

Chapter Ag 52

GRAIN MOISTURE TEST DEVICES

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

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

(3) "Grain" means corn, wheat, soybeans, oats, barley, rye, buckwheat, sorghum, sunflower seed and flaxseed.

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

(5) "Official test methods" means both:

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

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

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

(7) "Person" means an individual, partnership, firm, association, corporation, cooperative or any other business entity.

History: Cr. Register, July, 1980, No. 295, eff. 8-1-80.

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

History: Cr. Register, July, 1980, No. 295, eff. 8-1-80.

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

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

History: Cr. Register, July, 1980, No. 295, eff. 8-1-80.

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

History: Cr. Register, July, 1980, No. 295, eff. 8-1-80.