

-Marijuana Businesses- Weighing Devices/Scales



Most Montana marijuana business licensees are required to utilize an NTEP approved and licensed weighing device.

Per the rules and regulations of the state of Montana, a weighing device is not legal to use for commercial purposes unless it is NTEP approved, inspected, and licensed.

The Montana Weights and Measures Bureau regulates all commercial scales and meters in the state, including weighing devices used by licensed marijuana businesses.

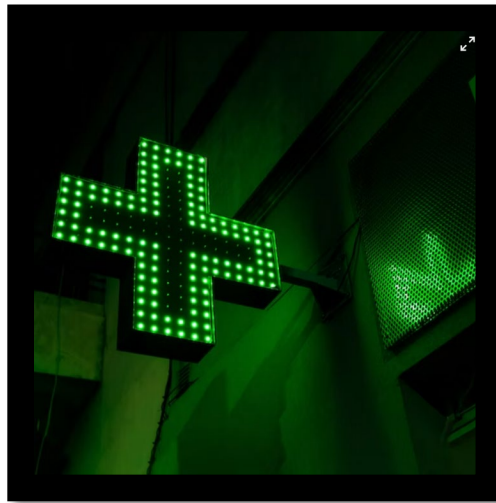
This guide was created to provide a summary of the sequential steps that marijuana businesses should follow to ensure that their weighing devices meet the

requirements set forth in Montana Code Annotated (MCA) and the Administrative Rules of the state of Montana (ARM).

All marijuana businesses required to use weighing devices must utilize NTEP approved scales that have been inspected by a registered scale service agency and placed into service. Businesses must then apply for a license via eStop before commercial use of their device(s).

Finally, an inspector from the Montana Weights and Measures Bureau will need to inspect the device during its commercial use. As there are a limited number of inspectors available from the Montana Weights and Measures Bureau, their inspectors will contact you to schedule their inspection of your device when they are in your area.

#1-What types of marijuana businesses must utilize NTEP approved, inspected, and licensed scales?



Most marijuana license types will require the use of an NTEP, licensed scale.

- o **Cultivators:** One example of cultivator use is that they must record the wet weight of all harvested marijuana plants immediately after harvest in the seed-to-sale tracking system.

- o **Manufacturers:** An example of manufacturer use is that they must record the weight, in the seed-to-sale system, of all packaged marijuana products that will be transported to a dispensary for retail sale.

- o **Dispensaries:** One example of dispensary use is if a dispensary were to offer “deli style” marijuana flower, this product would require a licensed scale for that purpose.

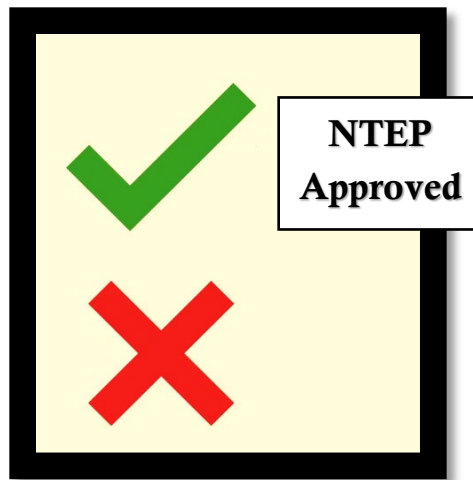
- o **Marijuana testing laboratories:** One possible use by a testing laboratory sampler would be to physically weigh and thus confirm that the entire test batch presented compares accurately with the masses that recorded in the test batch submitter’s seed-to-sale tracking system.

Per [ARM 42.39.105 \(4\)](#):

A licensee must use a weighing device pursuant to [30-12-203, MCA](#), and [ARM 24.351.101](#) whenever marijuana is:

- (a) packaged for sale by weight;
- (b) bought and sold by weight; and
- (c) weighed for entry into the seed-to-sale tracking system

#2-In order to use a weighing device for commercial purposes, it must be NTEP approved. What does that mean?



Weighing devices must be NTEP approved for commercial purposes.

- o NTEP stands for **N**ational **T**ype **E**valuation **P**rogram. NTEP is a non-profit corporation that tests scales and other weighing devices to ensure they meet government standards set forth per the [National Institute of Standards and Technology](#).
- o An NTEP approved device will usually have a seal adhered to it with a Certificate of Conformance number (CC or CoC). The Certificate of Conformance will typically be notated on smaller scales (e.g., CC or CoC 12-345).



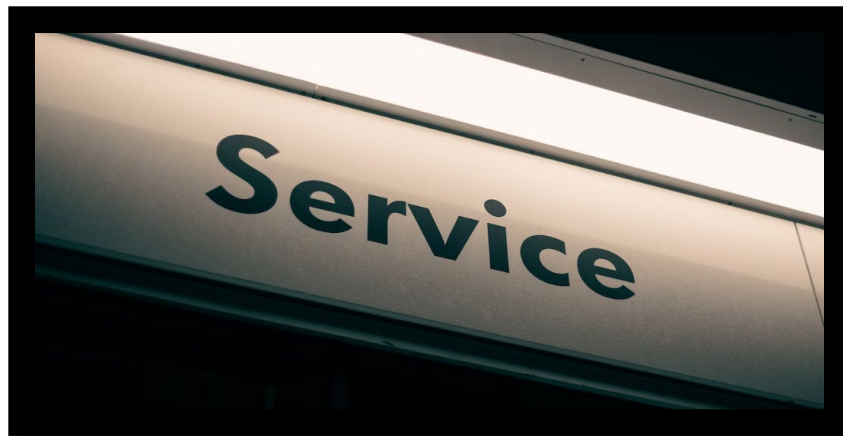
The NTEP Certificate of Conformance number (highlighted) is a sticker or seal that is usually adhered to the device.

[Need assistance with locating your device's CoC information?](#)

A business may contact the manufacturer if they cannot find the CoC information for their device(s) or they may conduct their own [online search](#).

Additionally, the business may contact the [Weights and Measures Bureau](#); the bureau can search for the device by the manufacturer and model numbers.

#3: Your device must be “Placed into Service” by a registered scale service agency before it may be utilized for any commercial purposes:



A registered scale service company will need to place the device into service until a Weights and Measures Bureau representative may conduct their inspection of the device.

- o The Montana Weights and Measures Bureau has a limited number of inspectors available in the state. Marijuana businesses will need to get their device initially placed into service by a [registered scale service agency](#) prior to a Montana Weights and Measures Bureau inspection. **(Click on the above link to be taken to the list of registered scale service agencies in Montana).**
- o After certifying the device meets the requirements and standards, the registered agent will complete a [report](#) that is submitted to the Weights and Measures Bureau prior to the issuance of an eStop Business license.
- o The registered agent will then affix their seal upon the approved device **(see picture below)**. The registered service agent’s seal will allow the device to be used in a commercial capacity until the device can be officially inspected by a Weights and Measures Bureau representative.



Sample of a Montana registered scale service agent's seal on an NTEP weighing device.

#4-Contact the Montana Department of Revenue to obtain an eStop license for your device:



Marijuana businesses must obtain a license for their weighing device with [eStop](#).
Businesses must renew the license annually.

- o Marijuana businesses may obtain an eStop license for their device(s) via the [eStop Business Licensing Program](#) or via a [master application](#) (paper).
- o For questions pertaining to an eStop business license, please contact by phone at (406) 444-6789 or by email at DOReStop@mt.gov
- o The **eStop Information and Resource Guide** is available [here](#).
- o For a breakdown of the current eStop licensing costs, please visit this [link](#).

IMPORTANT NOTE: By having an eStop Business License, you are certifying that you intend to transact business in Montana. The eStop program also requires you to register to do business in Montana through the Montana Secretary of State's office. Visit the [Secretary of State Business Services](#) to register to do business.

For more information about their process, contact the Secretary of State Business Services by phone at (406) 444-3665 or by email at sosbusiness@mt.gov

#5: An inspector from the Weights and Measures Bureau will contact you to perform their inspection on behalf of the state when they are in your area:



Sample of a state of Montana Weights and Measures seal on an approved weighing device.

- Weighing devices will require a representative from the Weights and Measures Bureau to also conduct an inspection of the device.
- Upon successful inspection of the device, the inspector will adhere the state of Montana Weights and Measures seal (pictured above).

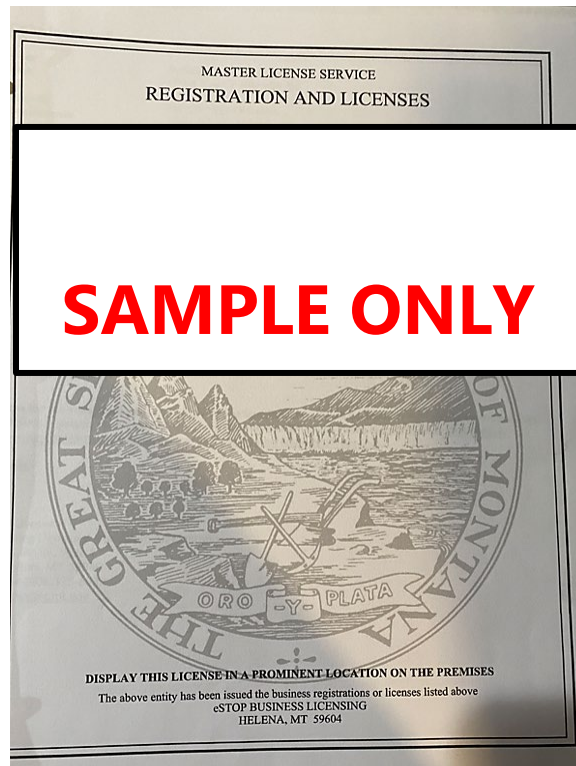
#6: All weighing devices require an annual licensing fee and an inspection:



Weighing devices must annually purchase a license through eStop and have an inspection performed by the Weights and Measures Bureau.

- Marijuana business licensees that are required to use a weighing device must purchase an annual license via the [eStop licensing system](#).
- Each license must require an inspection once a year. Inspectors from the Weights and Measures Bureau will schedule their annual inspection with you when they are in your area.

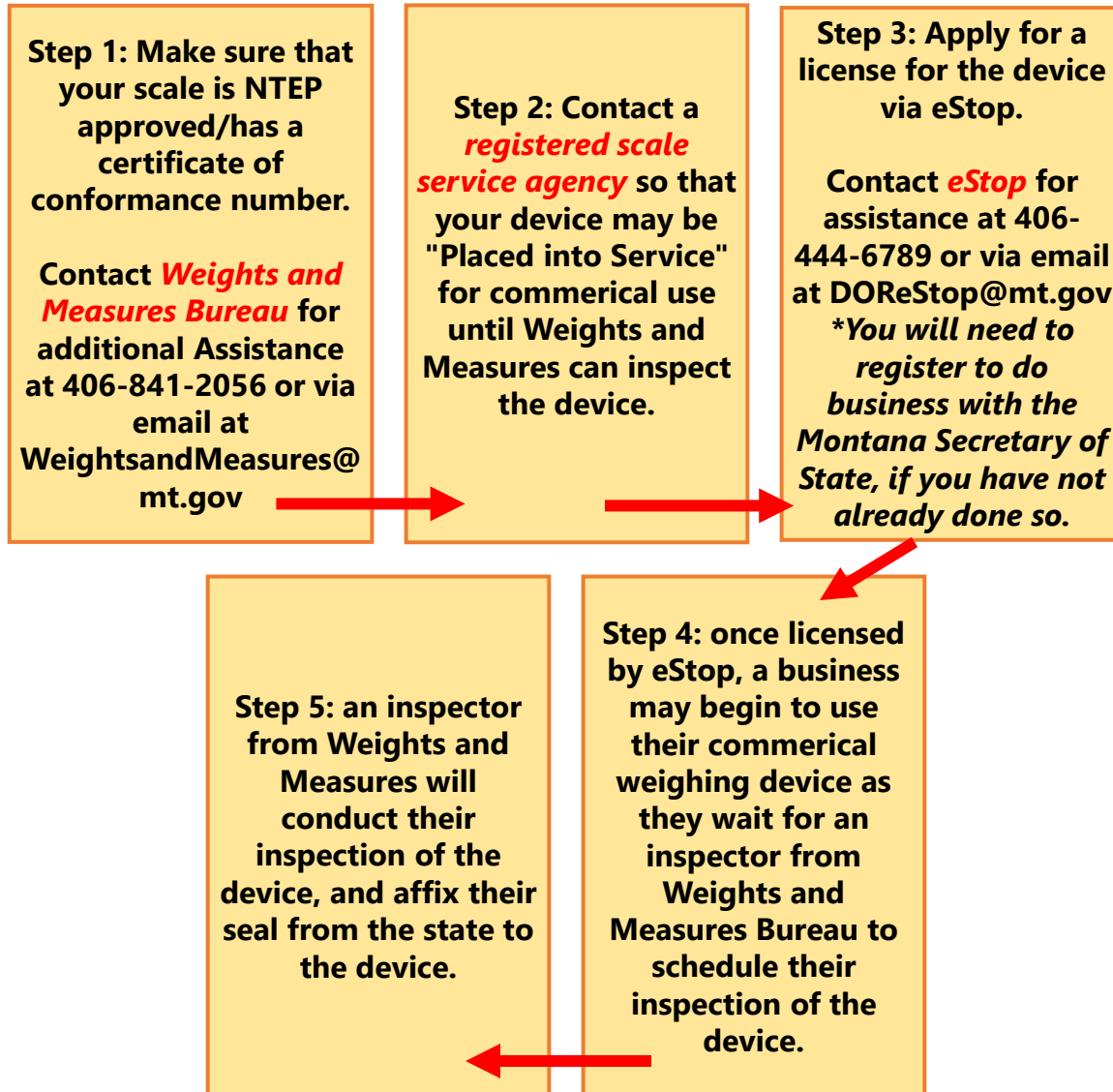
#7: Marijuana businesses required to use a licensed weighing device must display their eStop license prominently:



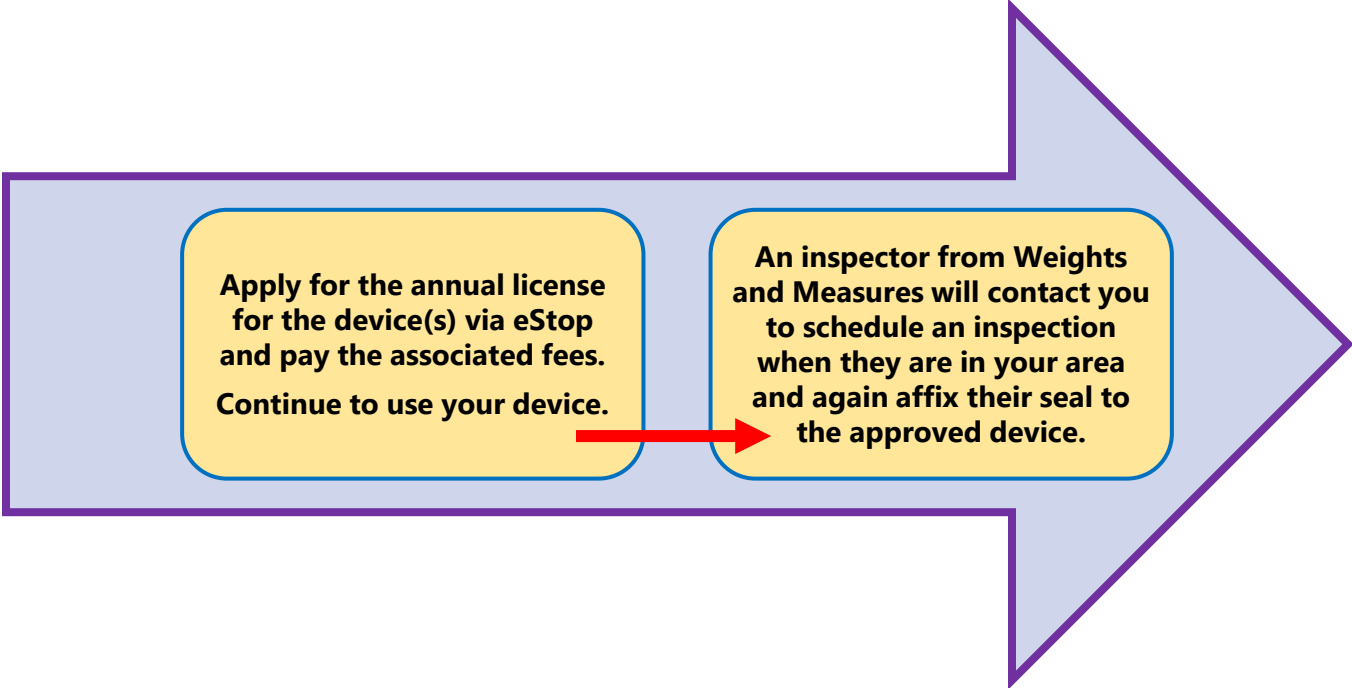
Sample of a license issued by eStop for a weighing device.

- o Be sure to display the license from eStop prominently at your place of business.

Summary of Steps for Initial Licensing of a Commercial Weighing Device(s):



Summary of Steps for Renewing a License for a Commercial Weighing Device(s):



Forms and Resources

- o [Administrative Rule of the State of Montana, 24.351.101-Definitions](#)
- o [Administrative Rule of the State of Montana, 42.39.105-General Licensee Requirements](#)
- o [Administrative Rule of the State of Montana, 42.39.203-Seed-to-Sale Tracking and Reconciliation](#)
- o [Administrative Rule of the State of Montana, 42.39.310-Waste Management](#)
- o [Montana Code Annotated, 30-12-203-Licensing of Weighing Devices](#)
- o [Montana Department of Health and Human Services-Quality Assurance Sampling Protocol \(SOP\)](#)
- o [Scale Service Agencies Registered with the State of Montana](#)
- o Form-[Placing in Service Report-Weighing Devices](#)
- o Guide-[eStop Business Licenses, Information and Resource Guide](#)
- o Website-[eStop Business Licenses Program](#)
- o Website-[Montana Department of Labor and Industry-Weights and Measures Bureau](#)
- o Website-[Montana Secretary of State](#)