

TRANSMITTAL OF RULES ADOPTED

FROM: Department of Agriculture
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98501

The enclosed Permanent rules , being order No. 1319
Emergency rules
relating to (Name of rules or description of subject matter)
Establishing rules that would cover reporting and test procedures;
reporting forms and requiring the submission for calibration by the
Department those testing standards used by persons servicing and
adjusting commercial weighing and measuring devices.

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 4035 ^① filed with the code reviser
on 5/11/73 ^② were regularly adopted as permanent rules of this
(date)
agency at Olympia, Washington on 6/8/73 and are herewith
(place) (date)
filed in the office of the code reviser pursuant to chapter 34.04
RCW. The effective date of such rules shall be 8/1/73. ^③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of
these rules is necessary for the preservation of the public
health, safety, or general welfare and that observance of the
requirements of notice and opportunity to present views on
the proposed action would be contrary to the public interest,
were regularly adopted as emergency rules of this agency at
_____ on _____ and are herewith filed in
(place) (date)
the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter
34.04 RCW and of the Open Public Meetings Act of 1971, chapter
42.30 RCW (1971 ex.s. c 250) have been fulfilled.

Dated this 18th day of June 1973.

STATE OF WASHINGTON
FILED
JUN 18 1973
CODE REVISER'S OFFICE
DOCKET # 4938 FILE # 26

Department of Agriculture
(AGENCY)
M. L. Strommer
By M. L. Strommer
Dairy & Food Division Supervisor
Title

- ① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
- ② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
- ③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING: RCW 34.04.040. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.

STATE OF WASHINGTON
DEPARTMENT OF AGRICULTURE
OLYMPIA

ORDER NO. 1319
EFFECTIVE AUGUST 1, 1973

NEW

WAC 16-663-001 PROMULGATION. (This promulgation relates to WAC 16-663-001 through WAC 16-663-050).

I, Stewart Bledsoe, Director of Agriculture of the State of Washington, by virtue of the authority vested in me under Chapter 19.94 RCW, and after due notice as provided under Chapters 34.04 and 42.42 RCW, and a public hearing held in Olympia, Washington, on June 8, 1973, do hereby promulgate the following regulation relating to reporting and test procedures; reporting forms and submission of testing standards by persons servicing and calibrating weighing and measuring devices.

NEW

WAC 16-663-010 A REGULATION OF WEIGHTS AND MEASURES SERVICEMEN: RELATING TO REPORTING AND TEST PROCEDURES: REPORTING FORMS AND SUBMISSION OF TESTING STANDARDS BY PERSONS SERVICING AND CALIBRATING COMMERCIAL WEIGHING AND MEASURING DEVICES-- DEFINITIONS. (1) Serviceman. The term "Serviceman" shall be construed to mean any individual who for hire, award, commission, or any other payment of any kind, installs, services, repairs or reconditions a commercial weighing and measuring device.

(2) Service Agency. The term "Service Agency" shall be construed to mean any agency, firm, company or corporation which for hire, award, commission or any other payment of any kind, installs, services, repairs or reconditions a commercial weighing or measuring device.

(3) Commercial Weighing or Measuring Device. The term "Commercial Weighing or Measuring Device" shall be construed to include any weight or measure or weighing or measuring device commercially used or employed in establishing the size, quantity, extent, area, or measurement of quantities, things, produce, or articles for distribution or consumption, purchased, offered or submitted for sale, hire, or award, or in computing any basic charge or payment for services rendered on the basis of weight, measure or count, and shall include any accessory attached to or used in connection with a commercial weighing or measuring device when such accessory is so designed or installed that its operation affects, or may affect, the accuracy or indication of the device.

NEW

WAC 16-663-020 Submission of Standards. All persons servicing, repairing and/or calibrating commercial weighing or measuring devices shall submit for examination and certification by the Department of Agriculture those weights or measures used for such purpose to the place and such time as the Director may designate. A serviceman or agency shall not use in servicing commercial weighing or measuring any standard or testing equipment that has not been certified by the Director.

NEW

WAC 16-663-030 Availability of Adequate Standards. All persons who shall hold themselves or their agent out as servicemen of commercial weighing or measuring devices shall have standards of adequate quantity and of such design to meet the requirements of National Bureau of Standards Handbooks 105-1; 105-2; 105-3, with respect to Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures. The Director shall have the authority to determine and designate the adequacy of the quantity or volume of standards used in servicing weighing or measuring devices.

NEW

WAC 16-663-040 Reports To Be Filed By Serviceman Or Service Agency. On a form furnished by the Department of Agriculture the serviceman or agency will report the installation of any new or used weighing or measuring device that is being put in use for the first time at that location. If the installation involves a vehicle or livestock scale, notice shall be furnished the Director a reasonable time (not less than two days) in advance of final test before placing in service so departmental personnel can be in attendance for the final test when the Director deems it necessary. In instances where servicemen or service agencies are called upon to service, repair, or recondition a commercial weighing or measuring device that has been "Rejected," ordered "Out of Service" or "Condemned" they may be privileged to remove such regulatory tags but such tags must be returned to the department along with the copy of the original order or Equipment Rejection Report that has been properly signed by the serviceman in the place so provided. In all instances of service that involves the use of standards or testing equipment for the calibration of a commercial weighing or measuring device, the serviceman or agency must make out a test report on forms provided by the Department of Agriculture indicating test methods, conditions found and the final values of tolerance in which the device/s were left. Such test shall be conducted in keeping with Examination Procedure Outlines for that particular type of device that is referenced to the National Bureau of Standards Handbook 112.

NEW

WAC 16-663-050 Unlawful Practices-Penalty. Concerning violations of these regulations RCW 19.94.510 states any person who, by himself, by his servant or agent, or as the servant or agent of another person, performs any one of the acts enumerated in subsections (1) through (9) below, shall be guilty of a misdemeanor and upon a second or subsequent conviction thereof he shall be guilty of a gross misdemeanor. Subsection (9) states as follows "Violate any provision of this Chapter or of the rules and/or regulations promulgated under the provisions of this Chapter for which a specific penalty has not been prescribed."

NEW

WAC 16-663-060 EFFECTIVE DATE. The effective date of this order shall be August 1, 1973.

I hereby certify that the foregoing is a true and correct copy of the regulations promulgated by the Department of Agriculture.

Dated at Olympia, Washington

Date: June 18, 1973

Stewart Bledsoe

Stewart Bledsoe
Director of Agriculture
State of Washington