

## **USDA Proposes to Incorporate by Reference the 2009 Edition of the National Institute of Standards and Technology Handbook 44**

WASHINGTON, June 1, 2009 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) proposes to incorporate by reference the 2009 edition of the National Institute of Standards and Technology (NIST) Handbook 44, "Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices," and to require that scales used by stockyard owners, market agencies, dealers, packers, and live poultry dealers to weigh livestock, livestock carcasses, live poultry, or feed for the purposes of purchase, sale, acquisition, payment or settlement meet applicable requirements of the 2009 NIST Handbook 44. Additionally, we are proposing to amend that section of the regulations to add "swine contractors" to the list of regulated entities to which the section applies.

The regulations under the Packers and Stockyards (P&S) Act have specific requirements for scales that regulated entities used for weighing livestock, poultry or feed and packers purchasing livestock on a carcass grade, weight, or grade and weight basis.

The proposed amendment to Section 201.71 of the regulations under the P&S Act will incorporate by reference the 2009 edition of NIST Handbook 44. We would also provide instruction on how to obtain copies of the handbook, which includes updated standards for operating, maintaining, and testing scales and standards for electronic devices.

The proposed changes to add swine contractor as a regulated entity would make section 201.71 (a), (b), (c), and (d) consistent with other regulations under the P&S Act regarding regulated entities that have been amended to include swine contractors.

The proposed rule was published in the May 15, 2009, *Federal Register*. GIPSA is accepting public comments received by July 14, 2009. Additional information is available in GIPSA's *Federal Register* notice at [www.gipsa.usda.gov](http://www.gipsa.usda.gov).

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.

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