

TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY

CHAPTER 10. AGRICULTURAL PRODUCTS

SUBCHAPTER 1. GENERAL PROVISIONS

35:10-1-3. Handbook and publication editions

References to a Handbook or publication in these rules shall mean the following edition of the National Institute of Standards and Technology (NIST), unless a different reference is made in the text of the rule:

- (1) Handbook 44 "Specifications, Tolerances and Other Technical Requirements for Commercial Weighing & Measuring Devices" (~~2025~~ 2026 Edition).
- (2) Handbook 130 "Uniform Laws and Regulations" (~~2025~~ 2026 Edition), excluding Section G "Uniform Engine Fuels and Automotive Lubricants Regulation."
- (3) Handbook 133 "Checking the Net Contents of Packaged Goods" (~~2025~~ 2026 Edition).
- (4) Handbook 105-1 "Specifications and Tolerances for Field Standard Weights" (2019 Edition).
- (5) Handbook 105-2 "Specifications and Tolerances for Field Standard Measuring Flasks" (2021 Edition).
- (6) Handbook 105-3 "Specifications and Tolerances for Graduated Neck Type Volumetric Field Standards" (2010 Edition).
- (7) Publication 14 (~~2024~~ 2026 Edition).
- (8) Publication 12 (1991 Edition).
- (9) Federal Grain Inspection Service Moisture Handbook (2006 Edition).

SUBCHAPTER 5. SERVICE TECHNICIANS AND SERVICE AGENCIES

35:10-5-4. Device Categories

- (a) Device Category 1 shall include scales which fall into class I and/or II, whether designated by the manufacturer or not, pursuant to "Handbook 44" Section S.5.2. The minimum equipment necessary to service Category 1 scales shall be certified standards in amounts suitable to test devices in the category as specified in the most recently published edition of "Handbook 44" and the National ~~Conference~~ Council on Weights and Measures "(NCWM) Publication 12" Examination Procedures Outline (EPO's) For Weighing and Measuring Devices.
- (b) Device Category 2 shall include scales which fall into class III, III L and/or IIII, whether designated by the manufacturer or not, pursuant to "Handbook 44". The minimum equipment necessary to service Category 2 scales shall be certified standards in amounts suitable to test device in said category as specified in the most recently published edition of Handbook 44 and NCWM Pub. 12 EPO's.
- (c) Device Category 3 shall include moisture meters. The minimum equipment necessary to service moisture meters shall be certified standards in amounts suitable to test devices in the category as specified in the most recently published edition of the "Handbook 44". If ~~offical~~ official grain samples are used to check meters, the grain sample moisture content must be determined by the oven test method referenced in the "Federal Grain Inspection Service (FGIS) Moisture Handbook," supplements, and revisions.)

SUBCHAPTER 9. PACKAGING AND LABELING OF PRODUCTS

35:10-9-1. Packaging and labeling of products

The Board adopts the "Uniform Packaging and Labeling Regulation" as approved by the National ~~Conference~~ Council on Weights and Measures and published in Handbook 130, "Uniform Laws and Regulations", supplements, and revisions.

SUBCHAPTER 11. CHECKING THE NET CONTENTS OF PACKAGED GOODS

35:10-11-1. Sampling procedures

The Board adopts and will employ the sampling procedures as approved by the National ~~Conference~~ Council on Weights and Measures and published in Handbook 133 "Checking the Net Contents of Packaged Goods," supplements, and revisions.

SUBCHAPTER 13. METHOD OF SALE OF COMMODITIES

35:10-13-1. Method of Sale of food and non-food commodities

The Board adopts the "Uniform Regulations for the Method of Sale of Commodities" as approved by the National ~~Conference~~ Council on Weights and Measures and published in Handbook 130, "Uniform Laws and Regulations", supplements, and revisions.

SUBCHAPTER 15. NATIONAL TYPE EVALUATION PROGRAM

35:10-15-1. Definitions

The following words and terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise.

"Certificate of Conformance" means a document issued by the National Institute of Standards and Technology and/or the National ~~Conference~~ Council on Weights and Measures based on testing in participating laboratories, this document constitutes evidence of conformance of a type with the requirements of Handbook 44 and the National Institute of Standards and Technology Handbook 105-1, 105-2, or 105-3.

"National Type Evaluation Program" means a program of cooperation between the National Institute of Standards and Technology, the National ~~Conference~~ Council on Weights and Measures, other Federal Agencies, the States, and the private sector for determining, on a uniform basis, conformance of a type with the relevant provisions as approved by the National ~~Conference~~ Council on Weights and Measures published in Handbook 44, "Specifications, Tolerances and Other Technical Requirements for Weighing and Measuring Devices," and the National ~~Conference~~ Council on Weights and Measures, Publication 14, "National Type Evaluation Program, Administrative Procedures, Technical Policy, Checklist and Test Procedures."

"Participating laboratory" means any State Measurement Laboratory that has been accredited by the National Institute of Standards and Technology or accrediting authority, in accordance with its program for the Certification of Capability of State Measurement Laboratories, any State Weights and Measures Agency, or other laboratory that has been authorized to conduct a type evaluation under the National Type Evaluation Program.

"Type" means a model or models of a particular measurement system, instrument, element, or field standard that positively identifies the design. A specific type may vary in its

measurement ranges, size, performance, and operating characteristics as specified in the Certificate of Conformance.

"Type evaluation" means the testing, examination, and/or evaluation of a type by a Participating Laboratory under the National Type Evaluation Program.

35:10-15-2. Application

This subchapter shall apply to all classes of devices and equipment (except for cotton bale weighing devices at cotton gins in Oklahoma) as specified by the National ~~Conference~~ Council on Weights and Measures and published in Handbook 44 and the National Institute of Standards and Technology Handbook 105-1, 105-2, and 105-3.