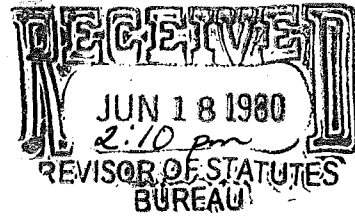


Ag 52



STATE OF WISCONSIN)
)
DEPARTMENT OF AGRICULTURE,) SS.
TRADE & CONSUMER PROTECTION)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Donald J. Soberg, Administrator, Trade Division, State of Wisconsin Department of Agriculture, Trade and Consumer Protection, and custodian of the official records of said Division, do hereby certify that the annexed order adopting rules relating to grain moisture test devices, Chapter Ag 52, Wis. Adm. Code, was duly approved and adopted by the Department on June 18, 1980.

I further certify that said copy has been compared by me with the original on file in the Department and the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the Department offices in the city of Madison, this 18th day of June, 1980.

Donald J. Soberg
Donald J. Soberg, Administrator
Trade Division

Test. off. 6-1-80

ORDER OF THE DEPARTMENT OF
AGRICULTURE, TRADE AND CONSUMER PROTECTION

ADOPTING RULES

1 Relating to rules establishing tolerances for the accuracy
2 of grain moisture test devices.

Analysis
by the
Department of Agriculture, Trade and Consumer Protection

These rules will set tolerances for grain moisture test devices when used in commercial transactions. The National Bureau of Standards has not set tolerances for these devices. The tolerance established by these rules is expressed as a fraction of the moisture content of the grain being tested.

Accuracy of grain moisture test devices will be checked against test samples of grain whose moisture content has been determined by the measurement center laboratory operated by the Department, as provided by section 98.05(5), Wis. Stats.

3 CHAPTER AG 52

4 GRAIN MOISTURE TEST DEVICES

5 Pursuant to the authority vested in the Department of
6 Agriculture, Trade and Consumer Protection by sections 93.07(1) and
7 98.03(2), Stats., the State of Wisconsin Department of Agriculture,
8 Trade and Consumer Protection hereby adopts rules interpreting
9 section 98.03(2), Stats., as follows:

10 Chapter Ag 52 of the Wisconsin Administrative Code is adopted
11 to read:

12 Ag 52.01 DEFINITIONS. (1) "Commercial transaction" means the
13 purchase or sale of grain or the storage or drying of grain for hire.

14 (2) "Department" means the state of Wisconsin department of
15 agriculture, trade and consumer protection.

16 (3) "Grain" means corn, wheat, soybeans, oats, barley, rye,

1 buckwheat, sorghum, sunflower seed and flaxseed.

2 (4) "Grain moisture test device" means any test instrument
3 or device used to determine the moisture content of grain.

4 (5) "Official test methods" means both:

5 (a) The oven method for the kind of grain being tested
6 as adopted by the United States Department of Agriculture and
7 contained in Chapter 12, Equipment Manual, GR Instruction 916-6,
8 published November 15, 1971 by the United States Department of
9 Agriculture Consumer and Marketing Service, Grain Division, 6505
10 Belcrest Road, Hyattsville, Maryland 20782. Copies may be ob-
11 tained from the U.S. Department of Agriculture and are also on
12 file in the offices of the department, secretary of state and
13 revisor of statutes.

14 (b) The Karl Fischer method adopted by the Association
15 of Official Analytical Chemists and contained in the 1970 Methods
16 Manual, Eleventh Edition, published by the Association of Offi-
17 cial Analytical Chemists, P. O. Box 540, Benjamin Franklin
18 Station, Washington, D.C. 20044. Copies may be obtained from the
19 association and are also on file in the offices of the department,
20 secretary of state, and revisor of statutes.

21 (6) "Official test standard" means an official test sample
22 of grain with a known moisture content, as determined by the
23 department's weights and measures laboratory using the official
24 test methods, for use by the department in determining the ac-
25 curacy of grain moisture test devices.

26 (7) "Person" means an individual, partnership, firm, asso-
27 ciation, corporation, cooperative or any other business entity.

1 Ag 52.02 TOLERANCES. Grain moisture test devices shall be
2 accurate in measuring the moisture content of the official test
3 standard within a tolerance of plus or minus five one-hundredths
4 (.05) of the percentage moisture content of the official test
5 standard.

6 Ag 52.03 PROHIBITIONS. (1) No person shall use a grain
7 moisture test device to determine the moisture content of grain
8 in commercial transactions unless the device is accurate within
9 tolerances as specified in section 52.02.

10 (2) Grain moisture test devices which fail to comply with
11 the tolerances set forth under section 52.02 shall be tagged as
12 "rejected" by the department. No person may remove this tag or
13 use the tagged device in a commercial transaction until the
14 device has been adjusted and calibrated and determined to be
15 accurate by a service company or the department.

16 Ag 52.04 AUTHORITY. This chapter is adopted under the
17 authority of s. 98.03(2), Stats. Violations of this chapter are
18 subject to the penalties under s. 98.26, Stats.

19 The provisions of these regulations shall become effective as
20 provided in section 227.016(1), Stats.

21 Dated: June 18, 1980.

23 STATE OF WISCONSIN
24 DEPARTMENT OF AGRICULTURE,
25 TRADE, AND CONSUMER PROTECTION

26 By: Donald J. Soberg
27 Donald J. Soberg, Administrator
TRADE DIVISION