




New Mexico Department of Agriculture
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TO: All Owner/Operators-Liquefied Petroleum Gas
FROM: Roxanne Chepsongol, Division Director 
SUBJECT: Liquefied Petroleum Gas (LPG), Method of Sale

Selling LPG by a method of sale other than weight or by liquid measure is a violation of the the New Mexico Weights and Measures Law, Section 57-17-11. Examples of violations include but are not limited to the following:

Example 1. A business charges the customer for 5 gallons of LP gas when the bottle brought in is empty, on average a 5 gallon bottle will hold +/- 4.5 gallons due to the overfill protection valve.

Example 2. The business charges a customer for 5 gallons of LP gas when the bottle is not empty, never taking into account the product that is in the bottle prior to filling.

Example 3. The business has a minimum gallon charge, if you take in a bottle they charge for at least 3 gallons even if some amount less was used to fill that bottle.

57-17-11. Methods of sale of commodities; general.

A commodity in liquid form shall be sold only by liquid measure or by weight, and a commodity not in liquid form shall be sold only by weight, by measure of length or area or by count, provided, that the provisions of this section shall not apply to a commodity sold for immediate consumption on the premises of sale, to vegetables sold by the head or bunch, to cotton seed sold to cotton gins or to a commodity when in package or container form standardized by law. The board shall issue such regulations as are required to carry out the provisions of this section.

All businesses have the means to either meter the sale or charge by weight as required in the New Mexico Weights and Measures Law.

If you have any questions on this matter, please contact our office.