



FARMERS MARKETS IOWA WEIGHTS AND MEASURES REGULATIONS

Iowa farmers markets are governed by the same weights and measures regulations as applied to all other retail business establishments. Compliance with Iowa's weights and measures regulations is an integral part of fair trade for both businesses and consumers.

Iowa Code, Iowa Administrative Rules, an applicable National Institute of Standards and Technology (NIST) Handbooks protect consumers and retailers by ensuring that weighing and measuring devices meet a high standard of quality and accuracy.

Failure to comply with Iowa Code and Rules may result in penalties. However, IDALS feels the first step in maintaining a fair marketplace is to educate and provide assistance to sellers to enable compliance. No question is too big or small, don't hesitate to call IDALS for personalized assistance.

The mission of the Iowa Department of Agriculture and Land Stewardship (IDALS) Weights and Measures Bureau is to *maintain equity in the marketplace by improving the accuracy of measurements, enhance consumer protection, promote fair competition, and facilitate economic growth and trade.*

FREQUENTLY ASKED QUESTIONS

Q. If I sell products by weight, what kind of scale do I need?

A. Only scales that are "National Type Evaluation Program" (NTEP) certified can be licensed for commercial trade. The scale must have a NTEP Certificate of Conformance (COC) Number on the scale body. If a scale is marked "Not Legal for Trade", the scale will cannot be used or licensed for commercial trade. It is illegal to sell by weight using non-commercial scales. Examples of scales that are not legal for trade include baby scales, bathroom scales, restaurant portion scales, postage scales and kitchen utility scales. Scales for hemp sales may have other requirements. Contact Weights and Measures for help to determine the suitability for your scale.

Q. Where can I buy a scale?

A. NTEP scales can be purchased from a variety of vendors, including local scale companies as well as online sources. A scale doesn't have to be brand new – no matter the age, an accurate scale that is NTEP certified can be licensed. Contact a scale company or the Weights and Measures Bureau for assistance.

Q. Where do I get my scale licensed and how often?

A. Scales must be licensed on an annual basis by IDALS, expiring on December 31st of each year. A scale license is non-transferable & non-refundable.

- a) If a scale is purchased from a scale service company licensed in Iowa, the scale service company must calibrate the scale and complete the Placed in Service Report form and send it to IDALS. The scale can be used until an IDALS Weight and Measures Inspector can schedule an inspection to certify the scale and place an "Inspected for Commercial Use" sticker on the scale.
- b) If a scale is purchased from a catalog and or an online source, contact the Weights and Measures Bureau at 515-725-1492, or you may complete a *Scale Application for Weighing and Measuring Device License Form* and send to IDALS. The form may be found at www.iowaagriculture.gov. Then, contact the IDALS Weights and Measures Bureau to schedule time for an inspector to certify the scale. If the scale meets requirements, the scale will be certified, stickered "Inspected for Commercial Use" and then the scale can be used. If scale does **not** meet Iowa requirements or is not accurately, the inspector will let you know what needs to be done before the scale may be used for commerce.
- c) Important points:
 - You must contact an Iowa licensed scale service company to calibrate the scale and complete the *Placed in Service Report*.
 - Scales used for commerce shall be licensed with IDALS.
 - No fees are charged for initial or regular inspections of the scale.
 - Scales are only inspected and certified by an IDALS Weights and Measures inspector.
 - IDALS Weights and Measures inspectors **cannot** make repairs or calibrations.
 - A scale does not have to be calibrated each time you move it. A 'check standard' is recommended to test the accuracy of the scale when it is set up. The scale is required to maintain zero, adjust for tare weight, be accurate, and correct.

Q. What is cost for licensing a scale?

A. Fees for licensing scales are based on scale capacity.

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| ▪ 0 - 500 lbs. | \$9.00 |
| ▪ 0 – 5,000 | \$16.50 |

This is the most common scale at farmers markets.

You cannot use *qualifying terms* to describe the quantity of goods being sold. Examples include 'about', 'more than', 'greater than', 'at least', 'almost', 'nearly'.

Q. How do I sell package items?

A. Packaged sales occur when the product is weighed before sale and packaged with a net quantity statement on the package. Examples include a 5-pound bag of potatoes or a 2-pound bag of green beans.

Scales used for packaging products shall meet the accuracy and licensing requirements of the Iowa Weights and Measures regulations.

There are requirements for what must be on the label. All packaged products must be conspicuously marked in the English language in legible letters of not less than eight-point, heavy gothic caps on the principal label with the following items:

1. The true name, brand, or trademark of the article.
2. The quantity of the contents in terms of weight, measure, or numerical count.
3. The name and place of business of the manufacturer, packer, importer, dispenser, distributor, or dealer.
4. There must be a distinct contrast between the color of the letters and the background.

Q. What methods can I utilize to sell my products?

A. There are requirements for selling various products. Use the following guidelines.

- a) Liquids. The standard measure for liquids is derived from the standard gallon. The gallon is divided by two to as to make half-gallons, quarts, pints, and half-pints.
- b) Dry goods. The standard measure for substances other-than-liquids is the standard half-bushel. The cubic inch capacity of the half-bushel is divided by two to make the peck, half-peck, quarter-peck, quart, pint, and half-pint measures.
- c) Weight. The standard measure of weight is the pound is divided into sixteen equal parts called ounces; the hundred-weight shall consist of one hundred pounds.

Q. What is tare weight?

A. A total package weight is called "Gross Weight" including the wrapper, label, and contents. The content of package is called "Net Weight."
The wrapper, label, etc. is called "Tare Weight" and is not part of the Net Weight.
The formula is... Gross Weight – Tare Weight = Net Weight

Method of Sale for Fresh Fruits & Vegetables

Commodity	Weight	Count	Head or Bunch	Dry Measure (any size)	Dry Measure (1 quart or larger)
Artichoke	X	X			
Asparagus	X		X		
Avocado		X			
Banana	X	X			
Beans (<i>green, yellow, etc.</i>)	X				X
Brussels Sprouts (<i>loose</i>)	X				
Brussels Sprouts (<i>on stalk</i>)			X		
Cherries	X			X	X
Coconuts	X	X			
Corn on the Cob		X			X
Dates	X				
Eggplant	X	X			
Figs	X				
Grapes	X				
Melons (<i>cut in pieces</i>)	X				
Mushrooms (<i>small</i>)	X				X
Mushrooms (<i>Portobello, large</i>)	X	X			
Okra	X				
Peas	X				X
Peppers (<i>bell and other varieties</i>)	X	X			X
Pineapples	X	X			
Rhubarb	X				
Tomatoes (<i>except cherry/grape</i>)	X	X	X		X
General Commodity Groups					
Berries & Cherry/Grape Tomatoes	X			X	
Citrus Fruits	X	X			X
Edible Bulbs (<i>onions, garlic, leeks, etc.</i>)	X	X	X		X
Edible Tubers (<i>Irish potatoes, sweet potatoes, ginger, horseradish, etc.</i>)	X				X
Flower vegetables (<i>broccoli, cauliflower, brussel sprouts, etc.</i>)	X		X		
Gourd Vegetables (<i>cucumbers, squash, melons, etc.</i>)	X	X			X
Leaf Vegetables (<i>lettuce, cabbage, celery, etc.</i>)	X		X		
Leaf Vegetables (<i>parsley, herbs, loose greens, etc.</i>)	X		X	X	
Pitted fruits (<i>peaches, plums, prunes, etc.</i>)	X	X			X
Pome Fruits (<i>apples, pears, mangoes, etc.</i>)	X	X			X
Root Vegetables (<i>turnips, carrots, radishes, etc.</i>)	X		X		