

UNDERLINE-STRIKETHROUGH VERSION

*New language is underlined; language to be deleted is struck-through.

Title 7
AGRICULTURE AND ANIMALS
Part XXXV. Agro-Consumer Services
Chapter 1. Weights and Measures

§127. Registration

A. Each commercial weighing and measuring device in use in Louisiana shall be registered to the device owner annually with the division insofar as is specified in this regulation.

B. – C. ...

D. Scanning devices shall be registered according to the following criteria: greatest number of scanning devices in use at a location at any given time during the calendar year.

1. — make;
2. — model;
3. — serial number; and
4. — number of point-of-sale devices.

E. – R. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4603 (formerly R.S. 55:3), 3:4607, 4608, and 3:4622.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Commission of Weights and Measures, LR 13:158 (March 1987), amended LR 15:78 (February 1989), amended by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Division of Weights and Measures, LR 19:1534 (December 1993), LR 23:857 (July 1997), LR 41:2098 (October 2015), LR 42:1649 (October 2016); LR 46:

~~§135. — Meat Labeling~~

~~A. — As used in this Section the following terms are defined.~~

- ~~1. — *American* — any meat that is produced in the United States.~~
- ~~2. — *Blend* — any combination of American and foreign meat.~~
- ~~3. — *Imported* — any meat produced in a foreign country.~~

~~B. — Unless otherwise provided in this Section, all processed or unprocessed meat sold in Louisiana, whether fresh or frozen, shall indicate the meat's country of origin.~~

~~1. — The country of origin or designations "*American*," "*imported*" or "*blend of imported and American meats*" shall be indicated in clear and conspicuous letters in English.~~

~~2. — All meat shall be labeled with one of the following designations, "*American*," "*imported*" or "*blend of imported and American meats*" or shall contain the name of the country of origin preceded by the "*product of*." Example: Meat produced in the United States would be labeled "*American*" or "*Product of U.S.A.*"~~

~~3. — Meat displayed for sale or sold unwrapped shall contain the proper designation as to the country of origin on the meat, or on the immediate container or wrapping, or on a sign included with the display.~~

~~4. — If an establishment sells only American meat, then a placard indicating that only American meat is sold will be sufficient to meet the requirements of these regulations.~~

~~C. — The provisions of this Section shall not apply to prepared meat that is sold at retail for consumption on the premises and fully cooked meat as defined by the United States Department of Agriculture Food Safety Inspection Service rules and regulations.~~

~~D. The Commissioner of Agriculture and Forestry, the Weights and Measures Commission and the Department of Agriculture and Forestry shall have the power and authority granted under the Weights and Measures Law to enforce the provisions of this Section.~~

~~E. The penalty for any violation of this Section shall be as provided in R. S. 51:614.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4608, 3:4607 and R.S. 51:614.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Division of Weights and Measures, LR 27:1672 (October 2001); LR 46:

Part XXXV. Agro-Consumer Services

Chapter 3. Petroleum Products

§321. Classification and Method of Sale of Petroleum Products

A. When gasoline, gasoline-oxygenate blends, reformulated gasoline, M85 and M100 fuel methanol, ~~E85 and E100 fuel~~ ethanol flex fuels, biodiesel, biomass-based diesel, biomass-based diesel blend, diesel fuel, kerosene, aviation gasoline, aviation turbine fuels, or fuel oils are sold, an invoice, bill of lading, shipping paper, or other documentation must accompany each delivery other than a retail sale. This documentation must identify the quantity, the name of the product, the particular grade of the product, the applicable automotive fuel rating, oxygenate type and content (if applicable), the name and address of the seller and buyer, and the date and time of the sale. This documentation must be retained at the retail establishment for a period not less than one year. The sale of any product under any grade name that indicates to the purchaser that it is of a certain ~~Antiknock Index or ASTM grade~~ automotive fuel rating shall not be permitted unless the ~~Antiknock Index automotive fuel rating~~ or ASTM grade indicated in the grade name is consistent with the value and meets the requirements of 16 CFR 306.5 and 306.6 for transfers to anyone who is not a consumer, 16 CFR 306.12 for automotive fuel sold to consumers, and this Subchapter.

B. All retail dispensing devices must identify conspicuously the type of product, the particular grade of the product, and the applicable ~~Antiknock Index (AKI)~~Automotive Fuel Rating. The device shall automatically show on its face the initial zero condition and the quantity delivered (up to the nominal capacity). However, the first 0.03 L (or 0.009 gal.) of a delivery and its associated total sales price need not be indicated. In the event of a power loss, the information needed to complete any transaction in progress at the time of the power loss (such as the quantity and unit price, or sales price) shall be determinable for at least 15 minutes at the dispenser or at the console if the console is accessible to the customer. The device memory shall retain information on the quantity of fuel dispensed and the sales price totals during power loss. The primary indicating elements, and primary recording elements if the device is equipped to record, shall be readily returnable to a definite zero indication. However, a key-lock operated or other self-operated device may be equipped with cumulative indicating or recording elements, provided that it is also equipped with a zero-return indicating element. It shall not be possible to return primary indicating elements or primary recording elements beyond the correct zero position.

C.-F. ...

~~G. A retailer is not required to have a street sign or billboard to advertise available motor fuels and their prices or to advertise every grade of motor fuel available at the retail location. However, if a retailer chooses to use a street sign and/or billboard to advertise the retail location's available motor fuels, then the street sign and/or billboard shall conspicuously display the following:~~

- ~~1. Type(s) or Grade(s) of motor fuel being advertised; and~~
- ~~2. The highest price(s) for the advertised grade(s) of motor fuel(s). In the event that the same grade of motor fuel is sold at different prices at the same retail location, a lower price for that grade of motor fuel may be displayed as long as the conditions under which the lower price may be obtained are clearly posted on the sign and available to everyone who qualifies for that lower price. If the sign or billboard displays a flashing sign with multiple prices for each grade of motor fuel, each price displayed with the conditions under which it may be obtained shall be visible for a period of at least three seconds.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4671, 4672, 4673, 4680, and 4681.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Division of Weights and Measures, LR 31:31 (January 2005), amended LR 41:2099 (October 2015); LR 46: