



**January 28, 2021**

## **Simplified: ILMA’s Weights and Measures Proposals**

ILMA has received several member inquiries, asking for clarification on ILMA’s proposals on the labeling of obsolete tractor hydraulic fluids and obsolete motor oils that are awaiting final action this summer by the National Conference on Weights and Measures (NCWM). The following summary is intended to address these inquiries.

NIST Handbook 130 contains “Uniform Laws and Regulations,” which are developed by NCWM and are intended to promote uniformity to the maximum extent possible in weights and measures laws and regulations across the United States. Automotive fuels and lubricants are included in Handbook 130. NCWM has policies and procedures to make amendments to Handbook 130.

### **Obsolete Tractor Hydraulic Fluids**

*Current Requirement* – Since January 1, 2020, each container (or documentation for bulk shipments) of tractor hydraulic fluid must be labeled with the primary performance claim(s) set by the OEM(s). Unless the fluid meets a current OEM specification (verified on the NCWM website), any obsolete OEM specification must be clearly identified as “obsolete” and the following warning placed on the *front* package label in *clearly legible font size and color*:

**Caution:** Some specifications are no longer deemed active by the original equipment manufacturer. Significant harm to the transmission, hydraulic system, seals, final drive or axles is possible when using in applications in which it is not intended.

*ILMA’s Proposal* – ILMA members are concerned with subjective enforcement of what constitutes “clearly legible” and where the cautionary statement is placed on the front label. ILMA’s proposal, if adopted, would require the cautionary statement to be on the principal display panel and meet the “prominence and placement” requirements of definite, plain and conspicuous as to size, style (font) and color of letters and numbers as set forth in Sections 8 and 9 of Handbook 130’s “Uniform Packaging and Labeling Regulation” (UPLR). The UPLR also sets forth how to calculate the area of the principal display panel for purposes of type size.

If ILMA’s proposal is adopted this summer by the NCWM, the amendment would be effective and would be included in Handbook 130, beginning on January 1, 2022.

### **Obsolete Motor Oils**

*Current Requirement* – Under existing Handbook 130 provisions, any non-licensable API service category is considered “obsolete” and, if the motor oil does not meet an “active” API service classification, then the container must contain a plainly visible cautionary statement in

compliance with the latest version of SAE J183, Appendix A. The cautionary statement in SAE J183, Appendix A varies based on the obsolete API service category being claimed.

*ILMA's Proposal* – Under ILMA's proposal, the plainly visible cautionary statement in SAE J183, Appendix A would be required to be placed on the container's principal display panel (*i.e.*, front label). The Association's proposal is based on court decisions holding that a consumer should not have to study the rear label to determine the accuracy of performance representations made on the front label.

If ILMA's proposal is adopted this summer by the NCWM, the amendment would be effective and would be included in Handbook 130, beginning on January 1, 2022.

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The current edition of [NIST Handbook 130](#) is always available at [www.irma.org](http://www.irma.org) under the Issues tab.