

NEW JERSEY REGISTER
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RULE ADOPTION
LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
OFFICE OF WEIGHTS AND MEASURES
GENERAL COMMODITIES; WEIGHTS AND MEASURES
NET WEIGHT INSPECTION OF MEAT, POULTRY AND FISH; DRY TARE

Adopted Amendments: N.J.A.C. 13:47C-1.1 and 2.1

Proposed: February 17, 2004 at 36 N.J.R. 916(a).

Adopted: April 27, 2004 by Louis E. Greenleaf, State Superintendent, Office of Weights and Measures.

Filed: July 22, 2004 as R.2004 d.314, without change.

Authority: N.J.S.A. 51:1-61.

Effective Date: August 16, 2004.

Expiration Date: November 30, 2004.

Federal Standards Statement

A Federal standards analysis is not required because the rule amendments adopt a Federal standard contained in National Institute of Standards and Technology Handbook 133, "Checking the net contents of packaged goods," which references USDA requirement in Title 9, Subpart A, Sec. 317.19.

Full text of the adoption follows:

<< NJ ADC 13:47C-1.1 >>

13:47C-1.1 Words and phrases defined

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

...

"Dry tare" means the unused dry tare and used dry tare methods of net weight inspection.

...

"Unused dry tare" means all unused packaging materials, including such materials as glue, labels, and ties, that contain or enclose a product and includes prizes, gifts, coupons, or decorations that are not part of the product.

"Used dry tare" or "dried used tare" means used packaging material that has been air dried or dried in some manner to simulate the unused tare weight, including all packaging materials that can be separated from the packaged product either readily or by washing, scraping, ambient air drying, or other techniques involving more than normal household recovery procedures, but not including laboratory procedures like oven drying.

...

<< NJ ADC 13:47C-2.1 >>

13:47C-2.1 Meat, poultry, fish and/or shellfish sold by net weight: methods of sale

(a)-(e) (No change.)

(f) Persons conducting net weight inspections of meat, poultry or fish shall use dry tare. Packages of meat, poultry and fish shall be tested for net weight content as follows:

1. For packages of meat and poultry that bear a United States Department of Agriculture (USDA) inspection seal, used dry tare (or dried used tare) shall be used as the method of tare determination.
2. For packages that do not bear the USDA seal of inspection, unused dry tare shall be used when available at the place of sale. If unused dry tare is not available, then used dry tare (or dried used tare) shall be used as the method of tare determination.
3. When testing packages of fresh or unfrozen fish, unused dry tare shall be used if available at the place of sale. If unused dry tare is not available, then used dry tare (or dried used tare) shall be used as the method of tare determination.

36 N.J.R. 3884(b)

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