

CHAPTER 47C

GENERAL COMMODITIES; WEIGHTS
AND MEASURES

Authority

N.J.S.A. 51:1-61.

Source and Effective Date

R.1999 d.202, effective June 3, 1999.
See: 31 N.J.R. 926(a), 31 N.J.R. 1817(a).

Executive Order No. 66(1978) Expiration Date

Chapter 47C, General Commodities; Weights and Measures, expires on June 3, 2004.

Chapter Historical Note

Chapter 47C, General Commodities; Weights and Measures, became effective prior to September 1, 1969.

Subchapter 4, Industry Standard; New Jersey Atlantic White Cedar, was adopted as R.1979 d.373, effective September 20, 1979. See: 11 N.J.R. 399(a), 11 N.J.R. 580(c).

Subchapter 5, Sales of Precious Metals, was adopted as R.1980 d.420, effective September 30, 1980. See: 12 N.J.R. 551(a), 12 N.J.R. 671(c).

Subchapter 5, Sales of Precious Metals, was repealed, and Subchapter 6, Requirements for Security Bond Required by Transient Buyers of Precious Metals, was adopted by R.1982 d.96, effective April 5, 1982. See: 13 N.J.R. 818(a), 14 N.J.R. 346(e).

Pursuant to Executive Order No. 66(1978), Chapter 47C, General Commodities; Weights and Measures, was readopted, and Subchapter 2, Foodstuffs, was adopted by R.1984 d.373, effective August 6, 1984. See: 16 N.J.R. 1031(a), 16 N.J.R. 2289(a).

Pursuant to Executive Order No. 66(1978), Chapter 47C, General Commodities; Weights and Measures, was readopted as R.1989 d.350, effective June 9, 1989. See: 21 N.J.R. 1096(a), 21 N.J.R. 1832(a).

Pursuant to Executive Order No. 66(1978), Chapter 47C, General Commodities; Weights and Measures, was readopted as R.1994 d.330, effective June 6, 1994, and Subchapter 4, Industry Standard; New Jersey Atlantic White Cedar, was repealed by R.1994 d.330, effective July 5, 1994. See: 26 N.J.R. 1761(a), 26 N.J.R. 2796(b).

Pursuant to Executive Order No. 66(1978), Chapter 47C, General Commodities; Weights and Measures, was readopted as R.1999 d.202, effective June 3, 1999. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. DEFINITIONS

13:47C-1.1 Words and phrases defined

The following words and terms, as used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

“Advertising media or means” means any attempt directly or indirectly by publication, dissemination, solicitation, endorsement or circulation or in any other way to induce directly or indirectly any person to enter or not enter into any obligation or acquire any title or interest in any building materials as defined by this regulation.

“Building materials” means lumber, wood, and wood product materials used in connection with the construction, fabrication, and erection of residential, utility or business premises.

“Consumer” means any person who purchases building materials for incorporation into any type of structure.

“Cord” means the amount of wood which is contained in a space of 128 cubic feet, when the wood is ranked and well stowed. For the purpose of this regulation, “ranked and well stowed” shall be construed to mean when pieces of wood are placed in a line or row, with individual pieces touching and parallel to each other, and stacked in a compact manner.

“Cordwood”, “firewood”, “fireplace” and “stove wood” mean any logs, boards, timbers or other wood, split or not split, advertised, offered for sale, or sold as fuel.

“Cut-up poultry” means all dressed poultry from which the entire viscera (entrails) have been removed and the carcass of which has been cut into portions or dismembered.

“Dealers” means any person who is regularly engaged in the business of selling or selling and delivering building materials to consumers in this State and who maintains unloading or loading, storage, transportation, communication, sales, services or other facilities therefore, with an office accessible to the public with a competent person on duty, commensurate with the nature and other requirements of the business or an “unequipped dealer” which is any person who is regularly engaged in the business of selling building materials at retail in this State to consumers in this State who does not maintain loading, unloading or storage facilities.

“Grade” and “species” means those grades and species for building materials that are authorized by N.J.S.A. 51:4-27.

“Lumber” means the wood obtained from the felling, trimming and working up of all kinds and types of trees for use as a structural material.

“Meat” means and includes beef, veal, pork, mutton, lamb, domestic rabbits and products of all kinds in which meat of the prescribed classes forms the basic ingredient.

“Offer for sale” or “expose for sale” shall be construed to include the use of any advertising media or means.

“Paneling” is defined as all products, whether of domestic or foreign origin, which are suitable for use as interior decorative wall panels.

“Persons” means and includes corporations, companies, associations, societies, firms, partnerships, joint stock companies and governmental entities as well as individuals.

“Poultry” means and includes chickens, ducks, geese, turkeys, guineas and all products the basic ingredient of which is poultry of prescribed classes; provided, however, that squabs shall be exempt from the requirements of this chapter.

“Processed” means meat, whether fresh or frozen, that has been removed from the shells of clams, mussels, oysters or other mollusks and has been chopped or commingled with other solid foods.

“Single service container” means a container intended to be used once only to determine at the time of retail sale the quantity of the commodity comprising a retail sale made from a bulk supply on the basis of liquid measure and to serve as the container for the delivery of the commodity.

“Treated lumber” means any lumber or lumber product which has been chemically treated for the purpose of retarding or preventing deterioration or destruction by insects, fungi, bacteria or other wood destroying organisms.

“Whole logs” means any single piece of wood, greater in length than eight feet, unsplit and in the natural state. The trimming or looping of limbs from such logs is permitted and shall not be deemed to change the natural state of such logs.

“Wiping materials” means and includes all textiles, washed and unwashed, new or old, such as mill rags, mill ends, remnants, cheesecloth, cotton thread, shoddy, clippings, machined cotton and wool waste, discarded garments, discarded household textiles, raw cotton or any other material or thing sold, distributed or used as wiping material.

As amended, R.1979 d.251, effective June 20, 1979.

See: 11 N.J.R. 256(a), 11 N.J.R. 400(b).

As amended, R.1980 d.421, effective September 30, 1980.

See: 12 N.J.R. 550(a), 12 N.J.R. 672(a).

“Cord” and “cordwood” redefined; “fireplace”, “firewood”, “stove wood” and “whole logs” defined.

As amended, R.1984 d.5, effective February 6, 1984.

See: 15 N.J.R. 1835(a), 16 N.J.R. 249(b).

Added definition of “treated lumber”.

As amended, R.1984 d.373, effective August 20, 1984.

See: 16 N.J.R. 1031(a), 16 N.J.R. 2289(a).

Changes in definitions “cordwood”, “persons”, “whole logs”.

Amended by R.1999 d.202, effective July 6, 1999.

See: 31 N.J.R. 926(a), 31 N.J.R. 1817(a).

Inserted “Processed”.

SUBCHAPTER 2. FOODSTUFFS

13:47C-2.1 Meat, poultry, fish, and/or shellfish sold by net weight; methods of sale

(a) All meat, poultry, fish and shellfish offered for sale or sold in the State of New Jersey shall be offered for sale or sold on the basis of net weight only, except as provided in (b) through (e) below.

(b) Shellfish, except as provided in (e) below may be sold by weight, measure and/or count.

(c) When meat, poultry, fish or seafood is combined with some other food element to form a distinctive food product, the representation of quantity may be in terms of the total weight of the combined product and a representation of quantity need not be made for each element.

(d) Labels on ready-to-cook stuffed fish, seafood, poultry, or meat products must show the total net weight of the stuffed fish, seafood, poultry, or meat product.

(e) Clams, mussels, oysters, and other mollusks shall be offered for sale in the following manner:

1. Processed clams, mussels, oysters and other mollusks on the half shell, fresh or frozen, shall be sold by net weight excluding the weight of the shell.

2. Canned (heat-processed) mussels, clams, oysters, and other mollusks shall be sold by net weight: