

**Title 2—DEPARTMENT OF
AGRICULTURE**
Division 90—[Weights and Measures] Weights, Measures and Consumer Protection
Chapter 22—Packaging and Labeling

PROPOSED AMENDMENT

2 CSR 90-22.140 NIST Handbook 130, “Uniform Packaging and Labeling Regulation. 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 packaging and labeling regulation 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 packaging and labeling regulation parallels regulations adopted by federal agencies under the Fair Packaging and Labeling Act. It deals with declaration of quantity; prominence and placement of consumer and nonconsumer packages; requirements for specific commodities, packages and containers; variations and exemptions allowed and retail sale price representations.

(1) The rule for the Division of Weights *[and]*, Measures **and Consumer Protection** for packaging and labeling shall incorporate by reference the section of the [2006] **2018** edition of *NIST Handbook 130*, entitled “Uniform Packaging and Labeling Regulation.” *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 obtained 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 packaging and labeling regulation 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 Sept. 14, 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. Amended: Filed Sept. 12, 2002, effective March 30, 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 the 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/. 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.