

Docket No. 02-0214-1801
Rules for Weights and Measures

INCORPORATION BY REFERENCE SYNOPSIS

In compliance with Section 67-5223(4), Idaho Code, the following is a synopsis of the differences between the materials previously incorporated by reference in this rule that are currently of full force and effect and newly revised or amended versions of these same materials that are being proposed for incorporation by reference under this rulemaking.

The following agency of the state of Idaho has prepared this synopsis as part of the proposed rulemaking for the chapter cited here under the docket number specified:

Idaho State Department of Agriculture
IDAPA 02.02.14 - Rules for Weights and Measures.
Proposed Rulemaking - Docket No. 02-0214-1801

Incorporating by reference the National Institute of Standards and Technology (NIST) Handbook 44, Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices is more practical and cost effective than reproducing similar specifications in Rule. The NIST Handbook 44 is a nationally recognized standard used by weights and measures officials to test suitability and accuracy of weighing and measuring devices used in commerce. This document is also used by manufactures of weighing and measuring devices, service entities and users of weighing and measuring devices. Adopting the most current version promotes uniformity throughout the United States.

Listed below is an overview of changes to NIST Handbook 44 Incorporation by Reference by ISDA Weights and Measures. A brief summary follows each change, or group of related changes.

Summary of Changes

Code	Title	Changes	Impact on Idaho
S.3.1.	Diversion of Measured Liquid	Clarification	Minimal

- This change makes minor clerical changes and adds clarification identifying where this item does not apply to equipment used exclusively for fueling aircraft, or multiple

product single discharge hose metering systems that are equipped with systems designed to flush the discharge hose, provided the flushing system complies with the provisions of section S.3.1.1. This change will impact manufacturers of metering systems and weights and measures officials.

<u>Code</u>	<u>Title</u>	<u>Changes</u>	<u>Impact on Idaho</u>
S.3.1.1.	Means for Clearing Discharge Hose	Addition	Minimal
	<ul style="list-style-type: none"> This change outlines the requirements of a metering system when equipped with a means that allows flushing of product from the discharge hose after the meter. This change outlines how diversion valves can be installed to temporarily divert product from the measuring chamber to a storage tank. This change will impact users of metering systems that meter multiple products through single discharge hose and weights and measures officials. 		
U.R.2.6.	Clearing Discharge Hose	Addition	Minimal
	<ul style="list-style-type: none"> This addition requires a record of the delivery be created when product is pumped through a discharge hose to avoid contamination. This change will impact users of metering systems that meter multiple products through a single discharge hose and weights and measures officials. 		
S.2.1.	Vapor Elimination	Addition	Minimal
	<ul style="list-style-type: none"> This addition requires all metering systems to have "effective" means to prevent vapor elimination lines from becoming obstructed. This change will impact manufacturers of metering systems and weights and measures officials. 		
S.1.6.7.	Recorded Representations	Clarification	Minimal
	<ul style="list-style-type: none"> This change clarifies what types of devices are required to print receipts showing post-delivery discounts. Sale promotions that offer discounts, example; 10 cents off per gallon of gas if you purchase a car wash. The receipt must show the discount provided the device has the capability to print the receipt. This change will impact manufacturers of metering systems and weights and measures officials. 		
S.2.1.	Provisions for Sealing	Addition	Minimal

- This change allows digital water meters the capability of being security sealed electronically. This change will impact manufacturers of metering systems and weights and measures officials.

Code	Title	Changes	Impact on Idaho
S.1.2.2	Taxi Meters	Addition	Minimal

- This change allows taxi meter manufactures time to develop technology to meet the requirements when disabling or suspending the use of distance measurements for the calculation of fare charges. This corrects an earlier oversight of the conference that made this requirement non-retroactive. This change will impact manufacturers of metering systems and weights and measures officials.

**NIST Handbook 133
Checking the Net Contents of Packaged Goods**

Listed below is an overview of changes to NIST Handbook 133 Incorporation by Reference by ISDA Weights and Measures. A brief summary follows each change, or group of related changes. Note that several years of changes to this document have transpired from the 2004 Incorporation by Reference. The changes to this document only effect weights and measures officials.

Incorporating by reference the National Institute of Standards and Technology (NIST) Handbook 133, Checking the Net Contents of Packaged Goods is more practical and cost effective than reproducing similar specifications in Rule. The NIST Handbook 133 is a nationally recognized procedural guide for compliance testing of net content statements of packaged goods. This handbook is used primarily by weights and measures officials, commercial and industrial establishments in the areas of packaging, distribution, and sale of commodities. Adopting the most current version promotes uniformity in testing throughout the United States.

Summary of Changes

Code	Title	Changes	Impact on Idaho
3.3.	Test Procedures	Addition/Procedural	Minimal

2.3.6. Nominal Gross Weight Procedural Minimal

- Updates procedure for computing package error.

2.3.8 Wet Tare Procedure Procedural Minimal

- Establishes definition of wet tare and prohibits the use of wet tare procedures when testing packages of meat and poultry packed in USDA inspection sites.

<u>Code</u>	<u>Title</u>	<u>Changes</u>	<u>Impact on Idaho</u>
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2.3.9	Moisture loss	Procedural	Minimal
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- Procedure for determining moisture allowance prior to determining package errors. How to sample moisture allowance in "gray" areas and what to do when moisture loss causes reasonable deviations in the net quantity.

2.4.	Borax	Procedural	Minimal
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- This addition allows an audit test for testing packages of borax due to severe moisture loss. Testing equipment is identified in handling borax during the testing process and the procedure is updated to promote safety to the inspector and allow for moisture loss during the testing procedure.

2.6.	Ice Glazed Products	Procedural	Minimal
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- Updates the procedure in determining net weight on packages that are encased in ice or ice glazed.

2.7.	Frozen Chitterlings	Addition/Procedural	Minimal
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- This addition outlines the testing procedure, worksheet examples, and evaluation of test results of frozen packages of chitterlings.

2.8.	Moisture Allowance	Clerical and Procedural	Minimal
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- Instructs inspectors to use jurisdiction guidelines when making determinations on acceptable moisture allowance when no predetermined allowance is found in Handbook 133 tables 2-3.
- Identifies acceptable moisture loss allowances in Table 2-3 for flour, dry pet food, borax, fresh poultry, hotdogs, and Bacon, fresh sausage, pasta, and luncheon meats.

3.1.	Scope	Clerical	Minimal
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