

**POTPOURRI**  
**Louisiana Department of Agriculture and Forestry**  
**Office of Agricultural and Environmental Sciences**  
**Weights and Measures Commission**

**Public Hearing – Substantive Changes to Proposed Rules:**  
**Weights & Measures (LAC 7:XXXV.127, 135, and 321)**

In accordance with the Administrative Procedure Act, R.S. 49:950, *et seq.*, and pursuant to the authority set forth in R.S. 3:4671, 4672, 4673, 4680, and 4681, the Department of Agriculture and Forestry (“Department”) published a Notice of Intent to amend LAC 7:XXXV.127, 135, and 321 regarding registration of weighing and measuring devices, meat labeling, and classification and method of sale of petroleum products at LR 46:10, pages 1403-1405 (October 20, 2020). As a result of public comments received on the proposed amendments, notice is hereby given that the department is seeking to incorporate substantive changes to LAC XXXV.321. The proposed changes expand the types of fuel blends that require consistency with the automotive fuel rating when they are used in the grade name.

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

**§127. Registration**

A. –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. – E. . . .

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, ethanol, 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 automotive fuel rating **or ASTM grade** shall not be permitted unless the 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~~ **consistent with CFR 306.10** for automotive fuel sold to consumers, and this Subchapter.

B.-G. ...

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:

### **Public Hearing**

In accordance with R.S. 49:968(H)(2), a public hearing on the proposed substantive changes will be held remotely on January 21, 2020 from 1:00p.m. to 2:00p.m. via videoconference and telephone conference. Interested persons may attend the public hearing by either connecting through [meet.google.com/tjg-gshi-yvv](https://meet.google.com/tjg-gshi-yvv) or via telephone conference by calling 1 617-675-4444 and entering PIN: 442 789 572 0938#. Interested persons may also submit written comments, data, opinions and arguments regarding the proposed substantive changes. Written submissions must be directed Bobby Fletcher, Ph.D., Director of Weights and Measures, Department of Agriculture & Forestry, 5825 Florida Blvd., Baton Rouge, LA 70806 and must be received no later than 2:00p.m. on the 21st day of January, 2020.

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Mike Strain, DVM  
Commissioner of Agriculture and Forestry