KANSAS DEPARTMENT OF AGRICULTURE
WEIGHTS AND MEASURES

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KANSAS DEPARTMENT OF AGRICULTURE
WEIGHTS AND MEASURES

RESPONSIBLE FOR:
COMMERCIAL SCALES
PACKAGES (net quantity)
LABELING REQUIREMENTS
PRICE VERIFICATION
SCALES

Commercial Scales must:

- Be certified and tested every 365 days by licensed service company

- Owner or user must provide scale test report upon official request

- Must have an NTEP (National Type Evaluation Program) Certificate of Conformance
SCALES

- **Owner/User Requirements**
  - The consumer must be able to view entire weighing and measuring transaction
  - Clearance around load receiving/weighing element
  - Protect device from environmental factors (wind, radio frequency interference (RFI), and weather)
Pick 'n Choose 2

What's your favorite duo?

Soup
Any variety
12oz bowl

Salad
Regular dilusso
Salad
Or 1 trip through
Salad bar 6" plate

Sandwich
6" sub
Harvester
Ciabatta
Focaccia

$6.88
SCALES

- **Owner/User Requirements**
  - Provide adequate support (weight of scale and test weights to capacity)
  - Keep portable devices level at all times
  - Must keep a copy of scale inspection report for five years with the device
Maintaining in Level Helps Ensure Accuracy
SCALES

Owner/User Requirements

- Use device according to manufacturers instruction
- Use a device that is suitable for commodity being sold
- May not alter or make changes to the design of the scale
SERVICE COMPANY

TECHNICIANS

- Technicians must
  - Test scales to full capacity
  - Follow established method of testing device (typically farmers market scales should be tested on the same support structure on which it will be used)
  - Have their weights tested by a lab that is traceable to NIST (National Institute of Standards and Technology) standards
SERVICE COMPANY
TECHNICIANS

- Technicians must
  - Provide a copy of the test report immediately to the owner or operator of the device
  - Provide the owner or operator of the device with a copy of the DI701 (Device Installation report) if the scale is being put into commercial use for the first time in Kansas
LISTED SERVICE COMPANY

- List of licensed service companies is available from Weights and Measures
- 785-564-6700
- loren.minnich@kda.ks.gov
PACKAGES

- Uniform package and labeling regulation adopted in 1952
- Establish uniformity in marketplace
- Give consumer price and quantity comparisons
PACKAGE

DEFINITION:
Contents in container or wrapped in any manner

Weight or measure determined in advance of sale
PACKAGE

**REQUIRED INFORMATION**

- Identity (what is consumer purchasing)
- Responsibility (who is the seller)
- Quantity (weight or volume)
PACKAGE IDENTITY

- Located on principal display panel
  - Name specified or required by law *or*
  - Common or usual name *or*
  - Generic name or description
DECLARATION OF RESPONSIBILITY

TM Sales & Marketing, Co
TELEPHONE: (314) 427-2492
ADDRESS: 3228 Adie Road, St. Louis, MO 63074
Conspicuously on label of package
Manufacturer, Packer or Distributor
Name
Address and Zip Code
Only pertains to packages kept, offered or exposed for sale or sold at any place other than on the premises where packed.
PACKAGE QUANTITY

- Declaration or statement of net contents in the package
  - Exclusive of wrappers and any other material

- Declaration shall be in terms of largest whole unit

- May use net weight or net mass
PACKAGE QUANTITY

- Declaration shall be expressed in terms of:
  - Weight for solid, semisolid, viscous, or a mixture of solid and liquid
    - OZ, LB
  - Liquid measure if liquid
    - FL OZ, FL PT
  - Dry Measure if dry
    - PT, QT,
Lose Weight, Feel Great™

ULTRA

Slim·Fast

24 Vitamins & Minerals

Strawberries N’ Cream
NATURALLY & ARTIFICIALLY FLAVORED
HEALTHY READY TO DRINK MEAL

HIGH IN CALCIUM
99% FAT FREE

6-11 FL OZ CANS (66 FL OZ)
6-325 mL CANS (1.95L)
PACKAGE DECLARATIONS

- Terms used to **exaggerate** the amount of commodity in the package
  - “Giant” quart
  - “Larger” liter
  - “Full” gallon
  - When packed
  - Minimum
  - Not less than
STANDARD PACKAGE

- ALL PACKAGES CONTAIN SAME AMOUNT ACCORDING TO LABEL (1 LB, 4 OZ)
- ALL PACKAGES ARE UNIFORM
RANDOM WEIGHT

- Package of same consumer commodity with no fixed pattern of net contents

- LABEL MUST CONTAIN:
  - NET WEIGHT
  - UNIT PRICE
  - TOTAL PRICE
METHOD OF SALE

- Purpose is to require accurate and adequate information so purchasers can make price and quantity comparisons.
BERRIES & SMALL FRUITS

- Berries includes all fruit whose name end in the term “berry”.

- Small fruits includes, but is not limited to, cherries, currants, and cherry tomatoes.

- These commodities must be offered for sale and sold by weight or volume.
BERRIES & SMALL FRUITS

- **Method of sale**
  - Offered and exposed for sale and sold by weight or by volume

  - Commodities sold by volume must be in measure containers that are either open or else covered by uncolored transparent lids or wrappings
BRITISH COLUMBIA HOT HOUSE
On-the-Vine Tomatoes
99¢ LB.
BREAD

Bread kept, offered, or exposed for sale, whether or not packaged or sliced, shall be sold by weight.
MEAT, POULTRY, FISH & SEAFOOD

- These products shall be sold by weight, except that whole shellfish in the shell may be sold by weight, measure, and/or count.
METHOD OF SALE

- Bulk Food Commodities
  - Price sold from bulk by weight shall be computed in terms of whole units (lb, oz)
  - Price *advertised* from bulk by weight shall be advertised or displayed in terms of whole weight units of pounds only.
METHOD OF SALE

- Non-food Products
  - The price of bulk commodities for non-food products shall be advertised, displayed and computed in terms of whole units of weight.
FIREWOOD

- Any kindling, logs, boards, timbers, or other wood, natural or processed, split or not split, advertised, offered for sale or sold for use as fuel.
FIREWOOD

- Cord is the amount of wood contained in space of 128 cubic feet when wood is ranked and well stowed. (Means pieces of wood are placed in a line or row, with individual pieces touching and parallel to each other, and stacked in a compact manner.)
FIREWOOD

Prohibited Terms
- Face Cord
- Rack
- Pile
- Truckload
READY TO EAT FOODS

RESTAURANT STYLE FOOD

- Ready for consumption
- May be sold from bulk or in single servings packed on the premises

Does not include sliced luncheon products, like meat or poultry, or cheese.