

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE
1220 N STREET
SACRAMENTO, CA 95814

NOTICE OF MODIFICATION TO TEXT OF PROPOSED REGULATION

Pursuant to the requirements of Government Code Section 11346.8(c), and Section 44 of Title 1 of the California Code of Regulations, the Department of Food and Agriculture is providing notice of changes made to proposed regulation Sections 4996.(c), 4996.2.(c), 4996.2.(f)(2), and 4996.4.(b) contained in Title 4, Division 9, Chapter 9, Article 1, Sections 4402 and 4403, and Article 12 Sections 4996, 4996.1, 4996.2, 4996.3, 4996.4, and 4996.5. These changes are in response to comments received regarding the proposed regulation.

Any interested person may present statements or arguments on the modified text to the Division of Measurement Standards, 6790 Florin Perkins Road, Suite 100, Sacramento, CA 95828. Comments may also be submitted by facsimile (FAX) at (916) 229-3026 or by e-mail at DMS@cdfa.ca.gov. Comments may be submitted beginning June 27, 2013 and ending July 12, 2013. All written comments received which pertain to the indicated changes will be reviewed and responded to by the Department as part of the compilation of the rulemaking file.

Please limit your comments to the modifications of the original proposal which appears on the attached amendment in double underlined text "underlined" for additions, and double strikethrough text "~~strikethrough~~" for deletions.

Changes to the modified proposal include the following:

- Section 4996. (c). regarding the application of this section was clarified to define what is not covered under this article.
- Section 4996.2 (c) regarding the conditions of use; language was amended to take into account that some systems use both audio and visual means of communication with operators.
- Section 4996.2 (f) (2) (A) regarding the conditions for using pre-set tare; language was withdrawn that was prohibited by statute.
- Section 4996.3 (j) is a typo and should read 4996.3 (b).
- Section 4996.4 (b) regarding specifications for unattended weighing systems and additional marking requirements was clarified to take into account systems that can operate as either an unattended weighing system or attended mode.

These documents, in addition to the rulemaking file which contains all written comments on the original proposal, are available for public inspection at the Division between the hours of 8:00 a.m. and 4:30 p.m. Inquiries about this action may be directed to:

Steven Cook, Branch Chief
Division of Measurement Standards

6790 Florin Perkins Road, Suite 100
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(916) 229-3000

DEPARTMENT OF FOOD AND AGRICULTURE
DIVISION OF MEASUREMENT STANDARDS

6/26/2013
Date

Kristin J. Macey
Kristin J. Macey, Director