



# Illinois Department of Agriculture

## REGULATIONS FOR FARMERS' MARKETS

The Illinois Department of Agriculture's Bureau of Weights and Measures regulates the retail sales of fruits, vegetables, and other items at farmers' markets. The Bureau is responsible for enforcing the rules and regulations of the Weights and Measures Act [225 ILCS 470/1 *et seq.*]. The requirements for method of sale of food products and commercial scales are found in this act.

### **Method of Sale**

Commodities not in liquid form must be sold by weight, by measure, or by count. Regulations for the method of sale are required to provide accurate and adequate information so that consumers may make price and quantity comparisons. These regulations are contained in NIST Handbook 130 (available at [http://ts.nist.gov/WeightsAndMeasures/Publications/upload/11\\_IVB\\_MethodReg\\_09\\_H130\\_Final.pdf](http://ts.nist.gov/WeightsAndMeasures/Publications/upload/11_IVB_MethodReg_09_H130_Final.pdf)) which is adopted by reference in the Weights and Measures Act. A guideline for acceptable methods of sale for fresh fruits and vegetables is provided separately.

### **Selling by Weight**

Commodities must be sold by net weight. The weight of the commodity must exclude any materials that are not considered to be a part of the commodity. These materials include containers, bags, labels, and wrappers. Commodities sold by weight must be weighed using a certified scale.

### **Scale Requirements**

All scales used in commerce must have a National Type Evaluation Program (NTEP) Certificate of Conformance issued by the National Conference on Weights and Measures. Scales receive an NTEP Certificate of Conformance after the successful completion of the evaluation and testing of the device. The Certificate indicates that the device meets applicable requirements for commercial weighing and measuring equipment in the U.S. Scales must be purchased from a registered service company. A list of registered service companies is available at <http://www.agr.state.il.us/programs/consumer/w&m/regrepairscales.pdf>.



Commercial scales are also subject to annual inspections by the Bureau of Weights and Measures. Inspectors use calibrated standards to conduct tests to ensure the accuracy of the scales. Illinois adopts the specifications and tolerances contained in the National Institute of Standards and Technology (NIST) Handbook 44. Devices which do not meet the accepted



tolerances are rejected and cannot be used commercially. Rejected scales must be repaired and placed back into service by a registered service company. An inspection fee is charged to support the operating costs of the Bureau.

### **Selling by Measure**

All sales by measure must meet the legal definition for the measure. A standard dry pint or quart container is measured by the cubic inches. An accurate measure is when the container is filled and struck level across the top. When purchasing containers, ensure that they meet the legal definition of bushel, pints, quarts, etc.



#### **Dry Measure**

One bushel contains 2150.42 cu. in.  
½ bushel contains 1075.21 cu. in.  
One quart contains 67.20 cu. in.  
One pint contains 33.60 cu. in.

#### **Liquid Measure**

One gallon contains 231 cu. in.  
One quart contains 57.75 cu. in.  
One pint contains 28.875 cu. in.  
½ pint contains 14.437 cu. in.

**For additional information, please contact the Bureau of Weights & Measures:**



#### **Contact Information**

Illinois Department of Agriculture  
Bureau of Weights & Measures  
P.O. Box 19281  
Springfield, IL 62794-9281  
Telephone: 800.582.0468  
Website: [www.agr.state.il.us](http://www.agr.state.il.us)