final Report.

NIST HANDBOOK 130 – WEIGHTS AND MEASURES LAW

221-1 V Section 1. Definitions

No Comments. No change.

231 NIST HANDBOOK 130 – UNIFORM PACKAGING AND LABELING REGULATION


No change.

231-2 I Section 10.3. Aerosols and Similar Pressurized Containers

No change.

The Committee agrees that this item needs additional work. Areas that need to be addressed are the Handbook 133 test procedures. There is still no agreement between industry representatives in regards to the method of sale. NIST will facilitate a meeting with federal agencies (e.g., FDA, EPA, FTC, CPSC), regulators, and manufacturers to work to resolve the issues with aerosol packaged products and similar pressurized containers regarding test procedures, labeling, and safety. NIST has agreed to host a meeting prior to the 2014 NCWM Interim meeting.
232 NIST HANDBOOK 130 – UNIFORM REGULATION FOR THE METHOD OF SALE COMMODITIES

232-1 I Section 2.27. Retail Sales of Natural Gas Sold as a Vehicle Fuel

No changes.

The Committee will await work from the National Gas Steering Committee.

232-2 I Section 2.33. Oil, 2.33.1.4.1. Inactive or Obsolete Service Categories

The FALS submitted the following updated item for consideration. The Committee recommends that the regions provide input for the 2014 NCWM Interim meeting.

2.33. Oil.

2.33.1. Labeling of Vehicle Engine (Motor) Oil. - Vehicle engine (motor) oil shall be labeled.

2.33.1.1. Viscosity. – The label on any vehicle engine (motor) oil container, receptacle, dispenser, or storage tank, and any invoice or receipt from service on an engine that includes the installation of vehicle engine (motor) oil dispensed from a receptacle, dispenser, or storage tank, shall contain the viscosity grade classification preceded by the letters “SAE” in accordance with SAE International’s latest version of SAE J300, “Engine Oil Viscosity Classification.”

2.33.1.2. Intended Use. – The label on any vehicle engine (motor) oil container shall contain a statement of its intended use in accordance with the latest version of SAE J183, “Engine Oil Performance and Engine Service Classification (Other than “Energy Conserving”).”

2.33.1.3. Brand. – The label on any vehicle engine (motor) oil container and the invoice or receipt from service on an engine that includes the installation of vehicle engine (motor) oil dispensed from a receptacle, dispenser, or storage tank shall contain the name, brand, trademark, or trade name of the vehicle engine (motor) oil.

2.33.1.4. Engine Service Category. – The label on any vehicle engine (motor) oil container, receptacle, dispenser, or storage tank and the invoice or receipt from service on an engine that includes the installation of vehicle engine (motor) oil dispensed from a receptacle, dispenser, or storage tank shall contain the engine service category, or categories, met in letters not less than 3.18 mm (1/8 in) in height, as defined by the latest version of SAE J183, “Engine Oil Performance and Engine Service Classification (other than Energy Conserving),” or API Publication 1509, “Engine Oil Licensing and Certification System,” European Automobile Manufacturers Association (ACEA) European Oil Sequences.

2.33.1.4.1. Vehicle or Engine Manufacturer Standard. – The label on any vehicle engine (motor) oil container, receptacle, dispenser, or storage tank and the invoice or receipt from service on an engine that includes the installation of vehicle engine (motor) oil dispensed from a receptacle, dispenser, or storage tank shall identify the specific vehicle or engine manufacturer standard, or standards, met in letters not less than 3.18 mm (1/8 in) in height. If the vehicle (motor) oil only meets a vehicle or engine manufacturer standard, the label must clearly identify that the oil is only intended for use where specifically recommended by the vehicle or engine manufacturer.
2.33.1.4.12. **Inactive or Obsolete Service Categories.** – The label on any vehicle engine (motor) oil container, receptacle, dispenser, or storage tank and the invoice or receipt from service on an engine that includes the installation of vehicle engine (motor) oil dispensed from a receptacle, dispenser, or storage tank shall bear a plainly visible cautionary statement in compliance with the latest version of SAE J183, Appendix A, whenever the vehicle engine (motor) oil in the container or in bulk does not meet an active API service category as defined by the latest version of SAE J183, “Engine Oil Performance and Engine Service Classification (other than Energy Conserving).” If a vehicle engine (motor) oil is identified as only meeting a vehicle or engine manufacturer standard, the labeling requirements in 2.33.1.4.1 apply.

2.33.1.4.5. **Tank Trucks or Rail Cars.** – Tank trucks, rail cars, and other types of delivery trucks that are used to deliver vehicle engine (motor) oil are not required to display the SAE viscosity grade and service category or categories as long as the bill of lading or other documentation provides that information.

All references to invoice or receipt will be enforceable effective on July 1, 2013.

(Added 2012, Amended 20XX)

232-3 V Section 2.33. Oil, 2.33.1.4.5. Tank Trucks or Rail Cars

No change.

There was support from the FALS and API and the Committee agrees this item is ready to move forward for a vote.

232-4 I Section 2.XX. Printer Ink and Toner Cartridges Labeling

The Committee recommends dropping this item to Informational status. The Committee would like to see additional work done at the fall regional level to consider the item under consideration along with the following language submitted by NEWMA.

2.XX.3. Yield Disclosure - If the seller discloses the yield of printer ink or toner cartridges on the package, then it shall be measured using the latest version of ISO/IEC printer yield standard on the package offered for prepackaged sale. This information shall be considered a supplemental statement.

232-5 V Section 2.XX. Retail Sale of Electricity/Vehicle

No change.

There was no consensus between industry and regulators on the EVF&S WG June 11, 2013 language. The EVF&S work group proposal submitted during open hearings had substantial changes and there was no regulatory support for this modified language. The Committee preferred the item under consideration as printed in Publication 16 (2013).
237 NIST HANDBOOK 130 – UNIFORM ENGINE FUELS AND AUTOMOTIVE LUBRICANTS REGULATION

237-1  I  Section 1. Definitions - Diesel Liter Equivalent (DLE) and Diesel Gallon Equivalent (DGE)

No change.

The Committee will await work from the National Gas Steering Committee.

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.

The Committee was informed that a CRC study is slated to be finalized prior to the end of the year. The Committee will await further work from the FALS on this item.

237-3  W  Section 2.1.4. Minimum Motor Octane Number

The FALS and original submitter of this proposal is recommending to the Committee to Withdraw this item.

The Committee concurs and is changing the status of this item to Withdrawn.

237-4  I  Section 3.13.1.4.1. Inactive or Obsolete Service Categories

The FALS submitted the following updated item for consideration. The Committee recommends that the regions provide input for the 2014 NCWM Interim meeting.

3.13. Oil.

3.13.1. Labeling of Vehicle Engine (Motor) Oil Required

3.13.1.1. Viscosity. – The label on any vehicle engine (motor) oil container, receptacle, dispenser, or storage tank and the invoice or receipt from service on an engine that includes the installation of vehicle motor oil dispensed from a receptacle, dispenser, or storage tank shall contain the viscosity grade classification preceded by the letters “SAE” in accordance with the SAE International’s latest version of SAE J300, “Engine Oil Viscosity Classification.”
(Amended 2012)

3.13.1.2. Intended Use. – The label on any vehicle engine (motor) oil container shall contain a statement of its intended use in accordance with the latest version of SAE J183, “Engine Oil Performance and Engine Service Classification (Other than “Energy Conserving”).”
(Amended 2012)

3.13.1.3. Brand – The label on any vehicle engine (motor) oil container and the invoice or receipt from service on an engine that includes the installation of vehicle engine (motor) oil dispensed from a receptacle,
dispenser, or storage tank shall contain the name, brand, trademark, or trade name of the vehicle engine (motor) oil.

(Added 2012)

3.13.1.4. Engine Service Category. – The label on any vehicle engine (motor) oil container, receptacle, dispenser, or storage tank and the invoice or receipt from service on an engine that includes the installation of vehicle engine (motor) oil dispensed from a receptacle, dispenser, or storage tank shall contain the engine service category, or categories, met in letters not less than 3.18 mm (7/64 in) in height, as defined by the latest version of SAE J183, “Engine Oil Performance and Engine Service Classification (other than Energy Conserving),” or API Publication 1509, “Engine Oil Licensing and Certification System,” European Automobile Manufacturers’ Association (ACEA) European Oil Sequences.

3.33.1.4.1. Vehicle or Engine Manufacturer Standard. – The label on any vehicle engine (motor) oil container, receptacle, dispenser, or storage tank and the invoice or receipt from service on an engine that includes the installation of vehicle engine (motor) oil dispensed from a receptacle, dispenser, or storage tank shall identify the specific vehicle or engine manufacturer standard, or standards, met in letters not less than 3.18 mm (7/64 in) in height. If the vehicle (motor) oil only meets a vehicle or engine manufacturer standard, the label must clearly identify that the oil is only intended for use where specifically recommended by the vehicle or engine manufacturer.

3.13.1.4.12. Inactive or Obsolete Service Categories. – The label on any vehicle engine (motor) oil container, receptacle, dispenser, or storage tank and the invoice or receipt from service on an engine that includes the installation of vehicle engine (motor) oil dispensed from a receptacle, dispenser, or storage tank shall bear a plainly visible cautionary statement in compliance with the latest version of SAE J183, Appendix A, whenever the vehicle engine (motor) oil in the container or in bulk does not meet an active API service category as defined by the latest version of SAE J183, “Engine Oil Performance and Engine Service Classification (other than Energy Conserving).” If a vehicle engine (motor) oil is identified as only meeting a vehicle or engine manufacturer standard, the labeling requirements in 3.13.1.4.1 apply.

3.13.1.5. Tank Trucks or Rail Cars. – Tank trucks, rail cars, and types of delivery trucks that are used to deliver vehicle engine (motor) oil are not required to display the SAE viscosity grade and service category or categories as long as the bill of lading other documentation provides that information.

(Added 2012)

All references to invoice or receipt will be enforceable effective on July 1, 2013.

237-5 V Section 3.13.1.4.5. Tank Trucks or Rail Cars

No change.

There was support from the FALS and API and the Committee agrees this item is ready to move forward for a vote.

237-6 W Section 3.15. Biodiesel and Biodiesel Blends

No change.

No change.

237-8 W Section 4.3. Dispenser Filters

The Committee has seen no new data from the FALS on this item. Based on testimony heard during open hearings the Committee changed the status to Withdrawn.

237-9 I Section X.X. Flex Fuel Vehicles

The Committee received modified language from Chuck Corr. The Committee accepts the following language for the item under consideration.

Uniform Regulation for the Method of Sale of Commodities


2.30.1. How to Identify Ethanol Flex Fuel Blends Fuel Ethanol. Ethanol Flex Fuel Blends Fuel ethanol shall be identified as Ethanol Flex Fuel or EXX Flex Fuel E85.

2.30.2. Labeling Requirements.

(a) Ethanol Flex Fuel blends with an ethanol concentration no less than 51 and no greater than 83 volume percent shall be labeled “Ethanol Flex Fuel, minimum 51% ethanol”. Fuel ethanol shall be labeled with its automotive fuel rating in accordance with 16 Code of Federal Regulations Part 306.

(b) Ethanol Flex Fuel blends 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 5. The actual ethanol concentration of the blend shall be XX volume percent plus or minus 5 volume percent.

(c)(b) A label shall be posted which states “For Use in Flexible Fuel Vehicles (FFV) Only.” This information shall be clearly and conspicuously posed on the upper 50 % of the dispenser front panel in a type at least 12.7 mm (½ in) in height, 1.5 mm (1/16 in) stroke (width of type). A label shall be posted which states, “CHECK OWNER’S MANUAL”, in 20 point font “Consult Vehicle Manufacturer Fuel Recommendations,” and shall not be less than 6 mm (¼ 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.

(Added 2007)

G. Uniform Engine Fuels and Automotive Lubricants Regulation

Section 1. Definitions

1.13. Denatured Fuel Ethanol. “Ethanol” as defined in Section 1.20. Ethanol. An ethanol blend component for use in gasoline-ethanol blends and Ethanol Flex Fuel blends. The ethanol is rendered unfit for beverage use by the addition of denaturants under formulas approved by the Alcohol and Tobacco Tax and Trade

1.17. Ethanol Flex Fuel Blends E85 Fuel Ethanol. – A blend Blends of ethanol and hydrocarbons restricted for use as fuel in ground vehicles equipped with flexible-fuel spark-ignition engines, of which the ethanol portion is (nominally 75 to 85 volume percent denatured fuel ethanol).

1.20. Ethanol. – Also known as “ethyl alcohol”. Ethanol is provided in gasoline-ethanol blends and Ethanol Flex Fuel blends by blending denatured fuel ethanol. See “Denatured Fuel Ethanol” in Section 1.13. “Denatured Fuel Ethanol” means nominally anhydrous ethyl alcohol meeting ASTM D4806 standards. It is intended to be blended with gasoline for use as a fuel in a spark-ignition internal combustion engine. The denatured fuel ethanol is first made unfit for drinking by the addition of the Alcohol and Tobacco Tax and Trade Bureau (TTB), www.ttb.gov, approved substances before blending with gasoline.

1.53. Wholesale Purchaser Consumer. – Any person who is an ultimate gasoline consumer of gasoline, fuel methanol, Ethanol Flex Fuel blends, fuel ethanol, diesel fuel, biodiesel, biodiesel blends, fuel oil, kerosene, aviation turbine fuels, natural gas, compressed natural gas, or liquefied petroleum gas and who purchases or obtains the product from a supplier and receives delivery of that product into a storage tank.

Section 2. Standard Fuel Specifications


2.10. Ethanol Flex Fuel E85 Fuel Ethanol. – Shall meet the most recent version of the following ASTM D5798, “Standard Specification for Fuel Ethanol (Ed75-Ed85) for Automotive Spark-Ignition Engines.” Ethanol Flex Fuel blends are covered by one of two ASTM standards based on the ethanol concentration of the blend:

(a) Ethanol Flex Fuel blends containing 51 to 83 volume percent ethanol shall meet the latest version of ASTM D5798, “Standard Specification for Ethanol Fuel Blends for Flexible-Fuel Automotive Spark-Ignition Engines”; and

(b) Ethanol Flex Fuel Blends containing 16 to 50 volume percent ethanol shall be blended, stored and conveyed for consumption in accordance with the latest version of ASTM D7794, “Standard Practice for Blending Mid-Level Ethanol Fuel Blends for Flexible-Fuel Vehicles with Automotive Spark-Ignition Engines”

Section 3. Classification and Method of Sale of Petroleum Products


3.8.1. How to Identify Ethanol Flex Fuel Blends E85 Fuel Ethanol. – Ethanol Flex Fuel blends Fuel ethanol shall be identified as Ethanol Flex Fuel or EXX Flex Fuel-E85.

3.8.2. Labeling Requirements.

(a) Ethanol Flex Fuel blends with an ethanol concentration no less than 51 and no greater than 83 volume percent shall be labeled “Ethanol Flex Fuel, minimum 51% ethanol”. Fuel ethanol shall be labeled with its automotive fuel rating in accordance with 16 CFR Part 306.

(b) Ethanol Flex Fuel blends 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 5. The actual ethanol concentration of the blend shall be XX volume percent plus or minus 5 volume percent.
A label shall be posted which states “For Use in Flexible Fuel Vehicles (FFV) Only.” This information shall be clearly and conspicuously posed on the upper 50 % of the dispenser front panel in a type at least 12.7 mm (½ in) in height, 1.5 mm (1/16 in) stroke (width of type). A label shall be posted which states, “CHECK OWNER’S MANUAL”, in 20 point font “Consult Vehicle Manufacturer Fuel Recommendations,” and shall not be less than 6 mm (¼ 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 and 2008)

Section 4. Retail Storage Tanks and Dispenser Filters

4.1. Water in Gasoline-Alcohol Blends, Biodiesel Blends, Ethanol Flex Fuel Blends E85 Fuel Ethanol, Aviation Gasoline, and Aviation Turbine Fuel. – No water phase greater than 6 mm (¼ in) as determined by an appropriate detection paste or other acceptable means, is allowed to accumulate in any tank utilized in the storage of gasoline-alcohol blend, biodiesel, biodiesel blends, Ethanol Flex Fuel blends E85 fuel ethanol, aviation gasoline, and aviation turbine fuel.

4.2. Water in Gasoline, Diesel, Gasoline-Ether, and Other Fuels. – Water shall not exceed 25 mm (1 in) in depth when measured with water indicating paste or other acceptable means in any tank utilized in the storage of diesel, gasoline, gasoline-ether blends, and kerosene sold at retail except as required in Section 4.1. Water in Gasoline-Alcohol Blends, Aviation Blends, Biodiesel Blends, Ethanol Flex Fuel Blends E85 Fuel Ethanol, Aviation Gasoline, and Aviation Turbine Fuel.

4.3. Dispenser Filters.

4.3.1. Engine Fuel Dispensers.

(a) All gasoline, gasoline-alcohol blends, gasoline-ether blends, Ethanol Flex Fuel blends E85 fuel ethanol, and M85 methanol dispensers shall have a 10 micron or smaller nominal pore-sized filter.

(b) All biodiesel, biodiesel blends, diesel, and kerosene dispensers shall have a 30 micron or smaller nominal pore-sized filter.

260 NIST HANDBOOK 133

260-1 V Section 2.3.8. Moisture Allowance – Pasta Products

No change.

The Committee heard support to move this item forward for a vote. There was no opposition for this item.

260-2 D Section 3.10. Animal Bedding

It was voiced during the open hearings that this item needs additional work, including the definition of animal bedding and an exempt listing of animal bedding (e.g., pellets and clay). There was a concern for the three year temporary MAV exemption and the permanent change thereafter for a 5 % exemption. The Committee believes additional work and data warrants changing this item to be Developing.
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.

Ms. Judy Cardin, Wisconsin | Committee Chair (absent)
Mr. Raymond Johnson, New Mexico | Acting Committee Chair
Mr. Tim Lloyd, Montana | Member
Mr. Richard Lewis, Georgia | Member
Mr. Louis Sakin, Towns of Hopkinton/Northbridge, Massachusetts | Member
Mr. Rob Underwood, Petroleum Marketers Association of America | Associate Membership Representative
Mr. Lance Robertson, Measurement Canada | Canadian Technical Advisor (absent)
Mr. David Sefcik, NIST, OWM | NIST Technical Advisor
Ms. Lisa Warfield, NIST, OWM | NIST Technical Advisor

Laws and Regulations Committee