

**DEPARTMENT OF FOOD AND AGRICULTURE**

Division of Measurement Standards  
8500 Fruitridge Road  
Sacramento, CA 95826-4808

DMS NOTICE  
D - 01 - 5



June 26, 2001

Discard: Retain

TO WEIGHTS AND MEASURES OFFICIALS

**SUBJECT: Parcel Shipping Scales Interfaced with Computers and Software**

The attached letter was sent to parcel carriers known to offer or use parcel-shipping scales with point of sale/electronic cash register (POS/ECR) software in California. A letter from Richard Suiter of the National Institute of Standards and Technology (NIST) to Pitney Bowes and Federal Express has led to installation of non-approved systems in California. Although Mr. Suiter's letter reflects a consistent and reasonable interpretation of NIST Handbook 44 requirements, California law is somewhat more restrictive and requires approval for software driven accessories.

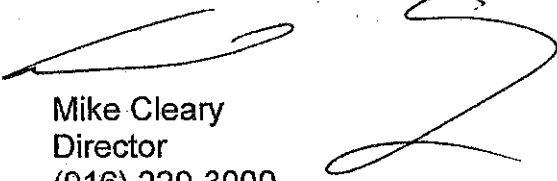
Both Pitney Bowes and Federal Express were notified of California requirements in April 2001 and have submitted applications for type evaluation. The Division and several local jurisdictions have also notified United Parcel Service of California requirements on several occasions.

These notifications, which clarified California's legal requirements, will assist the companies in installing only approved systems and notifying sealers of the installation.

Officials should consider the facts relating to specific installations when taking enforcement action. The information provided to Pitney Bowes and Federal Express by NIST may or may not be a factor. Please forward enforcement information to your Device Area Specialist for coordination purposes.

If you have any further questions, please contact Ken Lake, Program Supervisor, at (916) 229-3050.

Sincerely,

  
Mike Cleary  
Director  
(916) 229-3000

Attachments

Division of Measurement Standards  
8500 Fruitridge Road  
Sacramento, CA 95826-4808

June 20, 2001

Dear :

RE: Parcel Shipping Scales Interfaced with  
Computers and Software

Recently, there have been several questions from weights and measures officials and industry personnel concerning the need for parcel shipping scales interfaced with computers and software, to be type approved for commercial use in California.

Section 12500(a) of the California Business and Professions Code defines "weighing instrument" to include any accessories used or connected as an integral part of the device which must then comply with the legal requirements, including type approval. Section 12500(e) provides that parcel/shipping scales are commercial when the customer is present during the transaction or when the shipping weight is 150 lb or more. Section 12500.5 requires commercial weighing instruments or devices, be submitted for type approval before use in California.

Software and computers interfaced to weighing devices, which compute rates or rate options based on the acquired weight of the customer's package or parcel, while the customer is present at the business location, are commercial and require evaluation and approval.

Although National Institute of Standards and Technology Handbook 44 has been adopted in California and in most other states, it is silent concerning the need for National Type Evaluation certification for software driven accessories. Software developers and device manufacturers should note that although some differences may exist between requirements in other jurisdictions, approval is required under California law.

California law also requires persons placing these systems into commercial service be registered as service agents and to notify local weights and measures jurisdictions in writing within 24 hours of installation.

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If you any have questions or comments, please contact Ken Lake (klake@cdfa.ca.gov) or Brett Saum (bsaum@cdfa.ca.gov) at (916) 229-3000.

Sincerely,

**Original Signed By**

Roger Macey  
Branch Chief