

STATE OF WASHINGTON  
DEPARTMENT OF AGRICULTURE  
OLYMPIA

ORDER NO. 897

Effective February 15, 1963

STATE OF WASHINGTON  
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REGULATIONS RELATING TO STANDARDS OF FILL AND MARKING OF CONTAINERS USED IN PACKAGING FLUID DAIRY PRODUCTS; LABELING MEAT PRODUCTS THAT ARE PUT UP IN RANDOM WEIGHT PACKAGES AND ESTABLISHING A TIME LIMIT FOR OWNER TO RECLAIM A WEIGHING OR MEASURING DEVICE THAT HAS BEEN CONFISCATED.

I, Joe Dwyer, Director of Agriculture of the State of Washington by virtue of the authority vested in me under Chapter 19.93 RCW, after due notice as provided under Chapter 34.04 and 42.32, RCW, and a public hearing held in Olympia on January 10, 1963, do promulgate the following regulations:

Regulation 1. STANDARDS OF FILL AND MARKING OF FLUID DAIRY PRODUCT CONTAINERS.

- (a) Fluid dairy products packaged in a container in which the fill line of the commodity is not readily visible and the head space or void exceeds the percentages set forth in part (b), such head space or void shall be shown in a suitable color that is in sharp contrast to the natural color of the container or to other labeling or background and of comparable area to the void on all sides.
- (1) The statement of contents in terms of measure of volume must appear on the void area in letters not less than one-half the height of the letters used on any portion of the label setting forth the brand name of the commodity and in no instance shall be less than 1/8 of an inch in height.
  - (2) Such statement of quantity must appear on all four sides of the container if square or rectangular and on both front and rear if round or oval in shape. The statement of contents shall appear in like size on the top of the container if it is usually or likely to be the principal display panel.
  - (3) In all instances the quantity statement shall be set forth separate and apart from other printing and design in contrasting and conspicuous type.
  - (4) A brief statement explaining the need for the void may appear on one or more panels. If needed, a brief statement of instructions for opening may appear on one panel.
- (b) If the head space or void, as defined, exceeds the following established percentages for each class of standard measures or volumes, the entire head space or void shall be indicated and marked as set forth in part (a).
- (1) Head space or void shall be defined as the entire space or void that exists within the container above the declared volume of the commodity and up to the closure.

- (2) The established percentages shall be as follows for the respective standards of measure:

one-half gallon - - - - - 8%  
one quart - - - - - 11%  
one pint - - - - - 14%

- (3) The computations shall be based on the percentage of the total declared measure or volume and such measure or volume shall be determined at the temperature normally prevailing when the commodity is sold.

- (c) Such containers may be submitted for prior approval by the Department of Agriculture.


Regulation 2. LABELING OF TARE WEIGHT OR NET WEIGHT STATEMENTS ON MANUFACTURED OR PROCESSED MEATS THAT ARE PACKAGED IN RANDOM WEIGHTS.

- (a) Manufactured or processed meat products put up in random weights wrapped in plastic or impervious wrappings that do not absorb moisture or prepared in natural or manufactured casing bearing the label may be marked at the packer or manufacturing level with either the net weight or tare weight statement, the correct tare weight shall be stated in terms of avoirdupois ounces or fractions thereof; Provided: that nothing in this regulation shall be construed to alleviate the responsibility for such prepackaged items to be marked with a net weight prior to sale to the consumer in the size of letters set forth in part (b).
- (b) The net weight statement or tare weight statement shall appear on the main panel of the label in plain, conspicuous letters of contrasting color and of a size proportionate to other printing on the label but in no instance shall the letters be less than 1/8 inch in height. Such letters shall be set forth separate from other printing so as to be plain and conspicuous.

Regulation 3. RELATING TO THE DISPOSITION OF CONDEMNED AND CONFISCATED WEIGHTS AND MEASURES.

- (a) Commercial weights and measures or weighing and measuring devices that have been found to be incorrect and in the best judgment of the Director or his duly appointed representative are not susceptible of satisfactory repair may be confiscated as provided in 19.93.120 RCW and taken into his possession. Such devices shall be held for a period of 60 days from the date of confiscation and at the expiration of this period of time if no action at law or suit in equity has been brought for the recovery of such devices they may be destroyed.

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

  
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JOE DWYER  
Director of Agriculture  
State of Washington

Dated at Olympia, Washington  
January 14, 1963