



August 22, 2025

DMS Notice

D – 25 – 02

Discard: Retain Until Superseded

**TO:** WEIGHTS AND MEASURES OFFICIALS

**SUBJECT:** Beverage Dispenser Systems  
[*This Notice replaces DMS Notice D-20-05, which is hereby rescinded.*]

The Division of Measurement Standards (DMS) is aware of full- or self-serve beverage dispenser systems that sell beverages such as beer, wine, and other drinks by the fluid ounce, milliliter, pints, and other legal units of liquid measure.

DMS is aware that these beverage dispenser systems are being used in California for “commercial purposes” according to the definition of the term “commercial” in the Business and Professions Code, Division 5, § 12500(e). Before any commercial measuring device can be sold or used in California, it must first be evaluated and approved by the Department of Food and Agriculture. Additionally, it is unlawful to sell or use these dispensers for commercial purposes until approved by the Department.

As of the date of this Notice, there are no full or self-serve beverage dispenser systems with a California Type Evaluation Program (CTEP) Certificate of Approval (COA), or a National Type Evaluation Program (NTEP) Certificate of Conformance (CC) issued by the National Council of Weights and Measures (NCWM).

Weights and measures officials should take the following steps when they encounter these unapproved dispensers:

- Do not permit the device to be used commercially.
- Affix a yellow “unapproved device” tag to the device(s). Do not test, seal, “red-tag”, or “blue-tag” these systems.
- Notify the owner/operator and explain the need to use an approved device.
  - Advise them to have the device manufacturer contact the CTEP Program at DMS.

It should be noted that beverages dispensed in small, medium, large sizes, or predetermined quantities are not regulated by the Department if there is no declaration of quantity by a defined unit of measure. Examples of locations which use this method of sale include, but are not limited to, convenience stores, movie theaters, and fast-food establishments.



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Additionally, owners/operators of beverage dispenser systems may not convert their equipment to dispense a defined measured quantity (e.g. 8 fluid ounces, 1 liter, etc.) or to charge by a “fraction” or “increment” of an undefined measured quantity (e.g. “0.1 small”, “0.6 glass”, etc.).

If you have questions, please contact the Device Enforcement Program at (916) 229-3000 or [dms@cdfa.ca.gov](mailto:dms@cdfa.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Schnepf". The signature is fluid and cursive, with the first name "Kevin" and last name "Schnepf" clearly distinguishable.

Kevin Schnepf  
Director

cc: Hyrum Eastman, County/State Liaison, CDFA