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**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 Mea-  
suring and Inspecting Packages or Amounts  
of Commodities**

*PURPOSE: This rule updates inspection pro-  
cedures of prepacked commodities and mer-  
chandise.*

*PUBLISHER'S NOTE: The secretary of state  
has determined that the publication of the  
entire text of the material which is incorpo-  
rated by reference as a portion of this rule  
would be unduly cumbersome or expensive.  
Therefore, the material which is so incorpo-  
rated is on file with the agency who filed this  
rule, and with the Office of the Secretary of  
State. Any interested person may view this  
material at either agency's headquarters or  
the same will be made available at the Office  
of the Secretary of State at a cost not to  
exceed actual cost of copy reproduction. The  
entire text of the rule is printed here. This  
note refers only to the incorporated by refer-  
ence material. NIST Handbook 133 may be  
accessed through the NIST website at  
[www.nist.gov/owm](http://www.nist.gov/owm).*

**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 2002) as incorporated by reference in this rule.

(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. 2002.\* Original rule filed Sept. 14, 1981, effective Dec. 15, 1981. Amended: Filed Sept. 12, 2002, effective March 30, 2003.*

*\*Original authority: 413.065, RSMo 1983, amended 1993, 1994, 1995, 2002.*