



Rules of
Department of Agriculture
Division 90—Weights and Measures
Chapter 23—Inspection of Packaged Commodities

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**Title 2—DEPARTMENT OF
AGRICULTURE
Division 90—Weights and Measures
Chapter 23—Inspection of Packaged
Commodities**

**2 CSR 90-23.010 NIST Handbook 133,
Technical Procedures and Methods for
Measuring and Inspecting Packages or
Amounts of Commodities**

PURPOSE: This rule updates inspection procedures of prepacked commodities and merchandise.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

SUMMARY: *NIST Handbook 133* provides procedures to test (by using statistical sampling techniques) individual lots of packages for conformance with legal requirements. Anything that is put into a container, wrapped, or banded and labeled as to quantity may be inspected. The labeled quantity may be of weight, volume, linear, square or cubic measure, count or combination. The examination of packaged commodities may be to determine conformance with federal, state or local net contents labeling regulations. Most often, compliance testing of packaged goods is carried out to protect the consumer/purchaser against buying packages with less in them than the labeled quantity and to advise the manufacturer to improve delivered product quantities when necessary. Inspection for compliance with other labeling requirements (such as size of lettering or units of measurement) also may accompany package quantity compliance testing, but is not covered in this document.

(1) The technical procedures and methods used by the Division of Weights and Measures for measuring and inspecting packages or amounts of commodities kept, offered, exposed for sale, sold or in the process of delivery, shall be those procedures and methods described and specified in the *National Institute of Standards and Technology (NIST) Handbook 133, Checking the Net Contents of*

Packaged Goods, Fourth Edition (January 2005) as incorporated by reference in this rule. *NIST Handbook 133*, 2005 Edition, is published by the Superintendent of Documents, U.S. Government Printing Office, December 2004. 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. This regulation does not include any later amendments or additions to *NIST Handbook 133*.

(2) The director of the Department of Agriculture or a designated subordinate shall amend this rule as each new addition, amendment or revision of *Handbook 133* is published and becomes available. Should any portion of *Handbook 133* 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 Sept. 14, 1981, effective Dec. 15, 1981. 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.*