

Opinion No. 13-1076

July 11, 1913

BY: FRANK W. CLANCY, Attorney General

TO: Mr. Al. Coleman, Albuquerque, N. M.

WEIGHTS AND MEASURES.

Scales in stock not sold or in use, not subject to inspection.

OPINION

{*247} I have just received your letter of yesterday asking whether scales in stock, not sold or in use, are subject to the requirements of the statute as regards inspection.

By reference to Section 4 of Chapter 82 of the Laws of 1913, you will see that the inspection and testing of scales is limited to "scales used by any and all merchants or persons engaged in the business of buying and selling commodities." Notwithstanding this limitation, the provisions of section 11 indicate that the inspection may extend to some kinds of scales not used by persons engaged in buying and selling, such as railroad scales, but I am of opinion that scales that are kept for sale and are not in use are not subject to inspection.