

Wisconsin Department of Agriculture, Trade and Consumer Protection

Initial Regulatory Flexibility Analysis

Rule Subject: Fair Packaging and Labeling; Selling
Commodities by Weight, Measure, or Count;
and Weights and Measures
Adm. Code Reference: ATCP 90-91-92
Rules Clearinghouse #:
DATCP Docket #: 22-R-11

Rule Summary

This rule updates the technical standards incorporated by reference in Wis. Admin. Code chs. ATCP 90, 91, and 92 (new editions of technical references cited in current rules). The rule incorporates by reference the 2023 editions of three handbooks published by the National Institute of Standards and Technology (NIST). The current rule incorporates by reference the 2018 editions of those handbooks.

Small Business Affected

Small businesses that use weights or measures to determine the price charged for goods or services offered for sale will be affected. While such small businesses will be affected, the rule will not impose any additional compliance costs. The *NIST Handbooks* incorporated by reference may be downloaded at no cost from the NIST website.

Recordkeeping requirements

Although some changes were made in formatting to the records management portion of the rule, there are no substantive changes to recordkeeping requirements.

Accommodation for Small Business

Many of the businesses affected by this rule are “small businesses.” However, given the subject matter, there are no accommodations or special exceptions that can be made for small businesses.

Conclusion

This rule will have minimal impact on affected businesses, including “small businesses.” No negative effects are expected. Because this rule will not have a significant adverse effect on “small business,” it is not subject to the delayed “small business” effective date provided in Wis. Stat. § 227.22 (2) (e).

Dated this _____ day of _____, 20__.

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By _____

Michelle Reinen, Administrator
Division of Trade and Consumer Protection