

## **40-15-4-.02 Nonfood Products.**

(1) Fence Wire Products. Rolls of fence wire products shall be sold by:

- (a) gauge of wire;
- (b) height in terms of inches or centimeters, if applicable; and,
- (c) length in terms of rods, meters, or feet.

(2) Coatings. Asphalt paints, coatings, and plastics shall be sold in terms of liquid measure.

(3) Fireplace and Stove Wood. For the purpose of this regulation, this section shall apply to the sale of all wood, natural and processed, for use as fuel. When the cost of the amount of wood sold exceeds \$25.00, Rule 40-15-4-.06 shall be applicable as a bulk commodity.

(a) Definitions.

1. Fireplace and Stove Wood. Any kindling logs, boards, timbers or other wood, split, or not split, advertised, offered for sale, or sold as fuel.

2. Cord. 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 wellstowed" shall mean that pieces of wood are placed in a line or row with the individual pieces touching and parallel to each other, and stacked in a compact manner.

3. Representation. A "representation" shall mean any advertisement, offering, invoice, or the like that pertains to the sale of fireplace or stove wood.

(b) Identity. A representation may include a declaration of identity that indicates the species group (Example: 50% hickory, 50% miscellaneous softwood). Such a representation shall indicate, within ten percent accuracy, the percentages of each group.

(c) Quantity. Wood, of any type, for use as fuel, shall be advertised, offered for sale and sold only by measure, using the term "cord" and fractional parts of a cord, or the cubic meter; except that wood, natural or processed, offered for sale in packaged form, shall display the quantity in terms of cubic feet, to include fractions of cubic feet or cubic meters, to include decimal fractions of cubic meters. A single log shall be sold by weight, and packages of such individual logs containing less than 4 cubic feet (1/32 cord), or sold by inch-pound volume, or less than one-tenth cubic meter, if sold by metric volume, may be sold by net weight plus count.

(d) Prohibition of Terms. The terms "face cord," "rack," "pile," "truckload," or terms of similar import shall not be used when advertising, offering for sale, or selling wood for use as fuel.

(4) Peat and Peat Moss. The terms apply only with respect to organic matter of geological origin, excluding coal and lignite, originating principally from dead vegetative remains through the agency of water in the absence of air and occurring in a bog, swampland, or marsh, and containing an ash content not to exceed 25 percent on a dry-weight basis (dried in an oven at 105° Celsius (221°F) until no further weight loss can be determined).

(a) Declaration of Quantity. The declaration of quantity of peat and peat moss shall be expressed in weight units or in cubic-measure units.

(b) Units.

1. Weight. Peat and peat moss sold in terms of weight shall be offered and exposed for sale only in weight per subparagraphs 40-15-4-.02 (4) (b) 1. (i) and 40-15-4-.02 (4) (b) 1. (ii) which follow:

(i) Inch-Pound Weights — 50, 40, 20, 10 or 3 pounds.

(ii) Metric Weights — 20, 10, 5, 2, 1 kilogram.

2. Cubic Measure. Peat and peat moss sold in terms of cubic measure shall be offered and exposed for sale only in volumes per subparagraphs 40-15-4-.02 (4) (b) 2. (i) and 40-15-4-.02 (4) (b) 2. (ii) which follow. If the commodity is labeled in terms of compressed cubic measurement, the quantity declaration from which the final product was compressed (the latter declaration not exceeding the actual amount of materials that can be recovered).

(i) Inch-Pound Volumes — 6, 5.5, 4, 2, 1, 0.7, 0.5, 0.3, or 0.2 cubic feet.

(ii) Metric Volumes — 200, 100, 50, 20, 10, or 5 liters.

(5) Prefabricated Utility Buildings. These buildings shall be offered for retail sale on the basis of usable inside space as follows:

(a) Length, measured from inside surface of wall panels at the base;

(b) Width, measured from inside surface of wall panels at the base;

(c) Height, measured from the base to the top of the shortest wall panel.

(If total usable inside space is declared in a supplemental declaration, it shall be to the nearest cubic foot or cubic decimeter.)

(6) Roofing and Roofing Material. These commodities shall be sold either by the square, or by the square foot only, if sold in inch-pound units or by the square meter only if sold in metric units.

(a) Definitions.

1. Square Meter. The term "square meter" shall mean the quantity of roofing or roofing material that, when applied according to directions or instructions of the manufacturer, will cover one square meter exclusive of side laps or side joints.

(b) Declaration of Quantity. When the declaration of quantity on a package of roofing or roofing material contains the term "square," it shall include, plainly and conspicuously, a numerical definition of the term "square"; for example, "One square covers 100 square feet of roof area.

1. Common Fractions. The use of the common fraction one-third ( $1/3$ ) is specifically authorized in the quantity statement of a package of roofing or roofing material when, and only when, used as the common fraction of the "square."

2. Quantity Statement. The primary declaration, if in inch-pound units, shall only be in terms of squares or square feet; and, if in metric units, shall only be in terms of square meters. There is no prohibition against the use of supplemental quantity declarations, such as shingle dimensions; but, in no case shall the weight of the material be stated or implied. However, the use of numerical descriptions for rolls of felt-roofing material may continue to be used.

(7) Sealants. Calking compounds, glazing compounds, and putty shall be sold in terms of liquid measure, except that rope calk shall be sold by weight.

(8) Sod and Turf.

(a) Application. For the purpose of this regulation, this section shall apply to all sod, including turf sod, turf plugs and turf sprigs.

(b) Definitions.

1. Sod. Sod shall mean "turf sod," "turf plugs," or "turf sprigs" of a single kind or variety or a mixture of kinds and varieties.
2. Turf. Turf shall mean a live population of one or more kinds of grasses, legumes, or other plant species used for lawns, recreational use, soil erosion control or other such purposes.
3. Turf Plug. Turf plug shall mean a small section cut from live turf of those kinds of turf normally vegetatively propagated (such as zoysia grass) which, when severed, contains sufficient plant material to remain intact.
4. Turf Sod. Turf sod shall mean a strip or section of live turf which, when severed, contains sufficient plant material to remain alive and intact.
5. Turf Sprig. Turf Sprig shall mean a live plant, stolon, crown or section cut from stolonifera plants used as turf.

(c) Quantity. Sod shall be advertised, offered for sale and sold by measure or by a combination of count and measure as prescribed by this subsection.

1. Turf Sod - Turf sod shall be advertised for sale and sold in terms of the square foot, square yard or square meter, as appropriate.
2. Turf Plugs - Turf plugs shall be advertised for sale and sold in terms of count, combined with a statement of the plug diameter.
3. Turf Sprigs - Turf sprigs shall be advertised for sale and sold in terms of the liter or the bushel.

(9) Softwood Lumber.

(a) Application. The term "Softwood Lumber" shall apply to softwood boards, timbers, and dimension lumber that have been dressed on four sides, but shall not apply to rough lumber, to lumber that has been matched, patterned, or shiplapped, or to lumber remanufactured or joined so as to have changed the form or identify, such as individual, assembled, or packaged millwork items.

(b) Definitions:

1. Dressed (surfaced) Lumber: Lumber that has been dressed (or surfaced) for the purpose of attaining smoothness of surface and uniformity of size.
2. Boards: Lumber 1-1/4 inches or less in actual thickness and 1-1/2 inches in actual width may be classified as strips.
3. Timbers: Lumber 4-1/2 or more inches in least actual dimension. Timber may be classified as beams, stringers, posts, caps, sills, girders, purlins, etc.
4. Dimension Lumber: Lumber from 1-1/2 inches to, but not exceeding, 4-1/2 inches in actual thickness, and 1-1/2 or more inches in actual width. Dimension lumber may be classified as framing, joists, plants, rafters, studs, small timbers, etc.
5. Rough Lumber: Lumber that has not been dressed, but which has been sawed, edged, and trimmed at least to the extent of showing saw marks in the wood on the four longitudinal surfaces of each piece for its overall length.

6. Matched Lumber: Lumber that has been worked with a tongue on one edge of each piece and a groove on the opposite edge to provide a close tongue-and-groove joint by fitting two pieces together; when end matched, the tongue and groove are worked in the ends also.

7. Patterned Lumber: Lumber that is shaped to a pattern or to a molded form, in addition to being dressed matched, or shiplapped, or any combination of these workings.

8. Shiplapped Lumber: Lumber that has been worked or rabbeted on both edges of a piece to provide a close-lapped joint by fitting two pieces together.

9. Grade: The commercial designation assigned to lumber meeting specifications established by a nationally recognized grade rule writing organization.

10. Species: The commercial name assigned to a species of trees.

11. Species Group: The commercial name assigned to two or more individual species having similar characteristics.

12. Representation: A "representation" shall mean any advertisement, offering, invoice, or the like that pertain to the sale of lumber.

13. Minimum Dressed Sizes (Width and Thickness): The standardized width and thickness at which lumber is dressed when manufactured in accordance with the U.S. Department of Commerce Voluntary Product Standard 20-70, "American Softwood Lumber Standard," and regional grading rules conforming to VPS 20-70 follow:

(c) Softwood Lumber Sizes. Minimum standard dressed sizes at the time of manufacture for both unseasoned (green) and dry lumber as published by the U.S. Department of Commerce in Product Standard 20-70 shall be as follows in Table III.

**TABLE III**

Product Classification (Nominal Size)	Unseasoned	Minimum Dressed Sizes (See Notes i and ii) Dry
Inches	Inches	Inches
<b>Dimension Lumber</b>		
2 × 4	1-9/16 × 3-9/16	1-1/2 × 3-1/2
2 × 6	1-9/16 × 5-5/8	1-1/2 × 5-1/2
2 × 8	1-9/16 × 7-1/2	1-1/2 × 7-1/4
2 × 10	1-9/16 × 9-1/2	1-1/2 × 9-1/4
2 × 12	1-9/16 × 11-1/2	1-1/2 × 11-1/4
(See Note i)		
<b>Board Lumber</b>		
1 × 4	25/32 × 3-9/16	3/4 × 3-1/2
1 × 6	25/32 × 5-5/8	3/4 × 5-1/2

1 × 8	25/32 × 7-1/2	3/4 × 7-1/4
1 × 10	25/32 × 9-1/2	3/4 × 9-1/4
1 × 12	25/32 × 11-1/2	3/4 × 11-1/4

**Note:** The dry thickness of nominal 3-inch and 4-inch lumber is 2-½ inches and 3-1/2 inches; unseasoned thickness are 2-9/16 inches and 3-9/16 inches. Widths for these thicknesses are the same as shown above.

**Additional Notes:** Product Standard 20-70 defines dry lumber as being 19 percent or less in moisture content and unseasoned lumber as being over 19 percent moisture content. The size of lumber changes approximately 1 percent for each 4 percent change in moisture content. Lumber stabilizes at approximately 15 percent moisture content under normal use conditions.

(10) Hardwood Lumber. Sales of hardwood lumber measured after kiln drying shall be quoted, invoiced and delivered on the basis of net board footage, with no addition of footage for kiln drying shrinkage. Sales of hardwood lumber measured prior to kiln drying shall be quoted, invoiced and delivered on the basis of net board footage before kiln drying. If the lumber is to be kiln dried at the request of the purchaser, the kilndrying charge shall be clearly shown and identified on the quotation and invoice.

(11) Carpeting. Anyone who sells carpeting shall provide the purchaser with written statements at the time of sale giving the following information:

- (a) the name and address of the manufacturer;
- (b) the style name and roll number of the carpet;
- (c) the generic name of the fiber and the type of backing material;
- (d) the amount delivered (exact size shipped), and;
- (e) the price per square yard if sold in inch-pound units, or the price per square meter if sold in metric units, and the total price.

(12) Polyethylene Products. Consumer products offered and exposed for sale at retail shall be sold in terms of:

- (a) Sheeting and Film:
  - 1. length and width;
  - 2. area in square feet or square meters;
  - 3. thickness; and,
  - 4. weight.
- (b) Food Wrap:
  - 1. length and width; and,
  - 2. area in square feet or square meters.
- (c) Lawn and Trash Bags:
  - 1. count;
  - 2. dimensions; and,
  - 3. thickness.
- (d) Food and Sandwich Bags:
  - 1. count; and,
  - 2. dimensions.

(e) Products not intended for the retail consumer shall be offered and exposed for sale in terms of:

1. Table IV Net Weight of Various Polyethylene Rolls (Based on 100 foot roll)  
Thickness-Weight (1 mil = 0.001 inches)

Width in Feet	2 Mils Thick	4 Mils Thick	6 Mils Thick
3	2.88	5.73	8.61
6	5.76	10.74	17.22
8	7.68	15.28	22.96
10	9.60	19.10	28.70
12	11.52	22.92	34.44
16	15.36	30.56	45.92
20	19.20	38.20	57.40
24	23.04	45.84	68.88
28	26.88	53.48	80.36
30	28.80	57.30	86.10
32	30.72	61.12	91.84
36	33.12	68.76	94.71

**Notes:** Weight for the various thicknesses per given 100 feet of length, with the width of the sheeting as the variable, are based on "industry-wide" standards appearing in Voluntary Product Standard 17-69, approved by the National Bureau of Standards on December 31, 1969.

The weight values are given as fractional parts of 1,000 square feet weights based on a sheet of polyethylene being 10 feet wide and 100 feet long, equalling 1,000 square feet. The basis of violation is a deficiency in weight, caused principally by insufficient thickness, or by deficiencies in length of width.

**Tolerances:** Thickness variance of  $\pm 20$  percent, but must average the specified thickness.

Length variance +3 percent (103 feet) to minus 1 percent (not less than 99 feet for the labeled 100 feet).

Width variance of 1/8 inch under one foot; 1/8 inch per number of feet wide (8 feet wide  $\pm 1$  inch).

2. Sheeting and Film:

- (i) Length.
- (ii) Width.
- (iii) Thickness.
- (iv) Weight.

3. Bags:

- (i) Count.
- (ii) Dimensions.
- (iii) Thickness.
- (iv) Weight.

(f) Declaration of Weight. The labeled statement of weight for polyethylene products

under subparagraphs 40-15-4-.02 (12) (a), 40-15-4-.02 (12) (e) 1., and 40-15-4-.02(12)(e)2, shall be not less than the weight calculated by using the following formula, where

$W = T \times A \times 0.03613D$ , where

W = Net Weight in pounds

T = Nominal thickness in inches

A = Nominal length in inches times nominal width in inches

D = Density in grams per cubic centimeter as determined by ASTM Standard D1505-68 "Standard Method of Test for Density of Plastics by the Density Gradient Technique" (or latest issue). 0.03613 is a factor for converting g/cm<sup>3</sup> to lb/in<sup>3</sup>.

(13) Insulation.

(a) Packaged Loose-Fill Insulation. Packaged loose-fill insulation shall be sold on the basis of coverage in square feet or square meters, the recommended installed thickness, the insulation resistance "R" value obtained, and net weight.

(Example: Contents will cover 26 square feet when installed at a thickness equal to 6-½ inches with a resistance value of R-19. Net Weight 30 lb.)

(b) Batt or Roll-Type Insulation. These commodities shall be sold on the basis of coverage in square feet or square meters, the designated "R" value and the width and length of the batt or roll.

(Example: Covers 26 square feet and provides a value of R-19. Roll is 12 inches wide by 26 feet long.)

(c) Installed Insulation. Installed insulation shall be sold on the basis of coverage in square feet or square meters, and the insulation resistance obtained; the seller or applicator shall provide the purchaser with an application statement.

(Example of application statement: Insulation covering 120 square meters of area has been installed in conformance with manufacturer's recommendations to provide a value of R-19.)

(14) Bagged Coal.

(a) This regulation shall apply to chunk-type bituminous coal offered for sale or sold in retail units or packages of 100 pounds or less, or in metric units of 50 kilograms or less.

(b) Coal packaged in bags or boxes shall have printed thereon, or written in script, the net weight using letters or numbers being not less than two (2) inches (5 centimeters) in height, with lines forming the letters and numbers having a width of 1/8 inch (0.3 cm). In the use of burlap bags as containers, a tag attached to the bags shall give the net weight information.

(15) Precious Metals.

(a) Precious metals covered in this regulation shall be composed of gold, silver, platinum, or any item composed partly or completely of these metals or their alloys and in which the market value of the metal in the item is principally the gold, silver, or platinum component.

(b) Quantity. The unit of measure and the method of sale of precious metals, if the price is based in part or wholly on a weight determination, shall be either troy weight or metric weight. When the measurement or method of sale is expressed in metric units, a

conversion chart to troy units shall be prominently displayed so as to facilitate price comparison. The conversion chart shall also display a table of troy weights indicating grains, pennyweights, and troy ounces.

(16) Bark and Hull Mulches.

(a) Definition. For agricultural and landscaping purposes, the term "mulches" shall apply to chip and shredded particles of tree bark and other organic vegetable mulches.

(b) When bark chips are sold as mulching materials, the particle size may vary in shape and dimensions: However, if it has not been shredded, its packing label must properly distinguish it from shredded materials.

(c) Mulching materials, including bark chips, when offered for sale or sold in the State of Georgia shall be as:

1. Bulk, loose, by weight or volume as the customer may require.

2. In bags:

(i) in inch-pound system, 3 cubic feet or other appropriate sizes; and,

(ii) in metric sizes as appropriate in liters.

(d) Variances in excess of 5% shall be considered excessive, and the average of the lot must equal the advertised quantity. If the commodity is packaged to be sold by weight, variances shall be considered excessive if they exceed 3%.

(e) When sold as a shredded commodity by weight, moisture content shall be considered excessive if the mulching material tends to ball when squeezed by the handful.

(17) Natural Gas sold as a vehicle fuel

(a) Definitions

1. Compressed Natural Gas (CNG) is a gaseous fuel composed primarily of methane that is suitable for compression and dispensing into a fuel storage container(s) for use as an engine fuel.

2. Liquefied Natural Gas (LNG) is a natural gas which is predominately methane that has been liquefied at -260 degrees F (-162 degrees C) at 14.696 PSIA and stored in insulated cryogenic fuel storage tanks for use as an engine fuel.

3. Gasoline Gallon Equivalent (GGE) means 5.660 pounds of Compressed Natural Gas (CNG).

4. Diesel Gallon Equivalent (DGE) means 6.384 pounds of Compressed Natural Gas (CNG) or 6.059 pounds of Liquefied Natural Gas (LNG).

(b) Method of Sale

1. All Compressed Natural Gas (CNG) kept, offered, or exposed for sale and sold at retail as a vehicle fuel shall be indicated in Gasoline Gallon Equivalent (GGE) units or Diesel Gallon Equivalent (DGE) units.

2. All Liquefied Natural Gas (LNG) kept, offered, or exposed for sale and sold at retail as a vehicle fuel shall be indicated in Diesel Gallon Equivalent (DGE) units.