

**Title 2—DEPARTMENT OF AGRICULTURE**  
**Division 90— [Weights and Measures] Weights, Measures and Consumer Protection**  
**Chapter 20—Method of Sale for Products**

**PROPOSED AMENDMENT**

**2 CSR 90-20.040 NIST Handbook 130, “Uniform Regulation for the Method of Sale of Commodities”** The director is amending section 1 and deleting section 2, and making non-substantive changes to the division name.

*PURPOSE: The amendment references the current NIST Handbook 130-2018 Edition and makes a non-substantive change to update division name.*

**SUMMARY:** The sections of *NIST Handbook 130* pertaining to regulation of the method of sale of commodities are a result of the combined efforts of the National Conference on Weights and Measures, the National Institute of Standards and Technology (NIST) and state divisions of weights and measures. The method of sale of commodities regulation prescribes approved method of sale of food and nonfood products, presentation of price, allowable differences, combination quantity declarations, machine vended commodities and railroad car tare weights.

(1) The rule for the Division of Weights **[and]** Measures and **Consumer Protection** for method of sale of commodities *[shall incorporate]* **incorporates** by reference the section of the *NIST Handbook 130*, [2006] **2018** edition, entitled “Regulation for the Method of Sale of Commodities,” except for section 2.20 related to gasoline-oxygenate blends. *NIST Handbook 130*, [2006] **2018** Edition, is published by the Superintendent of Documents, U.S. Government Printing Office, October 2005. A copy of this material can be *[obtained from the U.S. Government Printing Office, Stop SSPO, Washington, DC 20402-0001, Internet: <http://bookstore.gpo.gov>, Phone: (202) 512-1800, Fax: (202) 512-2104.]* **free of charge online at NIST.gov or a hard copy may be purchased from the National Conference of Weights and Measures at NCWM.net.** This regulation does not include any later amendments or additions to *NIST Handbook 130*.

(2) Should any portion of the regulation of method of sale of commodities as defined in *Handbook 130* be deemed unacceptable, rules will be promulgated within this chapter denoting and excepting those portions, and adopting alternative provisions as deemed necessary by the director of the Department of Agriculture.]

*AUTHORITY: section 413.065, RSMo Supp. 2005.\* Original rule filed May 9, 1984, effective Aug. 11, 1984. Amended: Filed March 3, 1986, effective June 12, 1986. Amended: Filed Feb. 3, 1989, effective April 27, 1989. Amended: Filed Nov. 1, 1989, effective Feb. 11, 1990. Amended: Filed Dec. 11, 1991, effective April 9, 1992. Amended: Filed Feb. 24, 1995, effective Aug. 30, 1995. Amended: Filed Aug. 13, 1996, effective Feb. 28, 1997. Amended: Filed April 9, 1998, effective Oct. 30, 1998. Amended: Filed Feb. 25, 2000, effective Sept. 30, 2000. Emergency amendment filed Aug. 30, 2002, effective Sept. 10, 2002, expired March 9, 2003. Amended: Filed Aug. 30, 2002, effective Feb. 28, 2003. Amended: Filed Dec. 15 2005, effective June 30, 2006.*

*\*Original authority: 413.065, RSMo 1983, amended 1993, 1994, 1995, 2002.*

*PUBLIC COST: The proposed amendment will not cost public entities more than five hundred (\$500) in the aggregate.*

*PRIVATE COST: The proposed amendment will not cost private entities more than five hundred (\$500) in the aggregate.*

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to these proposed amendments with Mr. Ronald G. Hayes, Division Director, Weights, Measures and Consumer Protection Division, P.O. Box 630, Jefferson City, MO 65102 or online at [Agriculture.MO.Gov/proposed-rules/](http://Agriculture.MO.Gov/proposed-rules/). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.