

Act No. 189
Public Acts of 2003
Approved by the Governor
October 31, 2003
Filed with the Secretary of State
October 31, 2003
EFFECTIVE DATE: October 31, 2003

**STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2003**

Introduced by Reps. Nitz, Meyer, Caswell, Sheltroun, Hager, Stahl and DeRossett

ENROLLED HOUSE BILL No. 4790

AN ACT to amend 1964 PA 283, entitled "An act to regulate and provide standards for weights and measures, and the packaging and advertising of certain commodities; to provide for a state director and other officials and to prescribe their powers and duties; to provide a fee system for certain inspections and tests; to provide penalties for fraud and deception in the use of false weights and measures and other violations; and to repeal certain acts and parts of acts," by amending section 28c (MCL 290.628c), as added by 2002 PA 208.

The People of the State of Michigan enact:

Sec. 28c. (1) The method of sale of a commodity sold in Michigan shall conform to the "uniform regulation for the method of sale of commodities" published in the 2002 edition of the NIST handbook 130, incorporated by reference, except as otherwise provided in this section or where modified by rule. Section 2.20.1 of the uniform regulation for the method of sale of commodities is not adopted.

(2) The packaging and labeling requirements for commodities sold in Michigan shall conform to the "uniform packaging and labeling regulation" published in the 2002 edition of the NIST handbook 130, incorporated by reference, except for section 13 of that publication or except as otherwise modified by rule.

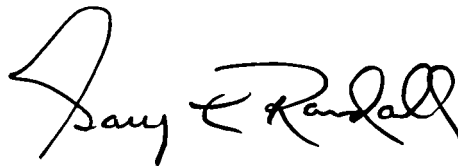
(3) A certificate of conformance for a type shall comply with the requirements of NCWM publication 14, "national type evaluation program technical policy, checklists and test procedures" and the 2002 edition of the NIST handbook 44, "specifications, tolerances, and other technical requirements for weighing and measuring devices", incorporated by reference.

(4) The determination for a uniform basis conformance for a type shall comply with NCWM publication 14, "national type evaluation program technical policy, checklists and test procedures" and the 2002 edition of the NIST handbook 44, "specifications, tolerances, and other technical requirements for weighing and measuring devices", incorporated by reference.

(5) The specifications, tolerances, and regulations for commercial weights and measures shall be in compliance with the standards contained in the 2002 edition of the NIST handbook 44, incorporated by reference.

(6) Registration for service persons and service agencies and competency tests shall be in compliance with the standards contained in the 2002 edition of the NIST handbook 130, "uniform regulation for the voluntary registration of service persons and service agencies for commercial weighing and measuring devices", incorporated by reference, and the NIST handbook 44, incorporated by reference.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor