



Washington  
State Department of  
Agriculture

## Weights & Measures Program

# Recreational Marijuana Regulatory Requirements

## SCALES



### General requirements for commercial scales

All scales used for commercial transactions must show they meet strict standards for accuracy. In Washington State, this means they must have a National Type Evaluation Program (NTEP) Certificate of Conformance (COC). To prove a scale is in compliance with this requirement, it should have an identification name plate on it with the COC number

All scales are classified into groups. The COC number on the plate will indicate the class of scale being used. If you are a producer or processor and buying or selling more than one ounce of marijuana product you must use an NTEP approved scale and at least a Class III scale with a division size of 1.0 gram or less. You must also register your scale by including it as an endorsement on your Washington State Business License.

You can register your scale by visiting the [Washington State Department of Revenue, Business Licensing Service](#) or contacting them at [BLS@dor.wa.gov](mailto:BLS@dor.wa.gov) or 800 451-7985. Scales with 0 to 400 lb capacity are categorized as “small scales” and the annual registration fee is \$10.

The products you package and label for retail sale are subject to a net contents regulatory inspection. If you are packaging products in quantities of one ounce or less we recommend you use an NTEP approved Class II scale with 0.1 gram divisions or less.

Using a high quality scale assures that the products you offer for retail sale in a packaged form meets the minimum net weight declared on the package label. Scales are subject to stringent requirements and rigorous testing before being approved for a COC. Scales bearing an NTEP COC may be used with confidence.

### General information regarding scales

Two basic types of scales are available for commercial transactions. Price computing scales are scales that can be set to automatically compute the final total price; some models will also print labels. Examples of this type of scale are found at the deli counter of many grocery stores. The other basic scale type is a direct weight scale. This scale only determines weight. Examples of this type scale are found at businesses where precious metals are bought and sold.

We recommend that you have your scales serviced on a regular basis to assure accurate measurements and to prevent device malfunctions. You should have a service agent registered with the Washington State Department of Agriculture perform the service.

## PACKAGING AND LABELING

### General requirements on packaging and labeling

Products must be labeled with all of the information specified in [WAC 314-55-105](#). This includes net content in weight (ounces and grams) or volume (fluid ounces or milliliters). You will find examples of labels for different products in the listed WAC.

Labels for random weight packaged goods offered for sale at retail outlets must have a label declaring the net quantity, price per single unit of weight or measure or count and, the total selling price of the package.



## Packaging terms for regulatory purposes

**Standard Package** - The type of package in which a commodity is offered for sale with identical labels and only in specific quantity sizes. Some examples of standard packages are bottled water, packaged foods and, candy bars.

**Random Package** - A random package is a package that is one of a lot of packages of the same commodity with varying weights. An example would be random weight packages of meat at a grocery store.

**Tare weight** - Tare is the weight of a container, wrapper, bag, label or other packaging material that is not part of the product. Examples of tare are the bag used for potato chips or the tray, soaker pad and plastic wrap used to package chicken.

**Moisture loss or moisture allowance** - Moisture loss is typically a loss of weight due to evaporation or drying of the packaged product during its shelf life. For regulatory inspections, variations or allowances in the weight of products subject to moisture loss are permitted within a calculated value.

**Net quantity or net content** - The quantity (weight or liquid volume) remaining after all deductions for tare have been made.

**Package error** - The difference between the actual net contents of an individual package and the declared net contents on the package label. If the label has more than one quantity declaration such as “1 gram / .04 ounce” the greatest weight is used by regulatory officials to determine compliance.

## Measurement equivalents

Weight	Volume
1 gram = .035 ounce	1 fluid ounce = 29.573 milliliters
1 ounce = 28.35 grams	1 liquid quart = 32 fluid ounces
1 pound = 453.59237 grams	1 liquid quart = 946.35 milliliters
1 Kilogram = 2.205 pounds	1 liter = 33.814 fluid ounces

## REGULATORY INSPECTIONS

WSDA conducts unannounced inspections. The inspector will bring precisely calibrated test weights or volumetric measures to test your scales and other measuring equipment. In some cases the inspector may test and then use your scales for “net contents” inspections.



The inspector will also open a number of packages during a “net contents” inspection, but the product and packaging will be returned. The inspectors will work with you to minimize the disruptions to your business.

If your scale is inaccurate and/or fails to meet other technical standards it will be rejected and the inspector will inform you of the corrective actions. You may be allowed to continue to use the scale, but you may also be issued a “stop use” order.

If your scale is rejected you must contact a service agent registered with the state to have the device repaired.

If your packaged commodities are found to be short-weight or improperly labeled they will be ordered “Off Sale.” The inspector will work with you on corrective actions.

WSDA may assess civil penalties for violations.

## RESOURCES

Document	Title and Link
WAC 314-55	<a href="#">Marijuana Licenses, Application Process, Requirements and Reporting</a>
RCW 19.94	<a href="#">Weights and Measures</a>
WAC 16-662	<a href="#">Weights and Measures – National Handbooks</a>
WAC 16-664	<a href="#">National Type Evaluation Program</a>

NIST Handbooks and Other Resources	Link
NIST Handbook 44, <i>Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices</i>	<a href="http://www.nist.gov/pml/wmd/pubs/handbooks.cfm">www.nist.gov/pml/wmd/pubs/handbooks.cfm</a>
NIST Handbook 130, <i>Uniform Laws and Regulations in the areas of legal metrology and engine fuel quality</i>	
NIST Handbook 133, <i>Checking the Net Contents of Packaged Goods</i>	
National Type Evaluation Certificate Database	<a href="http://ncwm.net/ntep/cert_search">ncwm.net/ntep/cert_search</a>
Registered Service Agents	<a href="http://www.agr.wa.gov/fp/pubs/WeightsAndMeasuresPubs.aspx">www.agr.wa.gov/fp/pubs/WeightsAndMeasuresPubs.aspx</a>

**Still have questions?** Contact WSDA Weights & Measures at [wtsmeasures@agr.wa.gov](mailto:wtsmeasures@agr.wa.gov) or (360) 902-1857.



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