



## **Legal for Trade Scales in the State of Texas**

### **What is Legal for Trade?**

To use a scale or weighing device for commercial purposes (determining a consumer price based unit measure) in the State of Texas, the device must be deemed legal for trade.

[\*The National Institute of Standards and Technology \(NIST\)\*](#) outlines the requirements of a device to be legal for trade in the *NIST Handbook 44*. *Handbook 44* explains the requirements for a legal for trade device based on labeling, capacity and accuracy, among others. These are the *minimum* standards the Texas Department of Agriculture (TDA) inspector(s) will use to determine the outcome of your Weights and Measures device inspection, in addition to TDA licensing requirements.

Additionally, the device manufacturer will be able to verify if a device is legal for trade or not. Some manufactures will provide this information on the device itself or in the owner's manual.

---

---

### **NTEP Approved Devices**

The State of Texas does not require the certificate of conformity, as some devices can be legal for trade without having yet been through the review with NTEP. However, if your device has a certificate, it meets the minimum requirements outlined in Handbook 44 as being legal for trade.

*The National Type Evaluation Program (NTEP)* is a non-profit organization that determines if a scale or other weighing device conforms with the government requirements and standards outlined by the *National Institute of Standards and Technology (NIST)* in *Handbook 44*. If the device meets all of the requirements, NTEP will issue a certificate of conformity ensuring it is legal for trade.

To search for NTEP approved devices, please go to the [National Conference on Weights and Measures](#) website.

---

---

Please note:

Neither being legal for trade or NTEP approved ensures a device is ready for use "out of the box". Have a licensed service company install and complete any needed repairs to your device to safeguard against non-compliance with TDA. A list of service companies licensed with the state can be found on the [Reports & Publications](#) page of Texas Department of Agriculture website.