**MOS-18.2 A Reorganize the Method of Sale of Commodities and create a section for Fuels, Lubricants and Automotive Products**

**Update for FALS consideration before the 2020 NCWM Interim meeting.**

This update will only address the background section of Uniform Regulation for the Method of Sale of Commodities. No modifications to the regulations in this section are included in this updated proposal.

This update includes:

1. adding the first two paragraphs from the background of section G of HB130 (2019).
2. adding an additional paragraph associated with the history of fuels and related products for additional clarity.

This proposal would replace the entire proposal for MOS 18.2 in Pub 15.

**B. Uniform Regulation for the Method of Sale of Commodities**

**1. Background**

The National Conference on Weights and Measures (NCWM) has long been concerned with the proper units of measurement to be used in the sale of all commodities. This approach has gradually broadened to concerns of standardized package sizes and general identity of particular commodities. Requirements for individual products were at one time made a part of the Weights and Measures Law or were embodied in separate individual Model Regulations. In 1971, this “Model State Method of Sale of Commodities Regulation” was established (renamed in 1983); amendments have been adopted by the Conference almost annually since that time.

Sections with “added 1971” dates refer to those sections that were originally incorporated in the Weights and Measures Law or in individual Model Regulations recommended by the NCWM. Subsequent dates reflect the actual amendment or addition dates.

The 1979 edition included, for the first time, requirements for items packaged in quantities of the International System of Units (SI), the modernized metric system, as well as continuing to present requirements for U.S. customary quantities. It should be stressed that nothing in this Regulation requires changing to the SI system of measurement. SI values are given for the guidance of those wishing to adopt new SI quantities of the commodities governed by this Regulation. SI means the International System of Units as established in 1960 by the General Conference on Weights and Measures and interpreted or modified for the United States by the Secretary of Commerce.

**In 1984, the National Conference on Weights and Measures (NCWM) adopted a Section 2.20. in the Uniform Regulation for the Method of Sale of Commodities requiring that motor fuels containing alcohol be labeled to disclose to the retail purchaser that the fuel contains alcohol. The delegates deemed this action necessary since motor vehicle manufacturers were qualifying their warranties with respect to some gasoline-alcohol blends, motor fuel users were complaining to weights and measures officials about fuel quality and vehicle performance, and ASTM International (ASTM) had not yet finalized quality standards for oxygenated (which includes alcohol-containing) fuels. While a few officials argued weights and measures officials should not cross the line from quantity assurance programs to programs regulating quality, the delegates were persuaded that the issue needed immediate attention.**

**A Motor Fuels Task Force was appointed in 1984 to develop mechanisms for achieving uniformity in the evaluation and regulation of motor fuels. The Task Force developed the Uniform Motor Fuel Inspection Law (see the Uniform Fuels and Automotive Lubricants Inspection Law section of this handbook) and the Uniform Fuel and Automotive Lubricants Regulation to accompany the law. The Uniform Law required registration and certification of motor fuel as meeting ASTM standards. The regulation defined the ASTM standards to be applied to motor fuel.**

**Even after the inclusion of the Uniform Regulation for Motor Fuel and Automotive Lubricants in Handbook 130, the conference recognized that more states adopt the Uniform Regulation for the Method of Sale of Commodities than adopt the Uniform Fuel and Automotive Lubricants Regulation. To promote uniformity in state regulations a number of these products continue to be included in both regulations. Recently the conference has added new products and information to both sections and worked to ensure the text added to the Uniform Regulation of the Method of Sale of Commodities is mirrored in the Uniform Fuels and Automotive Lubricants Regulations.**

This Regulation assimilates all of the actions periodically taken by the Conference with respect to certain food items, non-food items **(including non-method of sale information on fuels and related products)**, and general method of sale concepts. Its format is such that it will permit the addition of individual items at the end of appropriate sections as the need arises. Its adoption as a regulation by individual jurisdictions will eliminate the necessity for legislative consideration of changes in the method of sale of particular commodities. Such items will be able to be handled through the normal regulation-making process.

**All other changes to the MOS section will be removed from this updated proposal.**