



(23-REG)

## Weights & Measures Device and POS Registration Application

### BUSINESS INFORMATION (Please print)

BAN:	LIN:	Business Email:	
Business Name:		Business Phone:	
Street Address:			
Business Contact Name:		Business Contact Phone:	
Business Hours:	(for new Businesses) Date your Business plans to open:		

I am registering a (check one):      **Weighing & Measuring Device**      **Automated Point of Sale (POS) Station**

*Note: If you own other business locations in San Francisco where regulated weighing/measuring devices or POS Stations are used for commercial purposes, you must fill out **one application for each location**. See Reverse for more information.*

<b>Total Number of Regulated Weighing &amp; Measuring Devices At This Location:</b>	
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<b>Total Number of POS Stations at this Location:</b>	
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All business owners must comply with the laws and regulations pertaining to weights & measures as found in: California Business and Professions Code; Division 5, Chapters 1 - 17; the California Code of Regulations, Title 4, Division 9; and the San Francisco Administrative code Chapter 1, Section 1.13-5 and Chapter 115. These requirements include using suitable devices which are "legal for trade", providing customers with accurate and visible measurements of quantities and sales transactions, charging the lowest advertised price, ensuring the correct computation of price, correct labeling of packaged commodities, and non-misleading advertisements.

### Fees

All regulated commercial weighing & measuring devices and point of sale stations used in the County shall be registered annually with the County Sealer. An annual device registration fee includes both a location fee, a device fee, and a State Administrative fee. The annual POS stations registration includes both a location fee (\$75) and a POS stations fee (\$14 each).

Our fee schedule can be viewed here: <https://www.sfdph.org/dph/EH/Fees.asp>

**Penalties will be assessed for failure to register or for late registration.**

Weights & Measures Device and POS registration fees are included in the San Francisco Treasurer and Tax Collectors' Unified License Bill. To pay your bill or to learn more details about your account please visit:

<https://txonlineportal.sfgov.org/content/San-Francisco-Forms-Portal/Business/unifiedLicense.html>

**Certification:** I, \_\_\_\_\_, am the legal  
(Print Name)

owner/agent of the business establishment named above. I certify that the information provided on this form is complete and accurate to the best of my knowledge. I understand that it is my responsibility to notify Weights and Measures of any changes in ownership and any changes to registrations declared in this application.

<input type="checkbox"/> Signature of Owner	<input type="checkbox"/> Signature of Agent for Owner	Date

**PLEASE KEEP A COPY FOR YOUR RECORDS.**



## Information on Commercial Weighing & Measuring Devices and Automated Point of Sale (POS) Stations

City and County of San Francisco  
DEPARTMENT OF PUBLIC HEALTH  
ENVIRONMENTAL HEALTH

Laws and regulations pertaining to Weighing & Measuring devices and Point of Sale stations can be found in the California Business and Professions Code [BPC], Division 5, Chapters 1 - 17, the California Code of Regulations [CCR], Title 4, Division 9, and the San Francisco Administrative code Chapter 1, Section 1.13-5 and Chapter 115.

**Unsealed Devices:** It is unlawful to use an unsealed device for commercial purposes. All regulated commercial weighing or measuring devices must be sealed by weights and measures official unless they have been placed in service by an authorized service agency pending certification by a weights & measures official.

**Out of Compliance/Failed Inspection:** Any business establishment which fails its initial inspection will be subject to re-inspection by weights and measures officials. **A re-inspection fee will be charged based on a schedule of fees as set by regulation.**

A device that fails to meet the specifications and tolerances pursuant to BPC§12107 may be condemned and/or placed out of service. Enforcement tags can be placed on such a device as follows:

*Yellow Tag: This is issued to devices that are not legal for trade in California. It is unlawful to use these unapproved devices for commercial purposes and unapproved scales may be subject to seizure for non-compliance.*

*Red Tag: Devices that are found to be inaccurate in favor of the device owner are condemned and removed from service by weights and measures official. Do not use or dispose of red tagged devices. Red tagged devices not repaired within 30 days may subject to confiscation by the sealer.*

*Temporary Permit: If a device is found inaccurate in favor of the consumer or if verification of legal for trade status is pending a temporary permit may be issued if the device is the only weighing equipment used at the business location, but it must be repaired within 30 days of notice.*

**It is illegal to remove or tamper with or obliterate any of these enforcement tags**

**Suitability of Equipment:** Weighing and measuring devices shall be suitable for the type of commodities bought or sold using these devices. They must be suitable for the environment in which they are used including but not limited to the effects of wind, weather, and vibrations or electrical/radio frequency interference during transactions.

**Visibility of Equipment:** Weighing and measuring devices used in direct sales shall be so positioned that its indications may be accurately read from an ordinary customer and operator position.

**Maintenance of Equipment:** All equipment in service and all mechanisms and devices attached thereto or used in connection therewith shall be continuously maintained in proper operating condition throughout the period of such service. Scales must be leveled and at zero balance prior to sales transactions.

**Point of Sale Systems Software:** The application software used in connection with a scale must be type approved (legal for trade) for commercial purposes.

**Point of Sale (POS) Stations:** Are defined as individual and separate equipment that can recover electronically stored price information that is used to charge consumers for the purchase of commodities.

**Automatic Check-stand Systems:** The operator of a business establishment that uses an automatic checkout system to sell goods or services to consumers shall ensure that the price of each good or service to be paid by the consumer is conspicuously displayed to the consumer at the time that the price is interpreted by the system. [BPC§13300]

**Direct Sale Requirements:** Business owners are responsible to ensure that employees comply with all sales transaction procedures as required by statute and regulations. Some of the requirements for direct sale are, but not limited to:

*Net Weight Requirement:* anyone buying or selling by weight is required to deduct the weight of the container or packaging medium (also known as "tare") from the weight of the product prior to transaction. Selling by gross weight is a misdemeanor punishable by a fine of up to \$1,000 for each illegal transaction.

*Unlawful Computation of Price:* It is against the law to charge/compute a price greater than what is advertised, posted, marked, displayed, or quoted for a commodity/service, or to charge an amount greater than the lowest price posted either on the commodity itself or on a shelf tag corresponding to that commodity, notwithstanding any time limitations.

*Labeling Requirements for Packaged Products:* Packages and their labels should enable consumers to obtain accurate information as to the quantity of the contents and should facilitate value comparisons.

*Basic Requirements in English:* (1) Name of the commodity. (2) Name, address, and zip code of the packer (3) a declaration of quantity that shall be prominently and conspicuously displayed in the lower 30% of the principal display panel area, in a size depending upon the area of the principal display panel. (4) Consumer packages are required to have both metric and inch-pound units with few exceptions.

**It is against the law to package, ship or sell any commodity in a non-conforming container or label.**

**Unlawful Computation of Price:** It is against the law to charge/compute a price greater than what is advertised, posted, marked, displayed or quoted for a commodity or service, or to charge an amount greater than the lowest price posted either on the commodity itself or on a shelf tag corresponding to that commodity, notwithstanding any time limitations. [BPC 12024.2]