

WWMA Laws and Regulations (L&R) Committee 2023 Annual Meeting Addendum

Mr. Alberto Villagomez, Committee Chair
Colorado

INTRODUCTION

1 The Laws and Regulations (L&R) Committee (hereinafter referred to as “Committee”) submits its Report to the
2 Western Weights and Measures Association (WWMA). The Report consists of the WWMA Agenda (NCWM
3 Carryover and NEW items) and this Addendum. Page numbers in the tables below refer to pages in this Addendum.
4 Suggested revisions to the handbook are shown in **bold face print** by ~~striking out~~ information to be deleted and
5 **underlining** information to be added. Requirements that are proposed to be nonretroactive are printed in **bold-faced**
6 *italics*.

7
8 Presented below is a list of agenda items considered by the WWMA and its recommendations to the NCWM Laws
9 and Regulations Committee.

Subject Series List

Handbook 130 – General.....	GEN Series
Uniform Laws	
Uniform Weights and Measures Law.....	WAM Series
Uniform Weighmaster Law.....	WML Series
Uniform Fuels and Automotive Lubricants Inspection Law	FLL Series
Uniform Regulations	
Uniform Packaging and Labeling Regulation	PAL Series
Uniform Regulation for the Method of Sale of Commodities	MOS Series
Uniform Unit Pricing Regulation	UPR Series
Uniform Regulation for the Voluntary Registration of Servicepersons and Service Agencies for Commercial Weighing and Measuring Devices	RSA Series
Uniform Open Dating Regulation	ODR Series
Uniform Regulation for National Type Evaluation.....	NTP Series
Uniform Fuels and Automotive Lubricants Regulation	FLR Series
Examination Procedure for Price Verification.....	PPV Series
NCWM Policy, Interpretations, and Guidelines.....	POL Series
Handbook 133	NET Series
Other Items	OTH Series

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Table B
Glossary of Acronyms and Terms

Acronym	Term	Acronym	Term
ASTM	ASTM International	NEWMA	Northeastern Weights and Measures Association
API	American Petroleum Institute	NIST	National Institute of Standards and Technology
CFR	Code of Federal Regulations	NCWM	National Conference on Weights and Measures
CWMA	Central Weights and Measures Association	OWM	Office of Weights and Measures
FALS	Fuels and Lubricants Subcommittee	PALS	Packaging and Labeling Subcommittee
FDA	Food and Drug Administration	S&T	Specifications and Tolerances
FTC	Federal Trade Commission	SAE	SAE International
HB	Handbook	SWMA	Southern Weights and Measures Association
ILMA	Independent Lubricant Manufacturers Association	UPLR	Uniform Packaging and Labeling Regulation
L&R	Laws and Regulations	USDA – FSIS	U.S. Department of Agriculture – Food Safety and Inspection Service
LPG	Liquefied Petroleum Gas	USNWG	U.S. National Work Group
MAV	Maximum Allowable Variation	WWMA	Western Weights and Measures Association

Details of All Items
(In order by Reference Key)

1 **PAL – UNIFORM PACKAGING AND LABELING REGULATION**

2 **PAL-24.1 A 10.11. Cannabis and Cannabis-Containing Products.**

PAL-24.1
<p>Regional recommendation to NCWM on item status:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Recommend as a Voting Item on the NCWM agenda <input type="checkbox"/> Recommend as an Information Item on the NCWM agenda <input checked="" type="checkbox"/> Recommend as an Assigned Item on the NCWM agenda <i>(To be developed by an NCWM Task Group or Subcommittee)</i> <input type="checkbox"/> Recommend as a Developing Item on the NCWM agenda <i>(To be developed by source of the proposal)</i> <input type="checkbox"/> Recommend Withdrawal of the Item from the NCWM agenda <i>(In the case of new proposals, do not forward this item to NCWM)</i> <input type="checkbox"/> No recommendation from the region to NCWM <i>(If this is a new proposal, it will not be forwarded to the national committee by this region)</i>
<p>Comments and justification for the regional recommendation to NCWM: <i>(This will appear in NCWM reports)</i></p> <p>Vince Wolpert, Cannabis Task Group stated there will be changes to the last portion of the statement for products containing intoxicating cannabinoids. Recommends item remains assigned to the Cannabis Task Group. Steven Harrington, Oregon, recommended Withdrawal after testimony was heard from several other regulators. Matt Douglas, California Department of Agriculture, Division of Measurement Standards, had a general inquiry as to whether this is an identity symbol or a warning symbol. Matt encouraged the submitter to work with the Cannabis Task Group to determine if this is the appropriate place for this item, and recommended this item be assigned to the Cannabis Task Group. Kurt Floren, County of Los Angeles, California stated he was opposed to this item. Kurt stated he supports Cannabis quantity statements, however does not feel we should be providing warning, as once we step in to regulate warnings, it becomes regular for us to have to do so. Kurt stated that the health issues are better left to health agencies, and that when the federal government moves toward legalization, the FDA and FTC can get involved. Jose Arriaga, County of Orange, California stated he is in favor of having a harmonizing symbol to identify Cannabis, however does not support cautionary statements, including the word intoxicating. Joe Moreo, County of Trinity, California stated this should include an identification, a warning, and a potency, since the federal government defines hemp, THC, and Cannabis by potency. Recommended the item be assigned to the Cannabis Task Group.</p> <p>The WWMA Laws and Regulations Committee recommends this item be assigned to the Cannabis Task Group.</p>

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1 **MOS – UNIFORM REGULATION FOR THE METHOD OF SALE OF COMMODITIES**

2 **MOS-24.2 I 2.16.3.1. Tare Weights, Part (c) Allowable difference.**

MOS-24.2	
Regional recommendation to NCWM on item status:	
<input type="checkbox"/> Recommend as a Voting Item on the NCWM agenda <input checked="" type="checkbox"/> Recommend as an Information Item on the NCWM agenda <input type="checkbox"/> Recommend as an Assigned Item on the NCWM agenda <i>(To be developed by an NCWM Task Group or Subcommittee)</i> <input type="checkbox"/> Recommend as a Developing Item on the NCWM agenda <i>(To be developed by source of the proposal)</i> <input type="checkbox"/> Recommend Withdrawal of the Item from the NCWM agenda <i>(In the case of new proposals, do not forward this item to NCWM)</i> <input type="checkbox"/> No recommendation from the region to NCWM <i>(If this is a new proposal, it will not be forwarded to the national committee by this region)</i>	
Comments and justification for the regional recommendation to NCWM: (This will appear in NCWM reports)	
<p>John McGuire, NIST Office of Weights and Measures, wanted to bring to the attention of the Committee that NCWM petitioned the US DOT to look at the tolerances, and should hold off until an answer is provided by the US DOT. Mr. McGuire stated that he anticipates the response to be sent to the NCWM when complete.</p> <p>Matt Douglas, California Department of Food and Agriculture, Division of Measurement Standards recommended withdrawal, as he felt that the cylinders should be stamped with an accurate tare statement, as the US DOT allowable difference of the stamped tare weight versus the actual tare weight is a safety item. Matt stated that the NCWM requirements are for consumer protection, and are within the US DOT safe ranges, so there is no conflict.</p> <p>Steven Harrington, Oregon stated that he takes no position, however, he asked that the Committee consider adding metric units back to the proposal.</p> <p>The WWMA Laws and Regulations Committee recommends this item be Informational.</p>	

3 **MOS-24.3 W 2.16.3.1. Tare Weights, Part (d) Average requirement.**

MOS-24.3	
Regional recommendation to NCWM on item status:	
<input type="checkbox"/> Recommend as a Voting Item on the NCWM agenda <input type="checkbox"/> Recommend as an Information Item on the NCWM agenda <input type="checkbox"/> Recommend as an Assigned Item on the NCWM agenda <i>(To be developed by an NCWM Task Group or Subcommittee)</i> <input type="checkbox"/> Recommend as a Developing Item on the NCWM agenda <i>(To be developed by source of the proposal)</i> <input checked="" type="checkbox"/> Recommend Withdrawal of the Item from the NCWM agenda <i>(In the case of new proposals, do not forward this item to NCWM)</i> <input type="checkbox"/> No recommendation from the region to NCWM <i>(If this is a new proposal, it will not be forwarded to the national committee by this region)</i>	
Comments and justification for the regional recommendation to NCWM: (This will appear in NCWM reports)	
<p>John McGuire, NIST Office of Weights and Measures, stated that this proposal seeks to remove the average requirements from the Method of Sale. These requirements have been in place since 1990, and were developed in</p>	

conjunction with the compressed gas association, and was designed with the intent of avoiding complaints from consumers that sellers were misrepresenting the net quantity.
 Matt Douglas, California Department of Food and Agriculture, Division of Measurement Standards stated that the need for consumer protection exceeds the justification of this item, and recommends withdrawal.

The WWMA Laws and Regulations Committee recommends this item for Withdrawal.

1 **MOS-24.4 W 2.16.3.1. Tare Weights, Part (e) Tare Determination.**

MOS-24.4
<p>Regional recommendation to NCWM on item status:</p> <p><input type="checkbox"/> Recommend as a Voting Item on the NCWM agenda</p> <p><input type="checkbox"/> Recommend as an Information Item on the NCWM agenda</p> <p><input type="checkbox"/> Recommend as an Assigned Item on the NCWM agenda <i>(To be developed by an NCWM Task Group or Subcommittee)</i></p> <p><input type="checkbox"/> Recommend as a Developing Item on the NCWM agenda <i>(To be developed by source of the proposal)</i></p> <p><input checked="" type="checkbox"/> Recommend Withdrawal of the Item from the NCWM agenda <i>(In the case of new proposals, do not forward this item to NCWM)</i></p> <p><input type="checkbox"/> No recommendation from the region to NCWM <i>(If this is a new proposal, it will not be forwarded to the national committee by this region)</i></p>
<p>Comments and justification for the regional recommendation to NCWM: <i>(This will appear in NCWM reports)</i></p> <p>Matt Douglas, California Department of Food and Agriculture, Division of Measurement Standards recommended Withdrawal, as the cap and label have to be considered as either tare, or as part of the product, which is unacceptable.</p> <p>John McGuire, NIST Office of Weights and Measures concurred with Mr. Douglas, and stated that NIST OWM believes the Method of Sale regulation states that an accurate tare must be stated to determine the net contents declaration.</p> <p>Kurt Floren, County of Los Angeles, California, stated that he agreed with the previous testimony, and that changing from “must” to “can” was absurd, as it makes more non-uniformity with no benefit.</p> <p>The WWMA Laws and Regulations Committee recommends this item for Withdrawal.</p>

1 **MOS-24.5 W 2.27. Pet Treats or Chews.**

MOS-24.5	
Regional recommendation to NCWM on item status:	
<input type="checkbox"/> Recommend as a Voting Item on the NCWM agenda <input type="checkbox"/> Recommend as an Information Item on the NCWM agenda <input type="checkbox"/> Recommend as an Assigned Item on the NCWM agenda <i>(To be developed by an NCWM Task Group or Subcommittee)</i> <input type="checkbox"/> Recommend as a Developing Item on the NCWM agenda <i>(To be developed by source of the proposal)</i> <input checked="" type="checkbox"/> Recommend Withdrawal of the Item from the NCWM agenda <i>(In the case of new proposals, do not forward this item to NCWM)</i> <input type="checkbox"/> No recommendation from the region to NCWM <i>(If this is a new proposal, it will not be forwarded to the national committee by this region)</i>	
Comments and justification for the regional recommendation to NCWM: (This will appear in NCWM reports)	
<p>Kurt Floren, County of Los Angeles, California stated that the requirement that these items be sold by net weight was added in 2018 after much discussion. Mr. Floren stated that it is difficult to make net weight declarations when you have a non “cookie-cutter” product, however there are many “human treats” that are also non-uniform, such as dried apricots, beef jerky, and potato chips. These items are required to be sold by net weight for the consumer to make value comparisons between products. Mr. Floren stated that the language “digestive chews” was included to exclude inedible products (for example, Nylabones) that should be sold by count. Mr. Floren stated this is a bad proposal, voiced his opposition, and recommended this item be Withdrawn.</p> <p>Matt Douglas, California Department of Food and Agriculture, Division of Measurement Standards and Jose Arriaga, County of Orange, California both echoed Mr. Floren’s comments and position.</p> <p>Aaron Yanker, Colorado Department of Agriculture, Weights and Measures echoed the previous statements and positions, and added that the quantity statement may also impact nutritional information statements.</p> <p>The WWMA Laws and Regulations Committee recommends this item for Withdrawal.</p>	

2

3 **RSA – UNIFORM REGULATION FOR THE VOLUNTARY REGISTRATION OF**
 4 **SERVICE PERSONS AND SERVICE AGENCIES FOR COMMERCIAL**
 5 **WEIGHING AND MEASURING DEVICES**

6 **RSA-24.1 I Section 4. Voluntary Registration**

RSA-24.1	
Regional recommendation to NCWM on item status:	
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<p>Comments and justification for the regional recommendation to NCWM: <i>(This will appear in NCWM reports)</i></p> <p>Steven Harrington, State of Oregon, stated that he is not opposed to this item, and that it seems the proposal is trying to take the NCWM exams and build them into model regulations for RSAs. Mr. Harrington stated that he is struggling with line 16 on page L&R-108 of the WWMA Agenda, stating that he didn't want a standards development organization to decide for the states, and that it should be the Director's discretion.</p> <p>Kevin Schnepf, California Department of Food and Agriculture, Division of Measurement Standards agreed with the previous statements, adding "and/or" to line 16.</p> <p>Aaron Yanker, Colorado Department of Agriculture, Weights and Measures echoed the previous statements, and stated he appreciated the direction for consistency</p> <p>The modified language containing suggestions by both Mr. Harrington and Mr. Schnepf is below.</p> <p>An individual or agency qualified by training or experience may apply for registration to service weighing devices or measuring devices on an application form supplied by the Director, <u>who may consider training and/or experience, and certificate(s) granted by a standards development organization recognized by the Director.</u> Said form, duly signed and witnessed, shall include certification guarantee by the applicant that the individual or agency is fully qualified to install, service, repair, or recondition whatever devices for the service of which competence is being registered; has in possession or available for use, and will use, all necessary testing equipment and standards; and has full knowledge of all appropriate weights and measures laws, orders, rules, and regulations, <u>and policies.</u> An applicant <u>individual or each individual of an agency also</u> shall submit appropriate <u>certificate(s), evidence, or and references as to qualifications.</u> <u>The certificate(s) shall apply to the types of weighing devices and measuring devices inspected and tested by the individual or agency. Device types without available certificate(s) may be exempted.</u> Application for registration shall be voluntary, but the Director is authorized to reject or limit any application. (Added 1966) (Amended 1984) <u>(Amended 20XX)</u></p> <p>The WWMA Laws and Regulations Committee recommends this item be Informational.</p>
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1 **FLR – UNIFORM FUELS AND AUTOMOTIVE LUBRICANTS REGULATION**

2 **FLR-23.3 W Section 2.20. Hydrogen Fuel.**

<p>FLR-23.3</p>
<p>Regional recommendation to NCWM on item status:</p> <p><input type="checkbox"/> Recommend as a Voting Item on the NCWM agenda</p> <p><input type="checkbox"/> Recommend as an Information Item on the NCWM agenda</p> <p><input type="checkbox"/> Recommend as an Assigned Item on the NCWM agenda <i>(To be developed by an NCWM Task Group or Subcommittee)</i></p> <p><input type="checkbox"/> Recommend as a Developing Item on the NCWM agenda <i>(To be developed by source of the proposal)</i></p> <p><input checked="" type="checkbox"/> Recommend Withdrawal of the Item from the NCWM agenda <i>(In the case of new proposals, do not forward this item to NCWM)</i></p> <p><input type="checkbox"/> No recommendation from the region to NCWM <i>(If this is a new proposal, it will not be forwarded to the national committee by this region)</i></p>
<p>Comments and justification for the regional recommendation to NCWM: <i>(This will appear in NCWM reports)</i></p> <p>Matt Douglas, California Department of Food and Agriculture, Division of Measurement Standards stated that he supported Information or Developing status for this item, as ISO and SAE are on different update schedules, and mat not always align.</p>

The WWMA L&R Committee recommends Withdrawal, as the submitter has not determined which one standard is appropriate, and there are issues having two standards, as stated in the NCWM 2023 Interim report.

1 **PPV – EXAMINATION PROCEDURE FOR PRICE VERIFICATION**

2 **PPV-24.1 W Table 1. Samples, Sample Collection, and Accuracy Requirements**

PPV-24.1
<p>Regional recommendation to NCWM on item status:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Recommend as a Voting Item on the NCWM agenda <input type="checkbox"/> Recommend as an Information Item on the NCWM agenda <input type="checkbox"/> Recommend as an Assigned Item on the NCWM agenda <i>(To be developed by an NCWM Task Group or Subcommittee)</i> <input type="checkbox"/> Recommend as a Developing Item on the NCWM agenda <i>(To be developed by source of the proposal)</i> <input checked="" type="checkbox"/> Recommend Withdrawal of the Item from the NCWM agenda <i>(In the case of new proposals, do not forward this item to NCWM)</i> <input type="checkbox"/> No recommendation from the region to NCWM <i>(If this is a new proposal, it will not be forwarded to the national committee by this region)</i>
<p>Comments and justification for the regional recommendation to NCWM: <i>(This will appear in NCWM reports)</i></p> <p>The submitter of this item has asked NCWM to withdraw this item.</p>

3

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

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

NET-22.1
<p>Regional recommendation to NCWM on item status:</p> <p> <input type="checkbox"/> Recommend as a Voting Item on the NCWM agenda <input type="checkbox"/> Recommend as an Information Item on the NCWM agenda <input checked="" type="checkbox"/> Recommend as an Assigned Item on the NCWM agenda <i>(To be developed by an NCWM Task Group or Subcommittee)</i> <input type="checkbox"/> Recommend as a Developing Item on the NCWM agenda <i>(To be developed by source of the proposal)</i> <input type="checkbox"/> Recommend Withdrawal of the Item from the NCWM agenda <i>(In the case of new proposals, do not forward this item to NCWM)</i> <input type="checkbox"/> No recommendation from the region to NCWM <i>(If this is a new proposal, it will not be forwarded to the national committee by this region)</i> </p>
<p>Comments and justification for the regional recommendation to NCWM: <i>(This will appear in NCWM reports)</i></p> <p>Vince Wolpert, Cannabis Task Group Co-Chair requested that this item remain Assigned. It was also stated that the analysis of moisture loss has been completed, and is being compiled by Craig VanBuren, Michigan. The Cannabis Task Group will be making recommendations regarding moisture loss once that data has been compiled and analyzed. This may include water activity information as well.</p> <p>Matt Douglas, California Department of Food and Agriculture, Division of Measurement Standards supported an Assigned status, and is looking forward to the report.</p> <p>The WWMA L&R Committee recommends this item remain Assigned to the Cannabis Task Group.</p>

4 **NET-24.1 V Section 3.11. Ice Cream Novelties.**

NET-24.1
<p>Regional recommendation to NCWM on item status:</p> <p> <input checked="" type="checkbox"/> Recommend as a Voting Item on the NCWM agenda <input type="checkbox"/> Recommend as an Information Item on the NCWM agenda <input type="checkbox"/> Recommend as an Assigned Item on the NCWM agenda <i>(To be developed by an NCWM Task Group or Subcommittee)</i> <input type="checkbox"/> Recommend as a Developing Item on the NCWM agenda <i>(To be developed by source of the proposal)</i> <input type="checkbox"/> Recommend Withdrawal of the Item from the NCWM agenda <i>(In the case of new proposals, do not forward this item to NCWM)</i> <input type="checkbox"/> No recommendation from the region to NCWM <i>(If this is a new proposal, it will not be forwarded to the national committee by this region)</i> </p>
<p>Comments and justification for the regional recommendation to NCWM: <i>(This will appear in NCWM reports)</i></p> <p>A presentation was given by the submitter of this item during open hearings, and is available on the WWMA website. The submitter recognized editorial changes submitted by Matt Douglas, CDFA-DMS. The submitter stated that this item is fully developed and would like Voting status.</p> <p>Austin Shepherd, County of San Diego, California voiced his support for the proposal as voting.</p>

Matt Douglas, California Department of Food and Agriculture, Division of Measurement Standards echoed the comments of Mr. Shepherd, voicing support for the item with the adoption of his editorial changes.

Kurt Floren, County of Los Angeles, California stood as a proud boss, thanking Annie Tsou and Lina Ng for their hard work on this submission. Mr. Floren stated that it is absolutely critical to maintain the temperature of the water during this test procedure. Mr. Floren also stated that this item also cleans up code, and fully supports this as a voting item.

Jose Arriaga, County of Orange, California also voiced support for this item with the editorial changes.

The updated proposal is shown below.

3.11. ICE CREAM NOVELTIES

Note: The following procedure can be used to test packaged products that are solid or semisolid and that will not dissolve in, mix with, absorb, or be absorbed by the fluid into which the product will be immersed. ~~For example, ice cream and frozen novelties~~ labeled by volume can be tested using ~~ice-chilled water or kerosene~~ as the immersion fluid.

Exception: Pelletized ice cream is beads of ice cream which are quick frozen with liquid nitrogen. The beads are relatively small but can vary in shape and size. On April 17, 2009, the FDA issued a letter stating that this product is considered semisolid food, in accordance with 21 CFR 101.105(a). The FDA also addresses that the appropriate net quantity of content declaration for pelletized ice cream products be in terms of net weight.

(Added 2010)

The following volume displacement procedure uses a displacement vessel specifically designed for ice cream novelties such as ice cream bars, ice cream sandwiches, or cones. The procedure determines the volume of the novelty by measuring the amount of water displaced when the novelty is submerged in the vessel. Two displacements per sample are required to subtract the volume of sticks or cups.

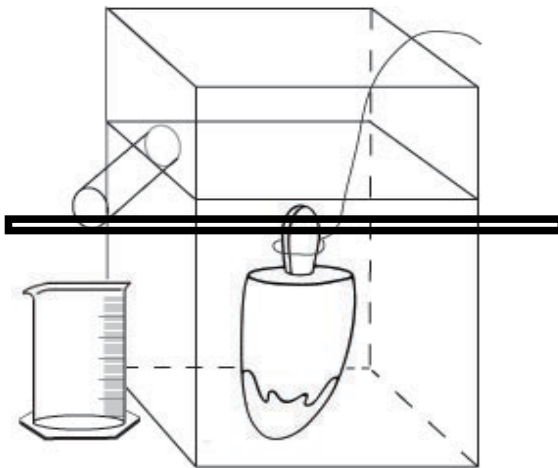
The procedure first determines if the densities of the novelties are the same from package to package (in the same lot) so that a gravimetric test can be used to verify the labeled volume. If a gravimetric procedure is used, compute an average weight for the declared volume from the first two packages and weigh the remainder of the sample. If the gravimetric procedure cannot be used, use the volume displacement procedure for all of the packages in the sample.

3.11.1. Test Equipment

- A scale that meets the requirements in Section 2.2. “Measurement Standards and Test Equipment”
- Volumetric measures
- Displacement vessel with dimensions appropriate for the size of novelties being tested (see Figure 3-7(a), “Example of a Displacement Vessel”). It should include an interior baffle that reduces wave action when the novelty is inserted and a downward angled overflow spout to reduce dripping. Other designs may be used.



Figure 3-7(a). Example of a Displacement Vessel.



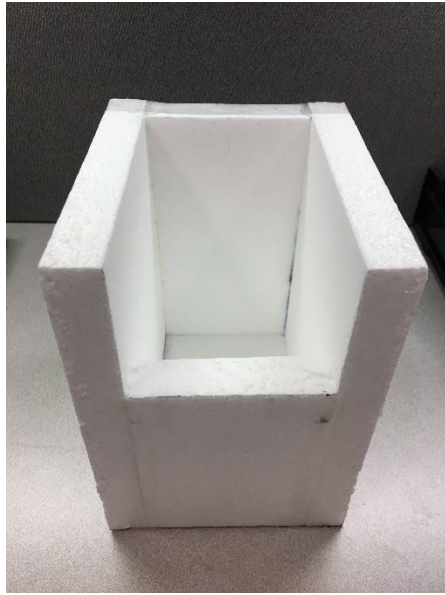
- **Insulation shield**

- **Minimum one inch thick Styrofoam board**

- **Styrofoam glue**

Use a minimum of one inch thick Styrofoam board to assemble the insulation shield. The insulation shield should be assembled with dimensions that will cover as much surface area of the displacement vessel and with as few gaps as possible (see Figure 3-7(b)(c)(d), “Example of an insulation shield with displacement vessel”). The purpose of this equipment is to reduce thermal transfer from ambient environment to the displacement vessel in order to maintain the immersion fluid at 1 °C (33 °F) or below as consistently as possible during testing.

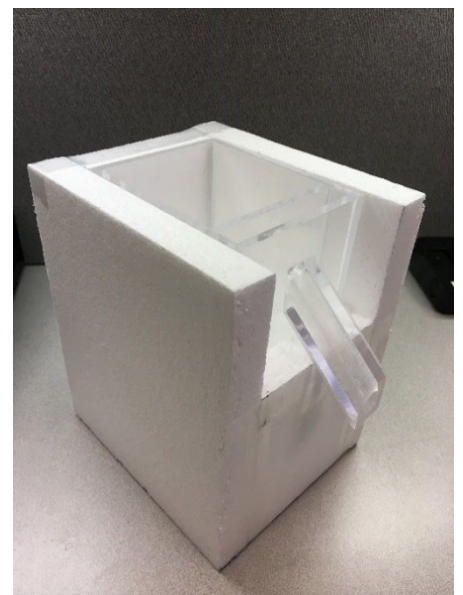
Figure 3-7(b)(c)(d). Example of an Insulation Shield with Acrylic Displacement Vessel.



(b)

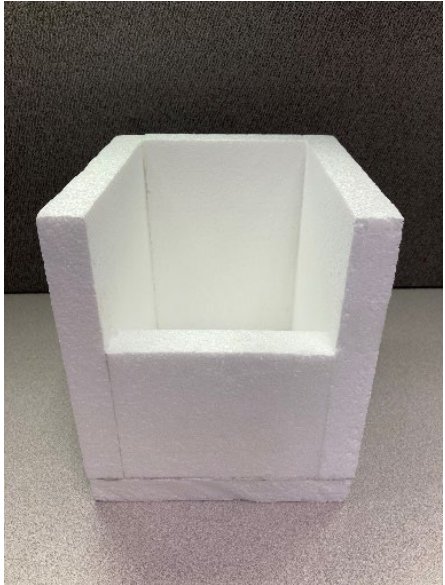


(c)



(d)

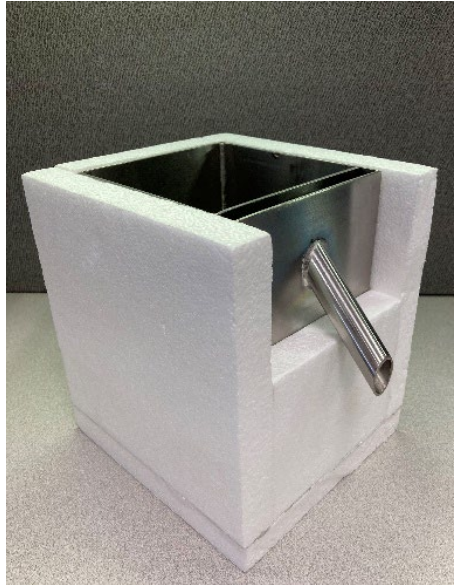
Figure 3-7(b)(c)(d). Example of an Insulation Shield with Acrylic Displacement Vessel.



(e)



(f)



(g)

Figure 3-7(e)(f)(g). Example of an Insulation Shield with Metal Displacement Vessel

- Thin wire, clamp, or tongs
- Freezer or ice chest **containing and** dry ice
- Single-edged razor or sharp knife (for sandwiches only)
- **Prepared, chilled** water/~~kerosene~~ maintained at 1 °C (33 °F) or below

➤ **Water, ice cubes, dry ice, pitcher with insulation blanket**

- **Cryogenic gloves (for handling dry ice)**
- **Plastic Pitcher with insulation blanket**
- **Strainer**
- Indelible marker (for ice pops only)
- Level, at least 152 mm (6 in) in length
- Partial immersion thermometer or equivalent with 1 °C (2 °F) graduations and a – 35 °C to + 50 °C (– 30 °F to + 120 °F) accurate to ± 1 °C (± 2 °F)
- A tabletop, laboratory-type jack of sufficient size to hold the displacement vessel
- Stopwatch

3.11.2. Test Procedure

1. Follow the procedures in Section 2.3.1. “Define the Inspection Lot.” Use a “Category A” sampling plan in the inspection; and select a random sample.

2. **Place the displacement vessel and insulation shield in a freezer or an ice chest filled with dry ice for at least 30 minutes prior to testing. It is advisable to pre-chill water for use as immersion fluid in a sufficient volume to fill the displacement vessel and to replenish as needed throughout the testing procedures by placing a container of water in a refrigerator or ice chest during the same period.** Maintain the **ice cream or frozen novelty** samples at the reference temperature for frozen products that is specified in Table 3-1. “Reference Temperatures for Liquids.” Place the samples in the freezer or ice chest until they are ready to be tested, and then remove packages from the freezer one at a time.

3. According to the type of novelty, prepare the sample products as follows:

➤ ***Ice-pop.** Mark on the stick(s) with the indelible marker the point to which the ice-pop will be submerged in the **prepared, chilled** water. (After the ice-pop contents have been submerged, remove the novelty to determine the volume of the stick.)

➤ ***Cone.** Make a small hole in the cone below the ice cream portion to allow air to escape.

➤ **Sandwich.** Determine whether the declared volume is (a) the total volume of the novelty (that is, including the cookie portion) or (b) the volume of the ice-cream-like portion only. If the declared volume is the volume of only the ice-cream-like portion, shave off the cookie with a razor or knife, leaving some remnants of cookie to ensure that no ice cream is accidentally shaved off. Work quickly and return the novelty to the freezer before the sandwich softens.

➤ **Cup.** Remove the cap from the cup.

4. Prepare immersion fluid to a temperature of 1 °C (33 °F) or below by adding dry ice and ice cubes to water in a plastic pitcher.

For best results, wrap the pitcher with an insulation blanket to prevent heat transfer from the ambient environment. Monitor the water temperature throughout this procedure by placing the thermometer in the center position of the pitcher.

Note: Be cautious while handling dry ice due to its very low temperature (-109 °F); handle it with cryogenic gloves to prevent frostbite or freezer burns to skin.

Note: Dry ice (-109 °F) is the key ingredient for the chilled water immersion fluid preparation because of its very low temperature. However, while the dry ice lowers the water mixture temperature, the water surface that is in contact with the ambient air in the testing environment is also constantly gaining heat due to heat transfer. To resolve this problem, add ice cubes to the water; the ice cubes will float and form an insulation barrier, thereby, allowing water temperature to be maintained at the required temperature. The ratio to make the prepared, chilled water (can reach as low as 31.6 °F) are as follows:

Water : Dry ice : Ice cubes = 6 : 1 : 2

<p><u>Note: Monitoring of the temperature of the chilled water immersion fluid should be conducted throughout the testing. At any time that the chilled water temperature exceeds 1 °C (33 °F), a new batch of chilled water at the required temperature will need to be prepared to validate the testing procedure.</u></p>
<p><u>5. When the displacement vessel and the insulation shield are both chilled and ready to be used, assemble them together (see Figure 3-7(b)(c)(d)).</u></p>
<p><u>6.4.</u> Fill the displacement vessel with <u>ice-prepared, chilled</u> water until it overflows the spout. <u>Use a strainer to prevent ice cubes or dry ice chunks from flowing into the displacement vessel.</u> Allow it to sit until dripping stops. Raise the displacement vessel <u>with a tabletop laboratory-type jack</u> as necessary and place the graduate of <u>appropriate capacity</u> beneath the spout.</p>
<p><u>7.5.</u> Remove a package from the freezer, determine its gross weight, and record it.</p>
<p><u>8.6.</u> Submerge the novelty as suggested until it is below the surface level of the water.</p>
<ul style="list-style-type: none"> ➤ Ice-pop. Use a clamp, tongs, or your fingers to hold the stick(s) and submerge the ice-pop to the level marked in Step 3 of the Test Procedure.
<ul style="list-style-type: none"> ➤ Cone. Shape the wire into a loop, and use it to push the cone, headfirst (ice cream portion first) into the <u>prepared, chilled</u> water. Do not completely submerge the cone immediately: let water fill the cone through the hole made in Step 3 of the Test Procedure before completely submerging the novelty.
<ul style="list-style-type: none"> ➤ Sandwich or cup. Skewer the novelty with the thin wire or form a loop on the end of the wire to push the sandwich or ice cream portion or cup completely below the liquid level.
<p><u>9.7.</u> Record the total water volume in the graduate.</p>
<ul style="list-style-type: none"> ➤ For a cone or sandwich, record the water volume as the net volume and go to Step <u>119</u>. ➤ For ice-pops or cups, record the water volume in the graduate as the gross volume and go to Step <u>108</u>.
<p><u>10.8.</u> Refill the displacement vessel with <u>prepared, chilled</u> water to overflowing and reposition the empty graduate under the spout. After the cup and novelty contents have been submerged, remove the novelty from the cup to determine the volume of the cup.</p>
<ul style="list-style-type: none"> ➤ Ice-pop. Melt the ice-pop off the stick or sticks. Submerge the stick or sticks to the line marked in Step 3. Record the volume of tare material (i.e., stick) by measuring the water displaced into the graduate. The net volume for the ice-pop is the gross volume recorded in Step <u>97</u> minus the volume of the tare materials in this step. Record this volume as the “volume of novelty.” To determine the error in the package, subtract the labeled quantity from the volume of novelty.
<ul style="list-style-type: none"> ➤ Cup. Remove the novelty from the cup. Rinse the cup, and then submerge it in the displacement vessel. Small pinholes in the base of the cup can be made to make submersion easier. Record the volume of water displaced into the graduate by the cup as the volume of tare material. The net volume for the novelty is the gross volume determined in Step <u>97</u> minus the volume of the tare materials determined in this step. Record this as the net volume of the novelty. To determine the error in the package, subtract the labeled quantity from the volume of novelty.
<p><u>11.9.</u> Clean and air-dry the tare materials (sticks, wrappers, cup, lid, etc.). Weigh and record the weight of these materials for the package.</p>
<p><u>12.10.</u> Subtract the tare weight from the gross weight to obtain the net weight and record this value.</p>
<p><u>13.11.</u> Compute the weight of the labeled volume for the package using the following formula and then record the weight:</p>
$Product\ Density = (product\ net\ weight\ in\ Step\ \underline{12.10}) \div (the\ total\ water\ volume\ in\ Step\ \underline{97} - volume\ of\ tare\ material\ in\ Step\ \underline{108})$ $Weight\ of\ labeled\ volume = (labeled\ volume) \times (Product\ Density)$

<p>14.12. Repeat Steps 3 through 13.11 for a second package.</p> <p>15.13. If the weight of the labeled volumes in Step 13.11 for the two packages differs from each other by more than one division on the scale, the gravimetric test procedure cannot be used to test the sample for compliance. If this is the case, use Steps 3 through 10.8 for each of the remaining packages in the sample to determine their net volumes and package errors. Then go to evaluation of results. If the weights of the labeled volumes agree within one division, continue to Step 16.14 to test the rest of the sample using the gravimetric test procedure.*</p>
<p>16.14. Use Section 2.3.5.1. “Determination of Tare Sample and Average Tare Weight” to determine the Average Used Dry tare Weight of the sample.</p>
<p>17.15. Find the Average Product Density by adding the densities of the product from the two packages and dividing the sum by two.</p>
<p>18.16. Using the weight of labeled volume determined in Step 13.11, calculate the Average Product Weight by multiplying the weight of the labeled volume by the average product density.</p> <p style="text-align: center;"><i>*Average Product Weight = Labeled Volume × Average Product Density</i></p>
<p>19.17. Calculate the “nominal gross weight” using the formula:</p> <p style="text-align: center;"><i>Nominal Gross Weight = Average Product Weight + Average Used Dry Tare Weight</i></p>
<p>20.18. Weigh the remaining packages in the sample.</p>
<p>21.19. Subtract the nominal gross weight from the gross weight of each package to obtain package errors in terms of weight.</p>
<p>Note: Compare the sample packages to the nominal gross weight.</p>
<p>22.20. Determine the average package error by totaling all package errors and dividing by the number of packages in the sample.</p>
<p>To convert the average error or package error from weight to volume, use the following formula:</p>
<p style="text-align: center;"><i>Package Error in Volume = (Package Error in Weight) ÷ (Average Product Density)</i></p>

Testing Data

Data Analysis and Summary Justification

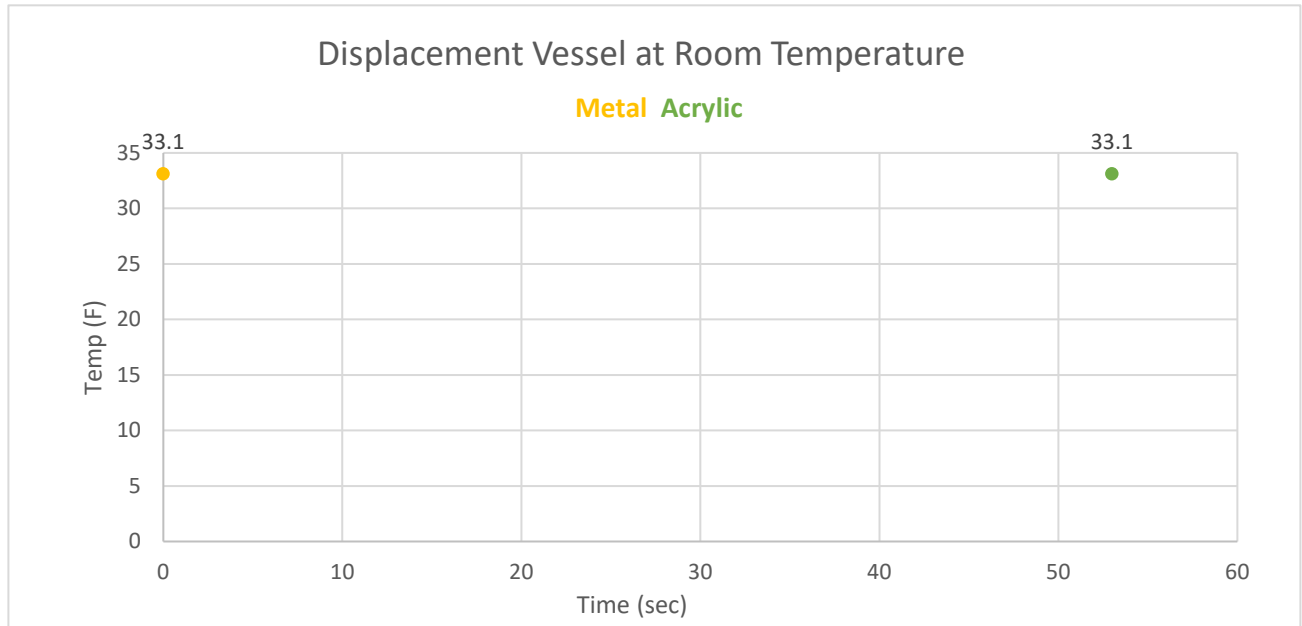
The following data summarizes the test of various materials for displacement vessels for this procedure. Materials considered were acrylic and metal in a variety of settings (ambient, with insulation, with insulation and prior chilling in freezer). These materials were chosen to reflect the variety used in typical, current displacement vessel fabrication.

The acrylic displacement vessel, combined with the insulation shield (with prior chilling), had the most favorable and reliable results for temperature stability. With the insulation and prior chilling, temperature stability in the acrylic displacement vessel significantly increased from 53 seconds of maintaining the temperature below 33.1 °F to 93 minutes and 53 seconds.

I. Displacement Vessel at Room Temperature (Without Insulation Shield)

Data below recorded length of time that water temperature stayed below 33.1°F.

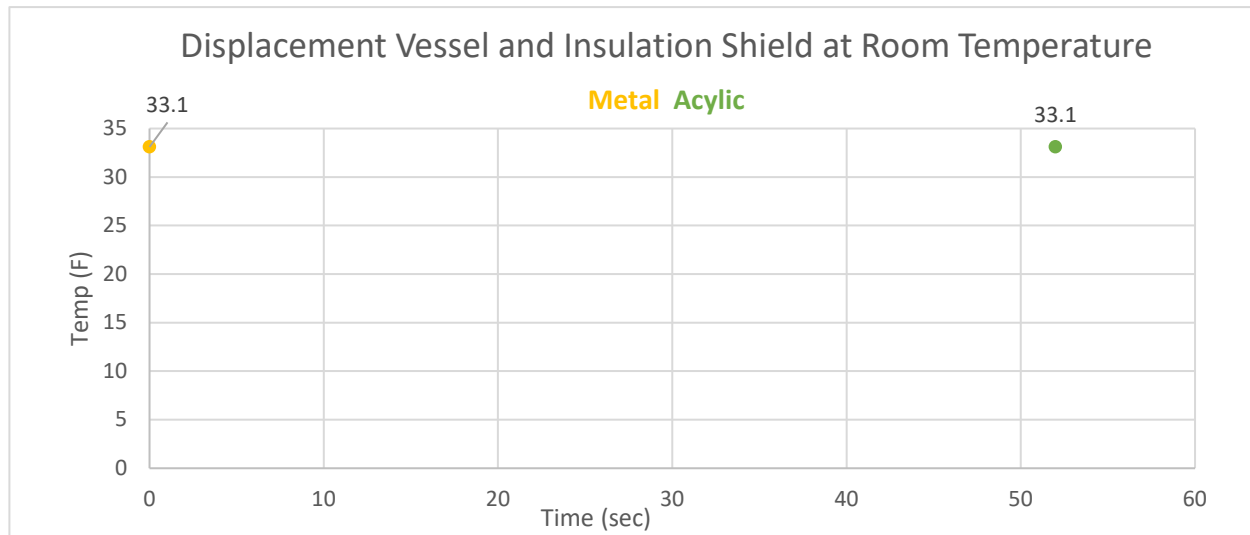
Tester Material	Time (min: sec)
Metal	00:00
Acrylic	00:53



II. Displacement Vessel at Room Temperature (With Insulation Shield)

Data below recorded length of time that the water temperature stayed below 33.1°F.

Tester Material	Time (min: sec)
Metal	00:00
Acrylic	00:52

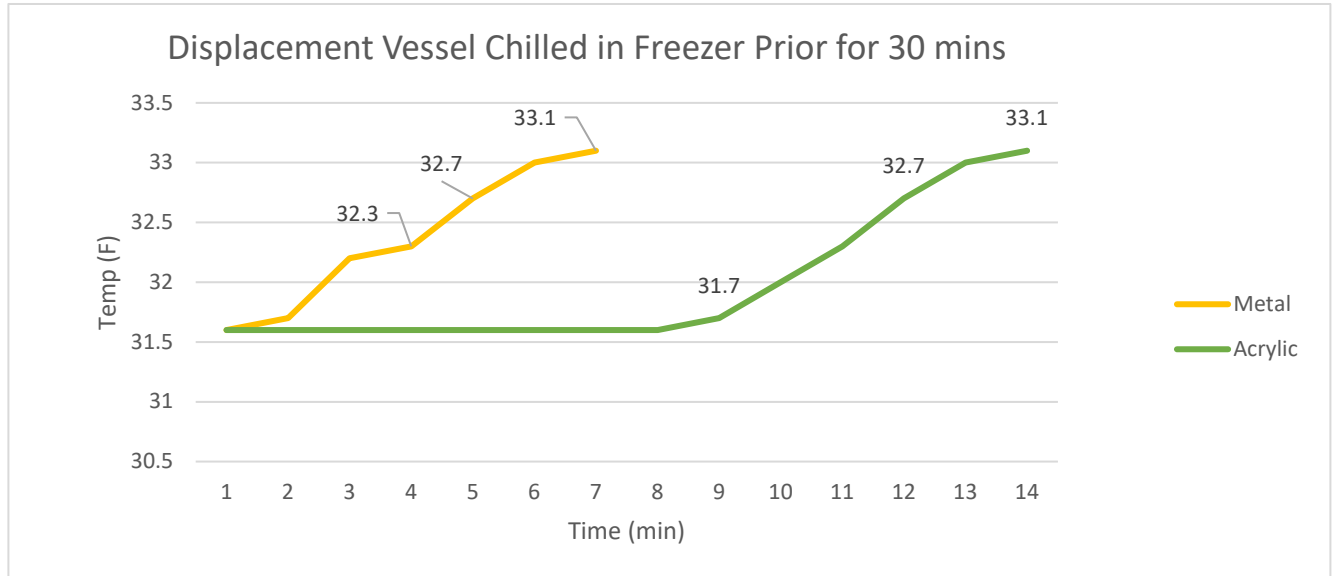


III. Displacement Vessel Chilled in Freezer for 30 minutes Prior to Test (Without Insulation Shield)

Prior to the testing, the displacement vessel was chilled in freezer prior to test for half an hour (30 mins).

Data below recorded length of time that the water temperature stayed below 33.1°F.

Tester Material	Time (min: sec)
Metal	06:30
Acrylic	13:22

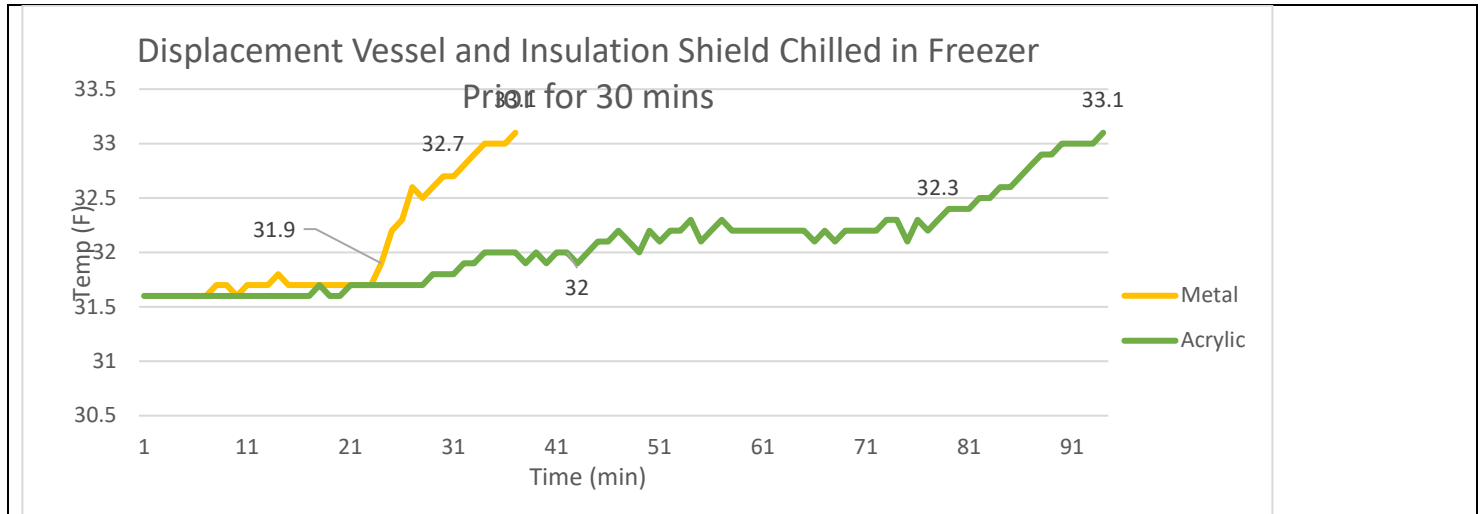


IV. Displacement Vessel and Insulation Shield Chilled in Freezer for 30 minutes Prior to Test

Prior to the testing, displacement vessel and insulation shield chilled in freezer for half an hour (30 mins). Data below recorded length of time that the water temperature stayed below 33.1°F.

Tester Material	Time (min: sec)
Metal	36:16
Acrylic	93:50

V.



The WWMA L&R Committee recommends this item as a Voting item.

- 1 **NET-24.2 I Section 4.9. Procedure for Checking the Contents of Specific Agriculture Seed**
- 2 **Packages Labeled by Count., and Appendix D. AOSA Rules for Testing**
- 3 **Seeds.**

NET-24.2
<p>Regional recommendation to NCWM on item status:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Recommend as a Voting Item on the NCWM agenda <input checked="" type="checkbox"/> Recommend as an Information Item on the NCWM agenda <input type="checkbox"/> Recommend as an Assigned Item on the NCWM agenda <i>(To be developed by an NCWM Task Group or Subcommittee)</i> <input type="checkbox"/> Recommend as a Developing Item on the NCWM agenda <i>(To be developed by source of the proposal)</i> <input type="checkbox"/> Recommend Withdrawal of the Item from the NCWM agenda <i>(In the case of new proposals, do not forward this item to NCWM)</i> <input type="checkbox"/> No recommendation from the region to NCWM <i>(If this is a new proposal, it will not be forwarded to the national committee by this region)</i>
<p>Comments and justification for the regional recommendation to NCWM: <i>(This will appear in NCWM reports)</i></p> <p>Matt Douglas, California Department of Food and Agriculture, Division of Measurement Standards stated he was not familiar with the testing procedure, but was not against the proposal. Mr. Douglas was hoping for more discussion on this item.</p> <p>The WWMA L&R Committee recommends this item be Informational.</p>

4

5

1 **OTH – OTHER ITEMS**

2 **OTH-24.1 I X. Uniform Shipping Law**

OTH-24.1
<p>Regional recommendation to NCWM on item status:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Recommend as a Voting Item on the NCWM agenda <input checked="" type="checkbox"/> Recommend as an Information Item on the NCWM agenda <input type="checkbox"/> Recommend as an Assigned Item on the NCWM agenda <i>(To be developed by an NCWM Task Group or Subcommittee)</i> <input type="checkbox"/> Recommend as a Developing Item on the NCWM agenda <i>(To be developed by source of the proposal)</i> <input type="checkbox"/> Recommend Withdrawal of the Item from the NCWM agenda <i>(In the case of new proposals, do not forward this item to NCWM)</i> <input type="checkbox"/> No recommendation from the region to NCWM <i>(If this is a new proposal, it will not be forwarded to the national committee by this region)</i>
<p>Comments and justification for the regional recommendation to NCWM: <i>(This will appear in NCWM reports)</i></p> <p>Steven Harrington, State of Oregon stated that he had no preference in opposition or support for this item. Mr. Harrington stated we might run into a situation where we are getting into regulating interstate commerce, so this item needs to be vetted, possibly by a task group, to ensure we get the details right.</p> <p>Matt Douglas, California Department of Food and Agriculture, Division of Measurement Standards echoed Mr. Harrington’s comments, with the additional statement that more input would be needed from impacted industries, and may need to be addressed by a task group. Mr. Douglas stated this should be a developing item.</p> <p>Kurt Floren, County of Los Angeles, California echoed previous speakers, adding that there has been fraud for many, many years in this area, particularly in the moving industry, with no record of re-weighments, and possessions being held hostage, so it would seem that something needs to be done. However, this would be stepping heavily into interstate commerce with little justification. Mr. Floren states there needs to be additional justification, and recommends this item be Informational and to call for broad nationwide input.</p> <p>The WWMA L&R Committee recommends this item be Informational.</p>

1 **OTH-07.1 D Fuels and Lubricants Subcommittee**

OTH-07.1
<p>Regional recommendation to NCWM on item status:</p> <p> <input type="checkbox"/> Recommend as a Voting Item on the NCWM agenda <input type="checkbox"/> Recommend as an Information Item on the NCWM agenda <input type="checkbox"/> Recommend as an Assigned Item on the NCWM agenda <i>(To be developed by an NCWM Task Group or Subcommittee)</i> <input checked="" type="checkbox"/> Recommend as a Developing Item on the NCWM agenda <i>(To be developed by source of the proposal)</i> <input type="checkbox"/> Recommend Withdrawal of the Item from the NCWM agenda <i>(In the case of new proposals, do not forward this item to NCWM)</i> <input type="checkbox"/> No recommendation from the region to NCWM <i>(If this is a new proposal, it will not be forwarded to the national committee by this region)</i> </p>
<p>Comments and justification for the regional recommendation to NCWM: <i>(This will appear in NCWM reports)</i></p> <p>No comments were heard on this item. The WWMA L&R Committee would like to thanks FALS for their continued work and any report we may see in the future.</p> <p>The WWMA L&R Committee recommends this as a Developing item.</p>

2 **OTH-11.1 D Packaging and Labeling Subcommittee**

OTH-11.1
<p>Regional recommendation to NCWM on item status:</p> <p> <input type="checkbox"/> Recommend as a Voting Item on the NCWM agenda <input type="checkbox"/> Recommend as an Information Item on the NCWM agenda <input type="checkbox"/> Recommend as an Assigned Item on the NCWM agenda <i>(To be developed by an NCWM Task Group or Subcommittee)</i> <input checked="" type="checkbox"/> Recommend as a Developing Item on the NCWM agenda <i>(To be developed by source of the proposal)</i> <input type="checkbox"/> Recommend Withdrawal of the Item from the NCWM agenda <i>(In the case of new proposals, do not forward this item to NCWM)</i> <input type="checkbox"/> No recommendation from the region to NCWM <i>(If this is a new proposal, it will not be forwarded to the national committee by this region)</i> </p>
<p>Comments and justification for the regional recommendation to NCWM: <i>(This will appear in NCWM reports)</i></p> <p>No comments were heard on this item. The WWMA L&R Committee would like to thanks PALS for their continued work and any report we may see in the future.</p> <p>The WWMA L&R Committee recommends this as a Developing item.</p>

3 **ITEM BLOCK 1 (B1) RENEWABLE DIESEL AND DIESEL**

4 **B1: MOS-23.1 A Sections 2.31. Biodiesel and biodiesel Blends that Contain Greater Than or**
 5 **Equal to 21% by Volume Biodiesel. and 2.40. Diesel Fuel.**

1 **B1: FLR-23.1 A Sections 1.9. Biodiesel Blend., 1.27. Fuel Oil., 1.XX. Renewable Diesel., 3.3.2.**
 2 **Automotive Fuel Rating., 3.15. Biodiesel and Biodiesel Blends Containing**
 3 **Greater than 20% by Volume Biodiesel.,**

ITEM BLOCK 1	
Regional recommendation to NCWM on item status:	
<input type="checkbox"/> Recommend as a Voting Item on the NCWM agenda <input type="checkbox"/> Recommend as an Information Item on the NCWM agenda <input checked="" type="checkbox"/> Recommend as an Assigned Item on the NCWM agenda <i>(To be developed by an NCWM Task Group or Subcommittee)</i> <input type="checkbox"/> Recommend as a Developing Item on the NCWM agenda <i>(To be developed by source of the proposal)</i> <input type="checkbox"/> Recommend Withdrawal of the Item from the NCWM agenda <i>(In the case of new proposals, do not forward this item to NCWM)</i> <input type="checkbox"/> No recommendation from the region to NCWM <i>(If this is a new proposal, it will not be forwarded to the national committee by this region)</i>	
Comments and justification for the regional recommendation to NCWM: <i>(This will appear in NCWM reports)</i>	
<p>Randy Jennings, representing Clean Fuels Alliance America and FALS Vice Chair, supports this item moving forward, and has been working closely with Chuck Corr, submitter and the focus group. Mr. Jennings stated that the FALS Subcommittee gave no dissent to this item and posed no opposition to this item moving forward in July.</p> <p>Mr. Corr submitted the following updates by email to the L&R Committee:</p> <p>“These two items were assigned to FALS at the last interim meeting. During the spring a focus group refined the proposal and presented it to all FALS members at the July national meeting. There was consensus to publish this version to get additional feedback from the fall regional meetings. The focus group will reconvene in November to consider the feedback received. We will then present it for full FALS review. We expect a final version at the January Interim Meeting and hope for a voting status.</p> <p>During the development process the focus group received a number of comments that, where the FTC regulation is being implemented, we should use FTC terminology. The FTC regulations use the term biomass-based diesel. The intention was to replace renewable diesel with biomass-based diesel throughout the proposal. When preparing the final document, I made an error by not making the replacement in two locations. Please consider these two corrections:</p> <ul style="list-style-type: none"> • Page L&R 158 Line 12 replace the word “renewable” with “biomass-based” • Page L&R 162 Line 32 replace the word “renewable” with “biomass-based”” <p>Steven Harrington, State of Oregon stated that he was in support of the proposal and encourages Voting status, as it is working to match language in 16 CFR part 306.</p> <p>Kurt Floren, County of Los Angeles, California expressed that Mr. Jennings is the premier expert on this topic. Mr. Floren also asked if there was a reason for the discrepancy between the 20% and 21% throughout the document. Mr. Jennings replied that when measuring these quantities, the general rules of rounding would be applied.</p> <p>Kevin Schnepf, California Department of Food and Agriculture, Division of Measurement Standards stated that he understood that the discrepancies may be due to a rounding issue, however the gap between 20% and 21% may cause enforcement issues. Mr. Schnepf recommended this item remain assigned to FALS.</p> <p>Joe Sorena, Chevron, Russ Lewis, Marathon Petroleum, and Bill Striejewske, Nevada all stood in support of this item moving forward with the amendments as stated.</p>	

The WWMA L&R Committee recommends this item remain assigned to FALS until the final report is given by FALS in January, when this item may be escalated to Voting status.

- 1 **ITEM BLOCK 2 (B2) D REFERENCE ASTM STANDARDS D8080 AND D8487**
- 2 **B2: MOS-24.1 D 2.9. Liquefied Natural Gas (LNG) Vehicle Fuel., 2.10. Compressed Natural**
- 3 **Gas (CNG)., and 2.XX. Compressed Natural Gas (CNG) Blended with**
- 4 **Hydrogen**
- 5
- 6 **B2: FLR-24.1 D 3.11.2.1.X. Identification of Grade. and 3.12.2.X. Identification of Grade.**

ITEM BLOCK 2

Regional recommendation to NCWM on item status:

- Recommend as a Voting Item on the NCWM agenda
- Recommend as an Information Item on the NCWM agenda
- Recommend as an Assigned Item on the NCWM agenda
(To be developed by an NCWM Task Group or Subcommittee)
- Recommend as a Developing Item on the NCWM agenda
(To be developed by source of the proposal)
- Recommend Withdrawal of the Item from the NCWM agenda
(In the case of new proposals, do not forward this item to NCWM)
- No recommendation from the region to NCWM
(If this is a new proposal, it will not be forwarded to the national committee by this region)

Comments and justification for the regional recommendation to NCWM: *(This will appear in NCWM reports)*

Kevin Schnepf, California Department of Food and Agriculture, Division of Measurement Standards stood in support of both items in Block 2. Mr. Schnepf stated that the ASTM standard that is specified in this item has been thoroughly vetted, and is also a standard the accounts for hydrogen blending in natural gas, which is already adopted in Europe. Mr. Schnepf stated that these specifications meet the needs of industry and producers.

The WWMA L&R Committee recommends this item as Developing as requested by the submitter.

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- 1 Mr. Alberto Villagomez, Colorado | Committee Chair
 - 2 Mr. Austin Shepherd, San Diego County, California | Member
 - 3 Mr. Vince Wolpert, Arizona | Member
 - 4 Mr. Garret Brown, Alaska | Member
 - 5 Mr. Mike Brooks, Arizona | Ex-Officio NCWM
 - 6 Mrs. Francesca Wahl, Tesla | AMC Representative

WWMA Laws and Regulations Committee