

## **State of Montana Weights & Measures**

Montana Weights & Measures, part of the Bureau of Building and Measurement Standards, is responsible for the licensing, inspection and certification of all commercial weighing and measuring devices used in the State of Montana, method of sale for various products, and packaging and labeling regulations.

Following are some guidelines for the commercial use of scales and the method of sale for vendors participating in Farmers Markets.

### **Scales used commercially in Montana:**

- Must be licensed and inspected annually by a Weights & Measures Inspector.
- Must meet the state standards for design, accuracy, readability and reliability based on the National Institute of Standards & Technology (NIST) Handbook 44

### **User requirements:**

- Equipment shall be suitable for the service in which it is used with respect to elements of its design including its capacity, number of scale divisions, and the value of each scale division.
- A scale that is portable and is being used on a counter or table top shall be firmly and securely supported.
- A hanging scale shall be freely suspended from a fixed support when in use.
- The zero-load adjustment of a scale shall be maintained so that with no load on the load receiving element, the scale indicates a zero balance condition
- If a scale is equipped with a level indicator, the scale must be maintained in a level condition.
- A scale must be positioned so that the indicator may be read and the weighing operation observed by the customer.
- The operator of the scale is responsible for the accuracy of the device at all times.

### **License application, cost, and certification:**

- To receive a weighing device license, contact Weights & Measures. An application for a license for your scale will be mailed to you.
- License fees are based on the manufacturer's rated capacity. For scales with a nominal capacity of 0 – 500 pounds, the annual license fee is \$12.00, and after October 1, 2007, will be \$20.00 per year.
- You may use your scale as soon as you receive your license. One of our field inspectors will make arrangements with you to test and certify your scale when he is in your area.

## **Method of Sale, Commodities**

When a commodity is sold on the basis of weight, the **net** weight of the commodity must be used. Styrofoam trays, plastic wrap, and labels are considered “tare material”. The weight of such packaging material is **not** to be counted in a net weight determination.

## **Meat, Poultry, and Seafood.**

- Except for immediate consumption on the premises where sold or as one of several elements comprising a ready-to-eat meal sold for consumption elsewhere, all meat, meat products, poultry and seafood must be offered for sale and sold by weight.

## **Baked Goods:**

- Bread, whether or not packaged or sliced, shall be sold by weight.
- Buns, rolls, cookies, doughnuts muffins, etc., and specialty breads such as fruitcake or banana bread shall be sold by either weight or count.

## **Contact Information:**

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[http://mt.gov/dli/bsd/bc/ms\\_index.asp](http://mt.gov/dli/bsd/bc/ms_index.asp)

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