

# **Legislative Regulation Review Committee**

2010-034

Department of Consumer Protection

**LAST SALE DATES FOR RETAIL  
PRODUCTION**

**STATE OF CONNECTICUT  
REGULATION  
of the  
DEPARTMENT OF CONSUMER PROTECTION  
concerning  
LAST SALE DATES FOR RETAIL PRODUCTS**

Section XX-XXX-X of the Regulations of Connecticut State Agencies is hereby adopted as follows:

**Sec. XX-XXX-X. Adoption of Uniform Open Dating Regulation. Exception.**

The voluntary version of the Uniform Open Dating Regulation, adopted and amended from time to time by the National Conference on Weights and Measures and published in the National Institute of Standards and Technology Handbook 130, as amended, of the United States Department of Commerce is adopted, and herein incorporated by reference, as the standard for this state. Those dairy foods that are required to be marked with a last sale date pursuant to Connecticut General Statutes Section 22-197b shall be exempted from the Uniform Open Dating Regulation.

**Statement of Purpose**

This regulation is proposed to further the General Assembly's legislative directive set forth in Public Act 08-99 (Substitute House Bill 5610).

The purpose of this regulation is to establish the specific new product labeling standard of the National Institute for Standards and Technology ("NIST") in Connecticut, as directed by PA 08-99. Said standard, the voluntary version of the "Uniform Open Dating Regulation," is found within the NIST "Handbook 130" publication, the latest version of which is being automatically adopted by reference. NIST standards may be amended annually. This Open Dating Regulation joins several other NIST weights and measures standards that are automatically adopted by reference in Connecticut. The Public Act exempted certain dairy products, and this exemption was incorporated into the language of the Department's proposed regulation.

This regulation adopts a product labeling standard propounded by NIST.

Be it known that the foregoing:

Regulations  Emergency Regulations

Are:

Adopted  Amended as hereinabove stated  Repealed

By the aforesaid agency pursuant to:

Sections 4-168 and \_\_\_\_\_ of the General Statutes and

Section \_\_\_\_\_ of the General Statutes, as amended by Public Act No. \_\_\_\_\_ of the \_\_\_\_\_ Public Acts.

Public Act No. 08-99.

After publication in the Connecticut Law Journal on August 25, 2009 of the notice of the proposal to:

Adopt  Amend  Repeal such regulations

(If applicable): And the holding of an advertised public hearing on September 28, 2009.

WHEREFORE, the foregoing regulations are hereby:

Adopted  Amended as  hereinabove stated  Repealed

Effective:

When filed with the Secretary of the State.  
(OR)

The \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

In Witness Whereof:	DATE <u>4/7/10</u>	SIGNED (Head of Board, Agency or Commission) <i>Jerry Farwell</i>	OFFICIAL TITLE, DULY AUTHORIZED <b>COMMISSIONER</b>
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Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.:	SIGNED <i>W B AK 5/27/10</i>	OFFICIAL TITLE, DULY AUTHORIZED <small>ASSOC. SGT. ...</small>
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- Approved
- Disapproved
- Disapproved in part, (Indicate Section Numbers disapproved only)
- Rejected without prejudice.

By the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes.	DATE	SIGNED (Clerk of the Legislative Regulation Review Commit
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Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE	SIGNED (Secretary of the State)	BY
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**INSTRUCTIONS**

One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes.

Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.

Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.

Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in capital letters and deleted language in brackets. Section 4-170 of the General Statutes.