

Texas Department of Agriculture Summary of Administrative Code on Weights & Measures

Registration of Commercial Devices

(TX Admin Code, Title 4, Part 1, Chapter 12. SubCh. B, §12.10)

- A person who intends to operate devices for commercial transactions at a particular location shall, prior to using the devices, register the location where the devices are to be operated.
- Submit to the department a complete and accurate Weights & Measures Device Registration Certificate Application (RWM-700) and remit the total fee for all devices to be operated at the location; or eApply.
- To download the application, go to:
<https://texasagriculture.gov/RegulatoryPrograms/WeightsandMeasures/WeightsMeasuresForms.aspx>
- To eApply, go to: <https://licensing.texasagriculture.gov/>

Certificate of Weights and Measures

(TX Admin Code, Title 4, Part 1, Chapter 12. SubCh. B, §12.11)

- The original certificate of registration issued by the department shall be prominently displayed within the main building, structure, or site at the registered location shown on the face of the certificate so as to, during regular business hours, be in plain sight of, legible to, and physically accessible to the average consumer of weighed or measured products sold or offered for sale at the registered location.
- If the registered location contains a site for consumer transactions that is not directly attached to and a part of the main building or structure, a copy of the original certificate of registration shall be displayed at each such separate site so as to, during regular business hours, be in plain sight of, legible to, and physically accessible to the average consumer of weighed or measured products sold or offered for sale at the separate site.
- If an original or copy certificate becomes damaged, destroyed, lost, or otherwise illegible, contact the department for a replacement certificate at (877) 542-2474 or email Licenseinquiry@TexasAgriculture.gov.

Consumer Information Stickers

(TX Admin Code, Title 4, Part 1, Chapter 12. SubCh. B, §12.11, §12.12)

- A single consumer information sticker shall be placed on or near each device so as to be in plain sight of and legible to the average consumer accessing the device.
- A consumer information sticker shall not be placed directly on a device if such placement does, will, or may affect the accuracy, readability, or lawful operation of the device.
- If a consumer information sticker becomes damaged, destroyed, lost, or otherwise illegible, replacement stickers shall be obtained from the department in quantities of eight stickers per page by submitting to the department the Weights & Measures Consumer Information Sticker Replacement Order Form (RWM-707) and remitting the total fee. The fee for a page containing eight consumer information stickers is \$8.

Licensed Service Companies and Service Technicians

(TX Admin Code, Title 4, Part 1, Chapter 12. SubCh E. §12.42)

- Only a service company licensed by the department who employs licensed service technician is authorized to:
 - place a commercial weighing or measuring device into service;
 - install, calibrate, or repair a commercial weighing device; or
 - remove an out-of-order tag, stop-sale order, or security seal placed on a weighing or measuring device by the department.
- A listed of Licensed Service Companies can be downloaded from: <http://www.texasagriculture.gov/ReportsPublications.aspx>

US Department of Commerce - National Institute of Standards and Technology Handbooks

(TX Admin Code, Title 4, Part 1, Chapter 12. SubCh B. §12.10 and SubCh. C §12.21)

The department adopts by reference:

- NIST Handbook 44 – For Scales: Sections 1.10, Section 2.20, Appendix A-D
- NIST Handbook 130 – Packaging and Labeling Regulation and Method of Sale Regulation
- NIST Handbook 133

NIST HB 130 - Uniform Regulations for the Method of Sale Commodities

- 1.12.1 Ready-to-Eat Food
Restaurant style food offered or exposed for sale, whether in restaurants, supermarkets, or similar food service establishments, that is ready for consumption, though not necessarily on the premises where sold. Ready-to-Eat Food does not include sliced luncheon products, such as meat, poultry, or cheese when sold separately.
- 1.12.2. Methods of Sale. – Ready-to-Eat Food sold from bulk or in single servings packed on the premises may be sold by weight, measure, or count (count includes servings).

NIST HB 44 – Section 1.10 and Section 2.20

- **G-T.1. Acceptance Tolerances.** Acceptance tolerances shall apply to equipment:
 - (a) to be put into commercial use for the first time;
 - (b) that has been placed in commercial service within the preceding 30 days and is being officially tested for the first time;
 - (c) that has been returned to commercial service following official rejection for failure to conform to performance requirements and is being officially tested for the first time within 30 days after corrective service;
 - (d) that is being officially tested for the first time within 30 days after major reconditioning or overhaul; and
 - (e) undergoing type evaluation.
- **G-T.2. Maintenance Tolerances.** Maintenance tolerances shall apply to equipment in actual use, except as provided in G-T.1. Acceptance Tolerances.

- **T.N.3.1. Maintenance Tolerance Values.**

The maintenance tolerance values are as specified in Table 6. Maintenance Tolerances.

Tolerance in Scale Divisions				
Class	1	2	3	5
	Test Load			
I	0 - 50 000	50 001 - 200 000	200 001 +	
II	0 - 5 000	5 001 - 20 000	20 001 +	
III	0 - 500	501 - 2 000	2 001 - 4 000	4 001 +
III L	0 - 50	51 - 200	201 - 400	401 +
III L	0 - 500	501 - 1 000	(Add 1 d for each additional 500 d or fraction thereof)	

- **T.N.3.2. Acceptance Tolerance Values.** The acceptance tolerance values shall be one-half the maintenance tolerance values.

- **G-UR.4.3. Use of Adjustments.** Weighing elements and measuring elements that are adjustable shall be adjusted only to correct those conditions that such elements are designed to control, and shall not be adjusted to 1.10. General Code Handbook 44 – 2016 1-12 compensate for defective or abnormal installation or accessories or for badly worn or otherwise defective parts of the assembly. Any faulty installation conditions shall be corrected, and any defective parts shall be renewed or suitably repaired, before adjustments are undertaken. **Whenever equipment is adjusted, the adjustments shall be so made as to bring performance errors as close as practicable to zero value.**

- **G-UR.3.3. Position of Equipment.** A device or system equipped with a primary indicating element and used in direct sales, except for prescription scales, shall be positioned so that its indications may be accurately read and the weighing or measuring operation may be observed from some reasonable “customer” and “operator” position.

- **Table S.6.3.a Marking Requirements**

To Be Marked With ↓	Weighing, Load-Receiving, and Indicating Element in Same Housing or Covered on the Same CC ¹
Manufacturer's ID (1)	X
Model Designation and Prefix (1)	X
Serial Number and Prefix (2)	X
Certificate of Conformance Number (CC) (23)	X
Accuracy Class (17)	X
Nominal Capacity (3)(18)(20)	X
Value of Scale Division, “d” (3)	X
Value of “e” (4)	X
Temperature Limits (5)	X
Concentrated Load Capacity (CLC) (12)(20)(22)	
Special Application (13)	X

NOTE:

- **Only regulatory officials apply tolerances.**
- **Licensed Service Companies and Technicians are required to calibrate and place a device as close to zero value as practicable.**
- **Service Companies/Technicians do not apply tolerances when servicing a device.**