
**SENATE COMMITTEE ON
BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT**

Senator Dr. Aisha Wahab, Chair
2025 - 2026 Regular

Bill No:	AB 2085	Hearing Date:	June 1, 2026
Author:	Alanis		
Version:	March 16, 2026		
Urgency:	No	Fiscal:	Yes
Consultant:	Elissa Silva		

Subject: Weighing and measuring devices: indications: display

SUMMARY: Revises the current prohibition which precludes an individual from positioning a weighing device used in a *retail sale* so that its indications cannot be read by purchaser, to include a weighing and measuring device used for any commercial purpose to make the indications visible to both the customer and operator.

Existing law:

- 1) Provides the California Department of Food and Agriculture (CDFA) with general supervision of the weights and measures laws, and weighing and measuring devices sold or used in this state. (Business and Professions Code (BPC § 12100).
- 2) Establishes in each county, the office of the county sealer of weights and measures, who is appointed by that county board of supervisors, except in charter counties, and the term of office is set at four years. (BPC § 12200)
- 3) Authorizes the appointed county sealer, with the consent of the board of supervisors, to appoint deputies or inspectors and employ clerks and employees, as specified. (BPC § 12200)
- 4) Requires each sealer within his or her county to inspect, try and test all weights, scales, beams, measures of any kind, instruments or mechanical devices for weighing and measuring, and tools, appliances and accessories connected with any or all such instruments or measures, sold or used by any proprietor, agent, lessee or employee for commercial purposes, as defined. (BPC § 12210(a))
- 5) Defines a “county sealer” to mean any sealer appointed by a county, and a county may in its discretion refer to its sealer as the country director of weights and measures (BPC § 12006)
- 6) Makes it a misdemeanor for any person to hinder or obstruct in any way, any sealer in the performance of their official duties. (BPC § 12016)
- 7) Makes any person who neglects or refuses to exhibit any weight, measure, weighing or measuring instrument, or appliances and accessories connected in their possession or control to any sealer for examination guilty of a misdemeanor. (BPC § 12018)

- 8) Makes it unlawful for any person to use for commercial purposes any weight or measuring device knowing the device to be "incorrect", as defined. (BPC § 12020)
- 9) Requires every sealer to:
 - a) Carefully preserve all copies of the standards of weights and measures in their possession;
 - b) Keep the copies in a safe and suitable place when not in use;
 - c) Annually and at such other times as the CDFA requires file with the CDFA a written report of the work done by the sealer of the weights and measures, weighing and measuring instruments inspected or tested, the result of such inspection, of all prosecutions for violations and all other matters and things pertaining to the sealer's duties or which may be required by the CDFA. (BPC § 12209)
- 10) Defines a "measuring instrument" to mean any device, contrivance, apparatus, or instrument used or designed to be used for ascertaining measure and includes any tool, appliance and or accessory used or connected therewith. (BPC § 12500(b))
- 11) Prohibits a person from locating or positioning a weighing or measuring device used in retail trade, except as used exclusively in the preparation of packages put up in advance of sale that its indications cannot be accurately read by the purchaser under ordinary circumstances. (BPC § 12510(a)(6))

This bill revises the positioning requirements for a weighing or measuring device to be used for retail purposes to include all commercial purposes, so that its indications can be read by both the customer and operator.

FISCAL EFFECT: According to the Assembly Committee on Appropriations, this bill will not result in state costs.

COMMENTS:

1. **Purpose.** The California Agricultural Commissioners and Sealers Association is the sponsor of this bill. According to the Author, "The purpose of AB 2085 is to ensure that all commercial weighing and measuring devices are positioned so that both the customer and the operator can clearly see the results, regardless of whether the customer is buying or selling. By requiring full visibility of weights, measures, and prices, the bill promotes fairness, prevents fraud, and strengthens trust in everyday transactions."
2. **Background.**

California Department of Food and Agriculture and the Division of Measurement Standards. The DMS under the CDFA is responsible for the implementation and enforcement of California's *weights and measures* laws. California's regulation of weighing and measuring devices was established in 1913. The primary function of the weights and measures laws is to ensure consumers obtain fair and accurate

commodity pricing when purchasing products based on scales or devices which weigh and measure consumer products.

Through the regulation of weights and measures laws in California, both weighing and measuring devices (scales, meters, dispensers) are tested for accuracy and inspected to determine if they are appropriate for their intended use and provide accurate readings. When consumers purchase gasoline from a gas pump, or vegetables by weight at the supermarket, the regulation of those weighing devices used in commerce is to ensure that the price paid is correct for the amount of the product purchased. A weighing or measurement device that is not operating correctly can result in overpayment by consumers, or consumers receiving less quantity for which they paid. Other common devices under the jurisdiction of the weights and measure laws include, gasoline dispensers, propane/butane meters, electric meters, taxi meters, odometers on ambulances, farm milk tanks, pharmacy scales, and deli counter scales (to name a few). In addition, scales that measure scrap metal or recyclable cans and bottles rely on the use of scales of which the accuracy and integrity of the measuring and weighing equipment is paramount for consumer protection.

County Sealers. Enforcement of the weights and measure standards in California, are delegated to a county sealer of weights and measures. Historically, it has been the primary objective of weights and measures officials to ensure that "equity prevails" in the marketplace. To achieve that objective each county, under the general direction and oversight of the Secretary of CDFA, enforces the laws and regulations of the BPC and the California Code of Regulations related to the standards for weights and measures. These enforcement programs protect and promote the local economy and commerce of each county. County weights and measures officials inspect, and test packaged commodities, and all commercially used devices.

County sealers are appointed by their respective county board of supervisors and are responsible for ensuring that all commercial scaling and volumetric measuring devices provide accurate readings. County sealers regulate a significant number of weighing and measuring devices including petroleum fuel meters, utility submeters, odometers, taximeters, LPG meters, and all grocery, butchery, jewelry, postal, vehicle, luggage and shipping scales.

County sealers are required to preserve all copies of the standards of weights and measures in their possession and keep them safe when not in use. Annually (or when requested by the CDFA), they must file a written report of the work done including testing and inspections, and all prosecutions for violations. Sealers have permissive authority to enter into any specified business location or stop any vendor with commodities for sale without a warrant to conduct the appropriate testing. County sealers have the authority to issue citations for misdemeanor and infraction violations involving weights and measures laws.

Current law authorizes a county board of supervisors, through an ordinance, to charge an annual registration fee to recover the costs associated with inspecting or testing the weighing or measuring devices. Fees are specified in statute and may not be higher than the actual cost to inspect or test.

To assist consumers in retail transactions only that rely on a weighing or measuring device, current law requires that customers to be able to view the display scale to ensure they know the amount of what they are paying for. However, this requirement does not apply to transactions where customers “sell” to someone, such as a scrap dealer or recycler. This bill aims to ensure that all transactions, not just retail sales, allow a consumer to see the display of the scale, including in scrap and other recycling product scales.

3. **Arguments in Support.** The California Agricultural Commissioners and Sealers Association writes in support and notes, “Current law does not fully address situations where the customer is the seller, particularly in industries such as recycling. County Sealers have observed through routine inspections and undercover operations that when device displays are not visible to customers, the likelihood of underpayment and fraud increases. This lack of transparency undermines consumer confidence and creates opportunities for dishonest practices.

“AB 2085 closes this gap by requiring operators to position commercial weighing and measuring devices so that results are visible to both the operator and the customer in all applicable transactions. In doing so, the bill promotes fairness, accountability, and consistency across industries. Additionally, the bill clarifies visibility requirements for point-of-sale pricing systems, further enhancing consumer protections.”

SUPPORT AND OPPOSITION:

Support:

California Agricultural Commissioners and Sealers Association (sponsor)

Opposition:

None received

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