Addendum Sheet
Laws and Regulations (L&R) Committee Interim Report

Mr. John McGuire, Committee Chair
New Jersey

INTRODUCTION

The L&R Committee (hereinafter referred to as the "committee") submits its Committee Interim Report for consideration by National Conference on Weights and Measures (NCWM). This addendum sheet contains the report items published in *NCWM Publication 16, Committee Reports for the 107th Annual Meeting*. The addendum sheet will address the following items during the Annual Meeting.

Items are grouped according to item status: **(VC) Voting Consent Calendar:** the committee has grouped these items for a single vote; **(V) Voting Item:** the committee is making recommendations requiring a vote by the active members of NCWM; **(I) Informational Item:** the item is under consideration by the committee but not proposed for Voting; **(A) Assigned Item:** the committee has assigned development of the item to a recognized subcommittee or task group within NCWM; **(D) Developing Item:** the committee determined the item has merit; however, the item was returned to the submitter or other designated party for further development before any action can be taken at the national level; **(W) Withdrawn Item:** the item has been removed from consideration by the committee.

Consent Calendar Item(s)

Voting Item(s)

Informational Item(s)

Assigned Item(s)

Developing Item(s)

Withdrawn Item(s)

Details of All Items
(In order by Reference Key)

WAM – UNIFORM WEIGHTS AND MEASURES LAW

WAM-22.2 V Section 11. Powers and Duties of the Director.

Section 11. Powers and Duties of the Director

I. The Director shall:

…

II. For those Jurisdictions which have the specific authority to regulate *Cannabis* and *Cannabis*-Containing Products the Director shall:

(a) Establish by regulation for *Cannabis* and *Cannabis*-Containing Products:

(1) reasonable variations in quantity caused by the unavoidable loss or gain of moisture during current good manufacturing and distribution practices and procedures for moisture determinations;

(2) labeling requirements for, and defining reasonable variations in water activity that occur in current good manufacturing and distribution practices, and procedures for the measurement of water activity;

(3) labeling requirements for, and defining reasonable variations in levels of cannabinoids that occur in current good manufacturing and distribution practices, and procedures for the measurement of potency; and

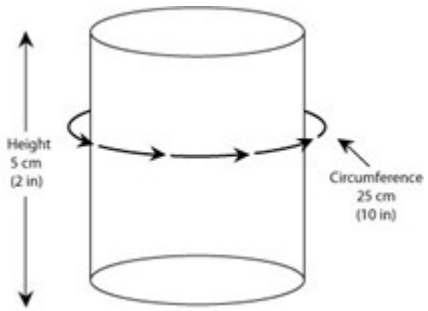
(4) packaging and labeling requirements that may include, among other requirements, the characteristics of the packaging (e.g., color) and type of packaging (e.g., tamper evident, childproof, product stabilization), requirements for identity, ingredients, product lot code and date of packaging, contact information of the packer, special symbols or warnings, and potency. The requirements may also include prohibitions on packaging that may be misleading or confusing.

(b) The Director may prescribe by regulation, programs that utilize accredited testing laboratories and may enter into agreements to utilize conformity assessment programs and other technical services to ensure compliance with any of the prescribed requirements.
(Added 20XX)

The Committee changed "may" to "shall" for those Jurisdictions which have specific authority to regulate *Cannabis* and *Cannabis*-Containing Products. The Committee made the language authoritative but only for those Jurisdictions that have the authority to regulate *Cannabis* and *Cannabis*-Containing Products.

PAL – UNIFORM PACKAGING AND LABELING REGULATION

PAL-22.3 VC Section 8.2. Calculation of Area of Principal Display Panel for Purposes of Type Size.



8.2. Calculation of Area of Principal Display Panel for Purposes of Type Size. – The area of the principal display panel shall be:

(a) in the case of a rectangular container, one entire side that properly can be considered the principal display panel, the product of the height times the width of that side;

For Figure 3 **Calculation of the Area of the Principal Display Area of a Rectangular Container**, the area of the principal display panel is 20 cm (8 in) × 15 cm (6 in) = 300 cm^2 (48 in^2).

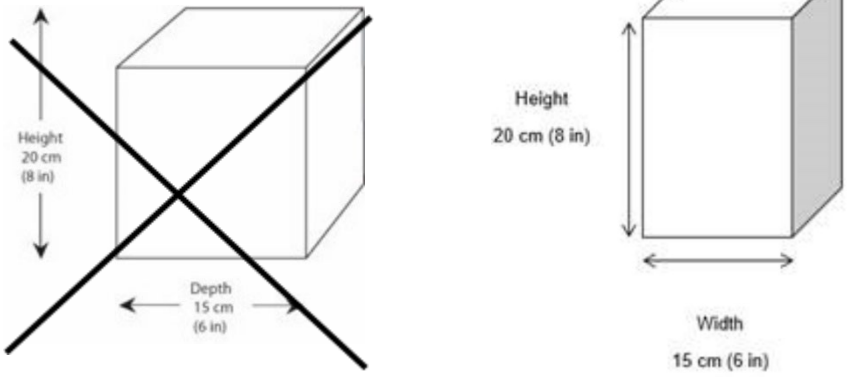


Figure 3. Calculation of the Area of the Principal Display Area of a Rectangular Container

(b) in the case of a cylindrical or nearly cylindrical container, ~~40 % of~~ the product of the height of the container times the circumference~~;~~ **times 40 %.**

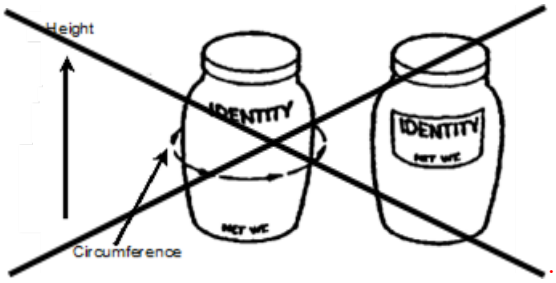
For Figure 4 **Calculation of the Area of the Principal Display Area of a Cylindrical Container**, the area of the principal display panel is:

~~25 cm (10 in) × 5 cm (2 in) = 125 cm (20 in^2) × 0.40 = 50 cm^2 (8 in^2)~~ **5 cm (2 in) × 25 cm (10 in) = 125 cm^2 (20 in^2) × 0.40 = 50 cm^2 (8 in^2)** (See also Section 10.7. Cylindrical Containers).

Figure 4. Calculation of the Area of the Principal Display Area of a Cylindrical Container

~~**The area of the principal display panel is the same in both examples. The declaration of net quantity of contents must be of the same height in both cases. It is not the size of the label that is used to determine the minimum type size of the quantity statement, but the size of the surface of the package exposed to view to the customer. The package on the right side of the figure has a spot label (see Section 2.12. Spot Label and Section 11.29. Spot Label); and**~~

(c) in the case of any other shaped container, 40 % of the total surface of the container, unless such container presents an obvious principal display panel (e.g., the top of a triangular or circular package of cheese, or the top of a can of shoe polish), in which event the area shall consist of the entire such surface**.** Determination of the principal display panel shall exclude tops, bottoms, flanges at tops and bottoms of cans, and shoulders and necks of bottles or jars. **See Figure 5. Other Shaped Containers.**



~~**Figure 5. Other Shaped Containers.**~~

~~**Determination of the principal display panel shall exclude tops, bottoms, flanges at tops and bottoms of cans, and shoulders and necks of bottles or jars.**~~

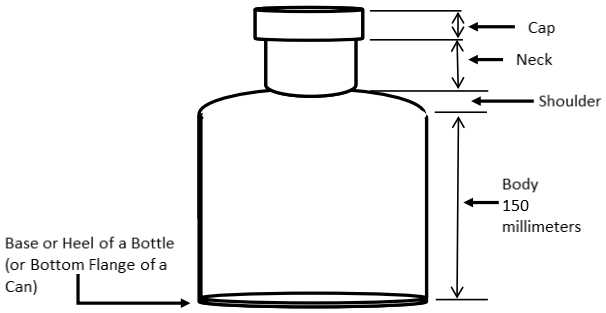


Figure 5. Other Shaped Containers.

(d) In the case of a spot label, it is not the size of the label that is used to determine the minimum type size of the quantity statement, but the size of the surface of the package exposed (panel) viewable to the customer. The declaration of net quantity of contents must be of the same height in both cases. In Figure 6. Spot Labels, the package on the right side of the figure has a spot label. The area of the principal display panel is the same in both examples. (see Section 2.12. Spot Label and Section 11.29. Spot Label).

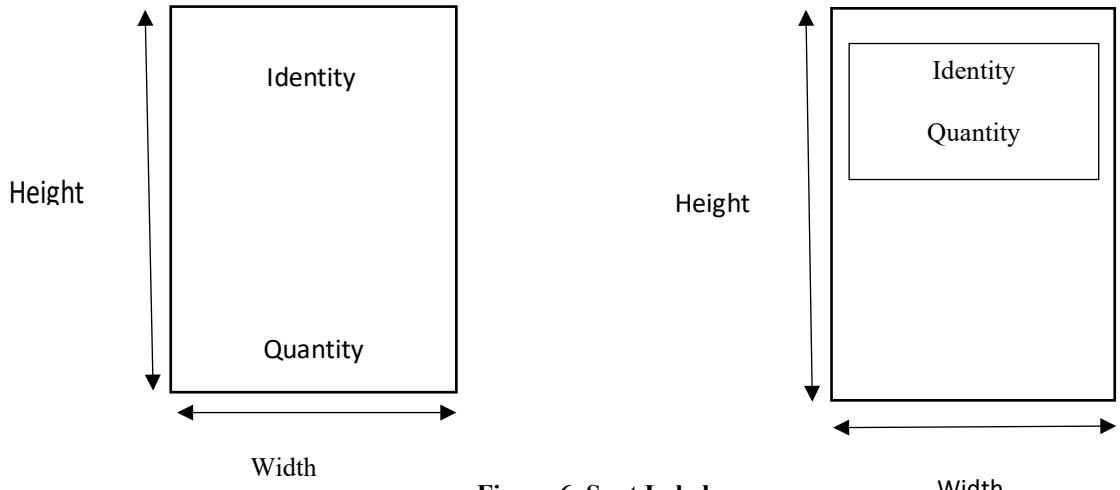


Figure 6. Spot Labels.

The Committee corrected the centimeter squared within the formula by replacing it with-5 cm (2 in) × 25 cm (10 in) = 125 cm^2 (20 in^2) × 0.40 = 50 cm^2 (8 in^2) and made some formatting changes.

MOS – UNIFORM REGULATION FOR THE METHOD OF SALE OF COMMODITIES

MOS-22.3 VC Section 2.4. Fireplace and Stove Wood.

No Changes.

MOS-22.4 V Section 2.16. Compressed or Liquefied Gasses in Refillable Cylinders.

2.16. Compressed or Liquefied Gases in Refillable Cylinders.

2.16.1. Application. – This section does not apply to disposable cylinders of compressed or liquefied gases.

2.16.2. Net Contents. – The net contents shall be expressed in terms of cubic **volume or weight**. ~~**meters or cubic feet, kilograms, or pounds and ounces.**~~ **For liquefied petroleum gas (LPG), s**ee Section 2.21. Liquefied Petroleum Gas for permitted **units of measure** ~~**expressions of**~~ **for declarations for** net **quantity of** contents ~~**for liquefied petroleum gas**~~. A standard cubic foot of gas is defined as a cubic foot at a temperature of 21 °C (70 °F) and a pressure of 101.35 kilopascals (14.696 psia), except for liquefied petroleum gas as stated in Section 2.21. Liquefied Petroleum Gas.

2.16.3. Cylinder Labeling. – Whenever cylinders are used for the sale of compressed or liquefied gases by weight, or are filled by weight and converted to volume, the following shall apply:

2.16.3.1. Tare weights.

(a) **Stamped or Stenciled Tare Weight.** – For safety purposes, the tare weight shall be legibly and permanently stamped or stenciled on the cylinder. All tare weight values shall be preceded by the letters "TW" or the words "tare weight." The tare weight shall include the weight of the cylinder (including paint), valve, and other permanent attachments. The weight

of a protective cap shall not be included in tare or gross weights. The 49 CFR 178.35 "General Requirements for Specification Cylinders" requires the maker of cylinders to retain test reports verifying the cylinder tare weight accuracy ~~to a tolerance of 1%.~~

(b) **Tare Weight for Purposes of Determining the Net Contents.** – The tare weight used in the determination of the final net contents may be either:

(1) the stamped or stenciled tare weight; or

(2) the actual tare determined at the time of filling the cylinder. If the actual tare is determined at the time of filling the cylinder, it must be legibly marked on the cylinder. ~~or on a tag attached to the cylinder at the time of filling.~~

(c) **Allowable Difference.** – If the stamped or stenciled tare is used to determine the net contents of the cylinder, the allowable difference between the actual tare weight and the stamped (or stenciled) tare weight for a new or used cylinder shall be **within**:

(1) ½ % for tare weights of 9 kg (20 lb) or less; or

(2) ¼ % for tare weights of more than 9 kg (20 lb).

Note: Failure of a cylinder tare weight to be within the required allowable difference is considered a Method of Sale violation. The cylinder shall be removed from use until the tare weight is corrected.

(d) **Average requirement. –** When used to determine the net contents of cylinders, the stamped or stenciled tare weights of cylinders at a single place of business found to be in error predominantly in a direction favorable to the seller and near the allowable difference limit shall be considered to be not in conformance with these requirements.

(e) **Tare Determination.- The stamped or stenciled tare weight shall be used for purposes of verifying the net contents unless the actual tare weight is determined, then the actual tare weight shall be used for purposes of net content verification. The removable protective cap and label are not included in the stamped or stenciled tare but must be included in the total tare determinations.**

2.16.3.2. Water Capacity By Weight.

The water capacity by weight of the cylinder, used to determine the maximum filling level of a cylinder, must be marked on the cylinder at the time of manufacture. The water capacity shall be abbreviated WC. A cylinder with a water capacity of 11.34 kg (25 lb) or less, shall have an allowable difference of − 1 % and no plus allowance. A cylinder exceeding 11.34 kg (25 lb) water capacity, shall have an allowable difference of − 0.5 % and no plus allowance.

(Added 20XX)

The Committee removed the abbreviation "WC" from the title and made editorial changes for clarity.

2.16.3.~~2~~3. Acetylene Gas Cylinder Tare Weights. – Acetone in the cylinder shall be included as part of the tare weight.

2.16.3.~~3~~4. Acetylene Gas Cylinder Volumes. – The volumes of acetylene shall be determined from the product weight using **NIST Standard Reference Database 23 "Reference Fluid Thermodynamic and Transport Properties Database" (REFPROP) (see www.nist.gov/srd/refprop) (Note: Weights and measures officials should contact the NIST**

Office of Weights and Measures at (301) 975-4004 or owm@nist.gov for access to the database.) and supplemented by additional procedures ~~**approved tables such as those published by in NIST Handbook 133**~~ or those developed using 70 °F (21 °C) and 14.7 ft^3 (101.35 kPa) per pound at 1 atmosphere as conversion factors.

2.16.3.45. Compressed Gases such as Oxygen, Argon, Nitrogen, Helium, and Hydrogen. – The volumes of compressed gases such as oxygen, argon, nitrogen, helium, or hydrogen shall be determined using NIST Standard Reference Database 23 "Reference Fluid Thermodynamic and Transport Properties Database" (REFPROP) **(see www.nist.gov/srd/refprop) (Note: Weights and measures officials should contact the NIST Office of Weights and Measures at (301) 975-4004 or owm@nist.gov for access to the database.)** and supplemented by additional procedures ~~**and tables in NIST Handbook 133**~~.

(Added) 1981) (Amended 1990 **and 20XX**)

The Committee added "by weight" after "water capacity" within section 2.16.3.2. and eliminated reference to tag attached to the cylinder within 2.16.3.1. (c) and eliminated reference to (c) in (e) and made editorial changes.

MOS-20.5 VC Section 2.21. Liquefied Petroleum Gas

2.21. Liquefied Petroleum Gas.

2.21.1. Method of Sale. – All liquefied petroleum gas, including, but not limited to propane, butane, and mixtures thereof, shall be kept, offered, exposed for sale, or sold by the **following methods of sale. If kept, offered, exposed for sale, or sold by:**

(a) Weight: by the **kilogram** or pound; or by,

(b) Gaseous Volume: by the metered cubic meter of vapor (defined as 1 m^3 at 15 °C); or metered cubic foot of vapor (defined as 1 ft^3 at 60 °F) [See *Section 2.21. Note*]; or by,

(c) Liquid Volume: **by the liter (defined as 1 liter at 15 °C) or** the gallon (defined as 231 in^3 at 60 °F). ~~**All metered sales by the or gallon, except those using meters with a maximum rated capacity of (20 gal)/min or less, shall be accomplished by use of a meter and device that automatically compensates for temperature**~~.

2.21.2. Metered Sales by Liquid Volume. – All metered sales by liquid volume shall be accomplished using metering systems as follows:

(a) Sales using metering systems with a maximum rated capacity greater than 20 gal/min shall be accomplished using a metering system that automatically compensates for the effects of temperature.

(b) Sales using metering systems with a maximum rated capacity equal to or less than 20 gal/min that were placed into service after January 1, 2026 shall be accomplished by use of a metering system that automatically compensates for the effects of temperature.

(c) Effective January 1, 2030, all metered sales (through all capacities of metering devices, regardless of installation and service date) shall be accomplished by use of a metering system that automatically compensates for temperature.

Section 2.21. NOTE: Sources: ~~***American National Standards Institute, Inc.,***~~ *ANSI B109.1 (****20082000****), "*~~***American National Standard***~~ *For Diaphragm-Type Gas Displacement Meters (*~~***14.16 Cubic Meters [***~~***Under*** *500 Cubic Feet*~~***]***~~

Per Hour Capacity ~~***and Under***~~*),"* *and NIST Handbook 44, "Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices."*
(Added 1986**, Amended 20XX**)

The Committee added "Volume" to section 2.21.1.(c) after the word "Liquid."

MOS-22.5 VC Section 2.31.2.1. Labeling of Grade Required. and 2.31.2.2. EPA Labeling Requirements Also Apply.

2.31.2.1. Labeling of Grade Required. – ~~**Biodiesel shall be identified by the grades S15 or S500. biodiesel blends shall be identified by the grades No. 1-D, No. 2-D, or No. 4-D.**~~ **Biodiesel and biodiesel blends shall be identified in accordance with both EPA and FTC requirements.**

~~**2.31.2.2. EPA Labeling Requirements Also Apply. Retailers and wholesale purchaser-consumers of biodiesel blends shall comply with EPA pump labeling requirements for sulfur under 40 CFR 80.570.**~~

The Committee made an editorial change by bolding and underlining "Biodiesel and biodiesel blends shall be identified in accordance with both EPA and FTC requirements."

NET – HANDBOOK 133: CHECKING THE NET CONTENT OF PACKAGED GOODS

NET-20.2 W Section 4.5. Polyethylene Sheeting, Bags and Liners.

No Changes.

NET-22.2 I Section 3. X. Volumetric Test Procedure for Viscous and Non-Viscous Liquids by Portable Digital Density Meter.

The Committee believes this item has merit but is not fully developed. The Committee has assigned informational status to the item with the intent to request a task group be formed to further develop it.

FLR - UNIFORM FUELS AND AUTOMOTIVE LUBRICANTS REGULATION

FLR-20.5 W Section 2.1.2.(a). Gasoline-Ethanol Blends.

No Changes.

OTH – OTHER ITEMS

OTH-22.1 A Uniform Regulation for E-commerce Products

No Changes.

OTH-07.1 D Fuels and Lubricants Subcommittee

No Changes.

OTH-11.1 D Packaging and Labeling Subcommittee

No Changes.

ITEM BLOCK 1 (B1) VC HB 130, UPLR, SEC. 2.8. MULTIUNIT PACKAGE. HB 133 MODIFY "SCOPE" FOR CHAPTERS 2 – 4, ADD A NOTE FOLLOWING SECTIONS 2.3.7.1. AND 2.7.3., CREATE A CHAPTER 5. SPECIALIZED TEST PROCEDURES AND HB133 APPENDIX F. GLOSSARY

B1: PAL-19.1 Section 2.8. Multiunit Package
B1: NET-19.1 Section 1.2.4. Maximum Allowable Variation
B1: NET-19.2 Modify "Scope" for Chapters 2 – 4, and a note following Section 2.3.7.1. Maximum Allowable Variation (MAV) Requirement and 2.7.3. Evaluation of Results – Compliance Determinations
B1: NET-19.3 Create a Chapter 5, Specialized Test Procedures
B1: NET-19.4 Appendix F. Glossary

(B1:NET-19.3, "Handbook 133, Create a Chapter 5. Specialized Test Procedures" must be adopted in order for the remainder of Item Block 1 to proceed.)

B1: PAL-19.1 VC Section 2.8. Multiunit Package

No Changes.

B1: NET-19.1 VC Section 1.2.4. Maximum Allowable Variation

1.2.4. Maximum Allowable Variation

The limit of the "reasonable minus variation" for an under filled package is called a "Maximum Allowable Variation" (MAV). An MAV is a deviation from the labeled weight, measure, or count of an individual package beyond which the deficiency is considered an unreasonable minus error. Each sampling plan limits the number of negative package errors pCCermitted to be greater than the MAV.

Packages may be offered for sale individually or offered for sale in multiunit packages or variety packages which contain two or more individual inner packages.

When packages are tested whether individual, multiunit, or variety packages, the MAV is applied to each package in the sample which has a minus package error.

When a total quantity declaration on a multiunit or variety package is being verified, and the MAV is not determined in terms of a percent of the labeled quantity, a "Total Quantity MAV" is compared to each minus Total Quantity Package Error(s) to determine if it is unreasonable.

(Amended 2010 **and 20XX**)

Before determining the MAV and proceeding with tests of the quantity of contents in any multiunit or variety package, calculate the sum of the labeled quantity statements of all individual inner packages and verify that the labeled Total Quantity Statement reflects the accurate sum. If an error exists between the sum of the labeled quantity statements of individual inner packages and the Total Quantity Statement, the package is not in compliance and shall be deemed in violation of labeling requirements of NIST Handbook 130, Uniform Packaging and Labeling Regulation, requiring an accurate summing and statement of total quantity. Do not test for net quantity determination.

1.2.4.1. Total Quantity MAV for Multiunit and Variety Packages (See Chapter 5. "Specialized Test Procedures")

a. Multiunit Package. – In verifying a total quantity declaration that appears on a multiunit package compare a Total Quantity MAV to each minus Total Quantity Package Error to determine if the error is unreasonable. Calculate the Total Quantity MAV using the following formula:

Total Quantity MAV = Number of Individual Inner Packages × MAV for Individual Inner Package Quantity

Terms are defined as:

Number of Individual Inner Packages. – The total number of individual inner packages having a uniform labeled weight, measure and/or count.

MAV for Individual Inner Package Quantity. – The MAV for the labeled quantity for the individual inner packages specified in the proper table of MAVs in Appendix A. "Tables."

b. Variety Package. – In verifying a total quantity declaration that appears on a variety package, compare a Total Quantity MAV to each minus Total Quantity Package Error to determine if the error is unreasonable. Calculate the Total Quantity MAV using the following formula:

Total Quantity MAV = The sum of the applicable MAVs for all Individual Inner Packages

Variety packages include commodities that may be generically similar, but differ in weight, measure, volume, or design variation (e.g., color, flavor, scent, etc.) For these packages a Total Quantity MAV is calculated for each product type within the variety package and the results are added to obtain a Total Quantity MAV for comparison to each minus Total Quantity Package Error.

Terms are defined as:

Number of Individual Inner Packages. – The total number of similar but not identical individual inner packages with differing and/or uniform labeled weight or measure.

MAV for Individual Inner Package Quantity. – The MAV for the quantity declared for the individual inner packages specified in the appropriate MAV table in Appendix A. "Tables."

(Added 20XX)

The Committee deleted "Total Quantity Package Error = Sum of Individual Inner Package Errors"

B1: NET-19.2 VC Sections 2.1. Scope, 3.1. Scope, 4.1. Scope, 2.3.7.1. Maximum Allowable Variation (MAV) Requirement, and Section 2.7.3. "Evaluation of Results – Compliance Determinations"

No Changes.

B1: NET-19.3 VC Create a Chapter 5. Specialized Test Procedures

5.1. Scope

The following procedures are used in either verifying the net quantity of contents of retail multiunit packages with individual inner packages of the same commodity that have identically labeled quantities or in verifying retail variety packages with individual inner packages that may differ in labeled weight, measure or volume.

1. **The procedure used is determined by using the labeled net contents.**

   - **Use Section 5.2. "Individual Package Quantity" if a total net quantity of contents is not declared on the label of a multiunit or variety package of food for human consumption or meat or meat products from a USDA official establishment (see explanation in Section 5.2. for specific exemptions to requirement for a total net quantity statement.)**

   - **Use Section 5.3. "Total Quantity" if a total net quantity of contents is declared on the package.**

   Note: If the packages are labeled with additional quantity statements (i.e., dry volume, area, length, width, or thickness), added steps or, when proper, additional Total Quantity MAVs may be required in testing the accuracy of additional quantity statements.

5.2. Individual Package Quantity

This procedure is used only for verifying the total quantity statement of open or transparent-wrapped multiunit packages of foods for human consumption or meat or meat products under the authority of FDA or USDA, respectively. Under USDA-FSIS regulations (9 CFR 317.2 [h][12]) and FDA regulations (21 CFR 101.7 Chapter I [s]), such open multiunit packages that do not obscure the number of individual inner packages or the labeling of each individual inner package (compliant with all other location, type size, and applicable requirements) are not required to bear a total net quantity statement on the outside of the package (see Figure 1. Open or Transparent Multiunit Package with Fully Visible Individual Quantity Declarations).

Cereal Net Wt.	Cereal Net Wt.	Cereal Net Wt.	Cereal Net Wt.	Cereal Net Wt.

100 g (3.5 oz)	100 g (3.5 oz)	100 g (3.5 oz)	100 g (3.5. oz)	100 g (3.5 oz)

Figure 1. Open or Transparent Multiunit Package with Fully Visible Individual Quantity Declarations

5.2.1. Test Procedure for Multiunit Packages Exempt from Total Quantity Statement (see Section 5.2.)

1. **Follow Section 2.3.1. "Define the Inspection Lot." The inspection lot is defined as the total number of individual inner packages in the multiunit packages (e.g., 120 packages × 12 individual inner packages = Inspection Lot size is 1440). Select "Category A" or "Category B" sampling plan in the inspection (depending on location of test) and select a random sample (See Section 2.3.4. "Random Sample Selection").**

2. **Determine an average tare weight according to Section 2.3.5. "Procedures for Determining Tare and Average Tare Weight." Follow Section 2.3.6. "Determine Nominal Gross Weight and Package Errors" to determine package errors.**

3. **Determine the net quantity of each individual inner package in the sample.**

   - **If a count declaration is declared on the multiunit packages, verify using Section 4.2. "Packages Labeled by Count" and apply the appropriate MAV using Appendix A. Table 2- 7. MAV for Packages Labeled by Count applied.**

4. **If minus package errors are found in the sample, the value of the MAV to be applied is determined by matching the labeled net quantity for the individual inner packages to the applicable quantity range in the appropriate MAV table using Appendix A "Tables".**

   Compare the MAV for the labeled quantity to each minus package error in the individual inner packages to determine if any are unreasonable using Section 2.3.7.1. "MAV Requirement". If the number of unreasonable errors exceeds the amount allowed for the sample size (see Appendix A. Tables 2-1. "Sampling Plans for Category A" or Table 2-2. "Sampling Plans for Category B." Column 4), the sample fails. If the sample passes, go to Step 5.

5. **Apply Section 2.3.7.2. "Average Requirement." Follow the procedures in Section 2.3.7. "Evaluation for Compliance."**

5.3. Total Quantity

Use this procedure to test multiunit packages labeled with a total count and/or total net quantity declaration. This procedure can be used to verify the total net quantity declared on open or closed multiunit packages or multiunit packages with transparent or opaque packaging. If the quantities of the individual inner packages vary (which is allowed in Variety Packages) or, if the quantity of the individual inner packages is not declared, see Section 5.4. "Exceptions".

Before determining the MAV and proceeding with tests of the quantity of contents in any multiunit package, calculate the sum of the labeled quantity statements of all individual inner packages and verify that the labeled Total Quantity Statement reflects the accurate sum. If an error exists between the sum of the labeled quantity statements of individual inner packages and the Total Quantity Statement, the package is not in compliance and shall be deemed in violation of labeling requirements of NIST Handbook 130 Uniform Packaging and Labeling Regulation, requiring an accurate summing and statement of total quantity. Do not test for net quantity determination.

5.3.1. Test Procedure for Multiunit Packages

1. **Follow Section 2.3.1. "Define the Inspection Lot" to define the inspection lot (number of multiunit packages). Use the inspection lot size and select a "Category A" or "Category B" sampling plan (see Appendix A. "Tables") in the inspection plan and select a random sample. (see Section 2.3.2. "Select Sampling Plans" and Section 2.3.4. "Random Sample Selection").**

2. **For packages labeled by weight, determine the tare weight and nominal gross weight. Follow Section 2.3.5. "Procedures for Determining Tare" through Section 2.3.6. "Determine Nominal Gross Weight and Package Error" to determine package errors in the quantity of the individual inner packages as compared to the total package quantity declaration.**

3. **Determine the net quantity of each multiunit package and calculate the Total Quantity Package Error for each multiunit package.**

   Total Quantity Package Error = Gross Weight – Nominal Gross Weight

   If applicable, verify the count declaration of the individual inner packages. To determine the MAV for count, use Appendix A. Table 2-7. "MAV for Packages Labeled by Count."

4. **If minus Total Quantity package errors are found in the sample, use the MAV for the individual inner package labeled quantity. (see Section 1.2.4.1. "Total Quantity MAV for Multiunit and Variety Packages" and the appropriate MAVs in Appendix A "Tables"). Calculate the Total Quantity MAV to be applied to the total quantity of contents declaration as follows:**

   Total Quantity MAV = Number of Individual Inner Packages × MAV for Individual Inner Package Quantity

   Note: A Total Quantity MAV is not required when the MAV to be applied is based on a percent of a labeled quantity of a multiunit or variety package.

5. **The Total Quantity MAV is compared to each minus Total Quantity Package Error to determine if any errors are unreasonable (See Section 2.3.7.1. "MAV Requirement").**

   - **If the number of unreasonable errors exceeds the number allowed for the sample size the lot fails. (See Section 2.3.1. "Define the Inspection Lot" and Tables 2-1 or 2-2, Column 4).**

5.4. Exceptions for Multiunit Packages

5.4.1. Multiunit Packages with Only a Total Quantity Declaration

NIST Handbook 130, Uniform Packaging and Labeling Regulation (UPLR), Section 10.4. "Multiunit Packages" states that unlabeled individual packages not intended for individual retail sale are only required to declare a total quantity declaration (see Figure 2. Multiunit Package [three packages] with only a Total Quantity Declaration). While not required, UPLR, Section 10.4. "Multiunit Packages" does allow for multiunit packages to include an optional statement for the count of the individual inner packages despite their not being fully labeled or intended for individual retail sale.

Floor Cleaner	**Floor Cleaner** **NET WEIGHT 15 kg (33 lb)**	**Floor Cleaner**

Figure 2. Multiunit Package (three packages) with only a Total Quantity Declaration

5.4.1.1. MAV Application

When multiunit package label does not include a quantity statement for each individual inner package (e.g., only a total quantity appears) a Total Quantity MAV cannot be applied because the quantities in the individual inner packages are unknown. In this case, the MAV value for the total quantity declaration as listed in the MAV tables (See Appendix A. Tables) is compared to the Total Quantity Package Error to determine if any package errors are unreasonable (see Section 2.3.7.1. "MAV Requirement").

5.4.2. Variety Packages: Non-Uniform Quantity Declarations

UPLR, Section 10.6. "Variety Packages" states that a variety package is required to have total quantity declaration. The commodities may be generically similar; however, they can differ in weight, measure, volume, or style variation (e.g., color, flavor, scent, etc.). When the labeled weight, measure, or count varies, the value of the applicable MAV can also vary.

When variety packages are tested, the procedure used to calculate a Total Quantity MAV requires the summing of the MAV values over the number of inner packages of all types. An example is shown in Figure 3. Variety Package – Four Similar but Different Products with Varying Net Weights) to illustrate a total quantity declaration, count, and the weight of the individual inner packages.)

30 Candy Bar – Variety Pack Total Net Weight 1.33 kg (2.9 lb)	
10 – 55 g (1.9 oz) Peanut Butter Cups	6 – 30 g (1.1 oz) Dark Chocolate Bars
6 – 46 g (1.6 oz) Milk Chocolate Bars with Almonds	8 – 41 g (1.5 oz) Milk Chocolate Bars

Figure 3. Variety Package – Four Similar but Different Products with Varying Net Weights

5.5. Test Procedure for Variety Packages Containing Individual Packages with Varying Net Weights

Before determining the MAV and proceeding with tests of the quantity of contents in any variety package, calculate the sum of the labeled quantity statements of all individual inner packages and verify that the labeled Total Quantity Statement reflects the accurate sum. If an error exists between the sum of the labeled quantity statements of all individual inner packages and the Total Quantity Statement, the package is not in compliance and shall be deemed in violation of labeling requirements of NIST Handbook 130 Uniform Packaging and Labeling Regulation, requiring an accurate summing and statement of total quantity. Do not test for net quantity determination.

1. **When a variety package with individual inner packages with varying net weights is tested, the average tare weight (e.g., packaging from the individual inner packages and the outer package combined) is determined and a nominal gross weight is used to determine the error in the total quantity declaration.**

   Note: Example is based on Weight (see Figure 3. Variety Package – Four Similar but Different Products with Varying Net Weights)

   Nominal gross weight = average tare weight + labeled weight

   Package error = gross weight – nominal gross weight

MAVs used in calculating the Total Quantity Package MAV are based on the respective labeled quantities of each product type and are calculated for each product type within the variety package. The calculated MAVs for each of the product types are summed to obtain the Total Quantity MAV (See example shown in Table 1. Steps in Calculating a MAV for a Variety Package).

5.6. MAV Application

A Total Quantity MAV must be applied because the labeled quantities and MAVs of the individual inner packages vary. For example, based on the quantity of the total net weight (as shown in Figure 3. Variety Package- Four Similar but Different Products with Varying Net Weights) the MAV for 1.33 kg (2.9 lb) is 42.6 g (0.094 lb) but the "Total Quantity MAV" to be applied is 122.4 g (4.261 oz) (0.27 lb)(See example shown in Table 1. Steps in Calculating a MAV for a Variety Package).

	Table 1. Steps in Calculating a MAV for a Variety Package (Based on Figure 3. Variety Package – Four Similar but Different Products with Varying Net Weights)			
Product	**Number of Inner Packages**	**Labeled Net Weight (each individual inner package)**	**MAV for each Individual Inner Package Based on the Labeled Net Quantity (see MAV Table 2-5)**	**Total MAV**
Peanut Butter Cups	**10**	**55 g (1.94 oz)**	**5.4 g (0.1875 oz)**	**10 × 5.4 g = 54 g (10 × 0.1875 oz = 1.875 oz)**
Dark Chocolate Bars	**6**	**30 g (1.06 oz)**	**10 % of labeled quantity**	**6 × (0.1 × 30 g) = 18 g 6 × (0.1 × 1.06 oz) = 0.636 oz**
Milk Chocolate Bars	**8**	**41 g (1.45 oz)**	**3.6 g (0.125 oz)**	**8 × 3.6 g = 28.8 g (8 × 0.12 oz = 1 oz)**
Milk Chocolate Bars with Almonds	**6**	**46 g (1.62 oz)**	**3.6 g (0.125 oz)**	**6 × 3.6 g = 21.6 g (6 × 0.125 oz = 0.75 oz)**
			Total Quantity MAV	**122.4 g (4.261 oz) (0.27 lb)**

(Added 20XX)

The Committee deleted the following from section 5.3.1. Section 3: The Total Quantity Package Error is the sum of the errors found in the individual inner packages and added *Total Quantity Package Error = Gross Weight – Nominal Gross Weight.*

The Committee removed Total Quantity Package Error = Sum of Individual Inner Package Errors from section 5.5.

B1: NET-19.4 VC Appendix F. Glossary

Multiunit Package. – A package containing two or more individual packages of the identical commodity, in the same quantity, intended to be sold as a multiunit package

Variety Package. – A package intended for retail sale, containing two or more individual packages or units of similar, but not identical, commodities. Commodities that are generically alike, but that differ in weight, measure, volume, or style variation (e.g. color, flavor, scent, etc.) are considered similar, but not identical.

Total Quantity MAV. – A calculated value used to determine if any minus Total Quantity Package Error found in a multiunit or variety packages is unreasonable. A Total Quantity MAV is based on the declared quantity and count of the individual inner packages. It is determined by obtaining the applicable MAV for each individual inner package quantity from the appropriate Mav table (refer to Appendix A. "Tables" and then calculating the "Total Quantity MAV" as follows:

- **Multiunit Package:** ***Total Quantity MAV = Number of Individual Inner Packages × MAV for Individual Inner Package Quantity***
- **Variety Package:** ***Total Quantity MAV = The sum of the applicable MAVs for all Individual Inner Packages.***

Note: A Total Quantity MAV is not used when the MAV applied is based on a percentage of the labeled quantity on a multiunit or variety package

The Committee removed "Note: Total Quantity Package Error = Sum of Individual Inner Package Errors."

ITEM BLOCK 2 (B2) V COMMERCIAL AND LAW ENFORCEMENT EQUIPMENT

B1: WAM-22.1 Section 1.11. Commercial and Law Enforcement Equipment
B1: NTP-22.1 Section 2.15. Commercial and Law Enforcement Equipment

B2: WAM-22.1 V Section 1.11. Commercial and Law-Enforcement Equipment.

1.11. Commercial and Law-Enforcement Equipment. – The term**s** "commercial weighing and measuring equipment" **and "law-enforcement equipment"** are defined as follows:

(a) "Commercial Weighing and Measuring Equipment" means weights and measures and weighing and measuring devices used or employed:

(1) in establishing the size, quantity, extent, area, **composition (limited to meat and poultry)**, constituent values (limited to grain), or measurement of quantities, things, produce, or articles for distribution or consumption, purchased, offered, or submitted for sale, hire, or award;

(2) when assessing a fee for the use of the equipment to determine a weight or measure;

(3) in determining the basis of an award using count, weight, or measure; or

(4) in computing any basic charge or payment for services rendered on the basis of weight or measure.

(Amended 2008 **and 20XX**)

(b) "Commercial Weighing and Measuring Equipment" includes any accessory attached to or used in connection with a commercial weighing or measuring device when such accessory is so designed that its operation affects the accuracy of the device.

(c) "Law-Enforcement Equipment" means **weighing and measuring equipment in official use for the enforcement of law or the collection of statistical information by government agencies.**

(These requirements should be used as a guide by the weights and measures official when, upon request, courtesy examinations of noncommercial equipment are made.)
(Added 1995) (Amended **20XX**)

The Committee made editorial changes to harmonize with the S&T language.

B2: NTP-22.1 V Section 2.15. Commercial and Law Enforcement Equipment.

2.15. Commercial and Law-Enforcement Equipment. – **The terms "commercial weighing and measuring equipment" and "law-enforcement equipment" refer to:**

(1) Commercial weighing and measuring equipment; that is:

(a) To weights and measures and weighing and measuring **devices** used or employed:

1. in establishing the size, quantity, extent, area, **composition (limited to meat and poultry), constituent values (limited to grain),** or measurement of quantities, things, produce, or articles for distribution or consumption, purchased, offered, or submitted for sale, hire, or award;

2. when assessing a fee for the use of the equipment to determine a weight or measure;

3. in determining the basis of an award using count, weight, or measure; or

4. computing any basic charge or payment for services rendered based on weight or measure.
(Amended 2008 **and 20XX**)

(b) To any accessory attached to or used in connection with a commercial weighing or measuring device when such accessory is so designed that its operation affects the accuracy of the device.

(2) Law enforcement equipment; that is:

(a) To weighing and measuring equipment in official use for the enforcement of law or ~~**for**~~ the collection of statistical information by government agencies. [see Section 2.15. Note]
(Amended 20XX)

(These requirements should be used as a guide by the weights and measures official when, upon request, courtesy examinations of noncommercial equipment are made.)
(Added 20XX)

*Section 2.15. NOTE: **This** section is identical to G-A.1. Commercial and Law Enforcement Equipment, Section 1.10. General Code, NIST Handbook 44 for definition of "commercial" and "law enforcement equipment."*

The Committee made editorial changes to harmonize with the S&T language.

ITEM BLOCK 3 (B3) CANNABIS

Item NET 22.1 (A) has been removed from Block 3 and will stand on its own. Block 3 will now consist of PAL 22.1, PAL, 22.2 and MOS 22.2.

B3: PAL-22.1 V Section 2. Definitions 2.XX *Cannabis* and *Cannabis*-Containing Products.

Source:
NCWM Cannabis Task Group

Purpose:
Establish a clear definition of *Cannabis* and *Cannabis*-containing products for use in Handbook 130 Uniform Packaging and Labeling Requirements.

Item Under Consideration:
Amend Handbook 130, Uniform Packaging and Labeling Regulation, as follows:

2.XX. *Cannabis* and *Cannabis*-Containing Products – Cannabis is a genus of flowering plants in the family Cannabaceae, of which *Cannabis sativa, indica, ruderalis* are species, and any hybridization thereof. This definition includes products that contain 0.3 percent or less of Total Delta-9 Tetrahydrocannabinol (THC) (also known as Hemp) and products that contain more than 0.3 percent of Total Delta-9 THC (also known as cannabis, marijuana or marihuana).

(Added 20XX)

The Committee added "*indica, ruderalis* species and any hybridization thereof" to the definition of Cannabis and Cannabis-Containing Products. The committee also removed the capitalization of the words cannabis, marijuana and marihuana. The Committee spelled out the acronym for "THC".

B3: PAL-22.2 V Section 10. Requirements, 10.XX *Cannabis* and *Cannabis*-Containing Products.

10.XX. *Cannabis* and *Cannabis*-Containing Products – Any *Cannabis* or *Cannabis*-containing products intended for human or animal consumption or application, shall bear on the outside of the package the following:

(a) On the principal display panel

(1) the statement "Contains *Cannabis*". The word *"Cannabis"* shall be capitalized and italicized; and

(2) the statement "Contains 0.3% or less Total Delta-9 THC" or "Contains more than 0.3% Total Delta- 9 THC"; and

(b) On back or side panel

(1) a declaration of the labeled cannabinoid per serving or application; and

(2) the quantity declaration shall be in milligrams.

The Committee removed the italicization of letter "C" in word "Containing" and made an editorial change to the language specifying the level of Total Delta-9 THC to harmonize with other sections.

The Committee changed the roman numerals to numerical and separated out paragraph (b) into 1 and 2.

B3: MOS-22.2 V Section 1.XX. *Cannabis* and *Cannabis*-Containing Products and 2.XX. *Cannabis* and *Cannabis*-Containing Products.

Section 1. Food Products

1.XX *Cannabis* and *Cannabis*-Containing Products – Cannabis is a genus of flowering plants in the family Cannabaceae, of which *Cannabis sativa, indica, ruderalis* are species, and any hybridization thereof. This definition includes products that contain 0.3 percent or less of Total Delta-9 Tetrahydrocannabinol (THC) (also known as Hemp) and products that contain more than 0.3 percent of Total Delta-9 THC (also known as cannabis, marijuana or marihuana).

1.XX.X. Unit

(a) **Volume – Products offered for sale in liquid form shall be sold by volume.**

(b) **Weight- Products offered for sale in non-liquid form shall be sold by weight. These products may also have a supplemental declaration of count or measure.**

1.XX.X.– Sale from Bulk

(a) When sold from bulk, all sales shall be based on net weight or net volume.

(b) When liquids are offered for sale from bulk, the reference temperature for measurement shall be 20 °C (68 °F). Products shall be delivered at a temperature within ± 2 °C (5 °F). Artificially heating liquids to temperatures higher than the specified limits is prohibited.

1.XX.X. Water Activity-When unprocessed *Cannabis*, is kept, offered, or exposed for sale, sold, bartered, or exchanged, or ownership transfers, the water activity shall be 0.60 (± 0.05) in accordance with latest version of ASTM D 8197, *Standard Specification for Maintaining Acceptable Water Activity (aw) Range (0.55 to 0.65) for Dry Cannabis Flower Intended for Human/Animal Use.* The procedure for determining the water activity in Cannabis flower can be found in the latest version of ASTM D 8196 *Standard Practice for Determination of Water Activity (a_w) in Cannabis Flower.*

And

Section 2. Non-Food Products.

2.XX. *Cannabis* and *Cannabis*-Containing Products – Cannabis is a genus of flowering plants in the family Cannabaceae, of which *Cannabis sativa, indica, ruderalis* are species, and any hybridization thereof. This definition includes products that contain 0.3 percent or less of Total Delta-9 Tetrahydrocannabinol (THC) (also known as Hemp) and products that contain more than 0.3 percent of Total Delta-9 THC (also known as cannabis, marijuana or marihuana).

2.XX.X. Unit

(a) **Volume – Products offered for sale in liquid form shall be sold by volume.**

(b) **Weight- Products offered for sale in non-liquid form shall be sold by weight. These products may also have a supplemental declaration of count or measure.**

2.XX.X.– Sale from Bulk

(a) When sold from bulk, all sales shall be based on net weight or net volume.

(b) When liquids are offered for sale from bulk, the reference temperature for measurement shall be 20 °C (68 °F). Products shall be delivered at a temperature within ± 2 °C (5 °F). Artificially heating liquids to temperatures higher than the specified limits is prohibited.

2.XX.X. Water Activity-When unprocessed *Cannabis*, is kept, offered, or exposed for sale, sold, bartered, or exchanged, or ownership transfers, the water activity shall be 0.60 (± 0.05) in accordance with latest version of ASTM D 8197, *Standard Specification for Maintaining Acceptable Water Activity (aw) Range (0.55 to 0.65) for Dry Cannabis Flower Intended for Human/Animal Use.* . The procedure for determining the water activity in Cannabis flower can be found in the latest version of ASTM D 8196 *Standard Practice for Determination of Water Activity (a_w) in Cannabis Flower.*

The Committee harmonized 1.XX and 2.XX with PAL 22.1 Definition, eliminated the definition for Water Activity, and removed examples from 1.XX.X and 2.XX.X Units. The Committee also changed the word "quantity" to "volume" in 1.XX.X and 2.XX.X Sale from Bulk subsection (a). In 2.XX.X Water Activity we changed 0.6 to 0.60.

The Committee added a reference for the ASTM Water Activity test method.

NET-22.1 A HB133, Section 1.2.6. Deviations Caused by Moisture Loss or Gain and Section 2.3.8. Table 2-3 Moisture Allowances.

This item has been removed from the block.

ITEM BLOCK 4 (B4) VC EPA CFR REFERENCE UPDATES

B4: MOS-22.1 VC Section 2.20.2. Documentation for Dispenser Labeling Purposes. and 2.20.3. EPA Labeling Requirements.

B4: FLR-22.1 VC Section 2.1.2. Gasoline-Ethanol Blends., 3.2.5. Documentation for Dispenser Labeling Purposes, and 3.2.6. EPA Labeling Requirements.

B4: MOS-22.1. VC Section 2.20.2. Documentation for Dispenser Labeling Purposes. and 2.20.3. EPA Labeling Requirements.

No Changes.

B4: FLR-22.1 VC Sections 2.1.2. Gasoline-Ethanol Blends., 3.2.5. Documentation for Dispenser Labeling Purposes, and 3.2.6. EPA Labeling Requirements.

No Changes.

ITEM BLOCK 6 (B6) A TRANSMISSION FLUID

B6: MOS-21.1. A Section 2.36.2. Labeling and Identification of Transmission Fluid

No Changes.

B6: FLR-21.2. A Section 3.14.1. Labeling and Identification of Transmission Fluid

No Changes.

Mr. John McGuire, New Jersey | Committee Chair
Mr. Doug Rathbun, Illinois | Vice-Chair
Mr. Kevin Schnepp, California | Member
Mr. Tory Brewer, West Virginia | Member
Mr. Mauricio Mejia, Florida | Member
Mr. Prentiss Searles, American Petroleum Institute | AMC Representative
Mr. Rowan Hemsing, Measurement Canada | Canadian Technical Advisor
Mr. David Sefcik, NIST OWM | NIST Technical Advisor
Ms. Lisa Warfield, NIST OWM | NIST Technical Advisor
Mr. Constantine Cotsoradis, NCWM | Committee Coordinator

Laws and Regulations Committee