

Article - Agriculture

11-207.1.

(A) UNLESS IT IS APPROVED BY THE SECRETARY, A PERSON MAY NOT OFFER TO SELL OR SELL ANY COMMERCIAL WEIGHT AND MEASURE IN THIS STATE.

(B) (1) WHEN APPROVING ANY COMMERCIAL WEIGHT AND MEASURE, THE SECRETARY SHALL ADOPT BY REGULATION THOSE SPECIFICATIONS, TOLERANCES, AND OTHER TECHNICAL REQUIREMENTS FOR COMMERCIAL WEIGHTS AND MEASURES ADOPTED BY THE NATIONAL CONFERENCE ON WEIGHTS AND MEASURES AND SPECIFIED IN THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY HANDBOOKS 44, 105-1, 105-2, AND 105-3, AS AMENDED.

(2) THESE SPECIFICATIONS, TOLERANCES, AND OTHER TECHNICAL REQUIREMENTS SHALL REMAIN IN EFFECT UNLESS MODIFIED OR RESCINDED BY THE SECRETARY.

(C) THE SECRETARY MAY DENY OR REVOKE ANY APPROVAL IF THE SECRETARY DETERMINES THAT:

(1) A PERSON HAS PROVIDED FALSE OR MISLEADING INFORMATION TO THE SECRETARY ABOUT ANY WEIGHT AND MEASURE; ~~AND~~ OR

(2) THE WEIGHT AND MEASURE DOES NOT CONFORM TO THE REQUIREMENTS OF THIS SECTION.

(D) THIS SECTION DOES NOT APPLY TO:

(1) ANY COMMERCIAL WEIGHT AND MEASURE MANUFACTURED BEFORE OCTOBER 1, 1992; ~~OR~~

(2) ANY COUNTING SCALE;

(3) THE SALE OF ANY WEIGHT OR MEASURE THAT HAS PREVIOUSLY BEEN APPROVED BY THE SECRETARY; OR

(4) ANY NONCOMMERCIAL WEIGHT AND MEASURE SOLD IN THE STATE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1992.

Approved May 5, 1992.