

# Information for Businesses with Commercial Scales

## Legal Scales

- Only legal for trade scales may be used for direct sales to customers
- Look for the Roman Numeral “**III**” on a scale, this means it is legal in NH
- If it says “NOT LEGAL FOR TRADE” it is not permissible to use for direct sales to customers

## Scale Placement

- Positioned where the customer can read the indications and observe the weighing operation
- Protected from environmental factors (wind, fans, rain, etc.)
- Installed in a firm, level position

## Net Weight

- **Must sell by net weight at all times.**
- You can only include the product’s weight in determining the cost
- You can not include packaging (bags, boxes, paper, containers, etc.) in the weight of the product
- The “**T**” button on your scale is for Tare, use this to tare out (deduct) the weight of the packaging
- Prepacked items must have a net weight representation

## Annual Certification

- **Scales must be certified before being placed into service**
- Scales must be certified annually and have a current certification seal
- It is your responsibility that this gets done every year
- Certification is to be done by NH licensed service technicians  
(We are recognizing certifications from the States of Maine, Vermont & Massachusetts, but you **must** send in a copy of the certification paperwork for it to be valid.)
- *If your business owns 3 or fewer 100 lbs or less scales and no other devices, you have the following options:*
  1. Hire a New Hampshire licensed service technician (prices vary so check prior to contracting).
  2. Request to have your scale(s) tested (pass/fail) by a Weights & Measures official at no charge.
  3. Bring your scale(s) to our Concord Office to be tested (pass/fail) at no charge (please call before arriving).

## License

- A license to operate a commercial scale is required by law
- A renewal will be mailed to you every year and must be returned in order to receive a new license
- **The license is only valid if you return payment for the licensing fees**

## Posting License

- Post your license in a visible location near your scale (next to other state licenses is permissible)
- Your license needs to be available upon request
- If you want to, file the original license and post a photocopy

## Updating a License

- If you **add** a scale to your business, you must inform this office (in writing) of the make, model , serial #, and capacity of the new scale
- If you **replace** a scale, you must inform this office (in writing) of the new scale (make, model, SN, capacity), and of the scale it is replacing (make, model, SN, capacity)
- This must be done before placing the new scale into service
- Please inform this office (in writing) of any other changes to your license
- All changes can be made on the “Update for Weighing and Measuring Device License”, found at [www.agriculture.nh.gov](http://www.agriculture.nh.gov).  
(Click on Division of Weights & Measures and go to Update for Weighing & Measuring Device License)

## Licensing Fees

- Per scale, per year:

<u>Capacity</u>	<u>Fee</u>
100lb or Less	\$18
100lb – 2000lb	\$27
2000lb – 5000lb	\$54
Over 5000lb	\$90
Vehicle Scales	\$180

**STILL HAVE A QUESTION? GIVE US A CALL AT 603-271-2894**

THE ABOVE IS FOR INFORMATIVE PURPOSES ONLY. FOR ACTUAL LANGUAGE OF THESE AND OTHER NH LAWS AND WEIGHTS & MEASURES RULES, CONTACT THE NEW HAMPSHIRE DIVISION OF WEIGHTS & MEASURES. REFERENCE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES CHAPTER AGR 1400 WEIGHTS AND MEASURES AND RSA 438