



# Southern Weights & Measures Association

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130th Edition

SWMA Newsletter

October 2012

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## JURISDICTIONAL NEWS

### MARYLAND

The Maryland Department of Agriculture (MDA) Weights and Measures is happy to welcome one new field inspector trainee, Katie Hall, who joined the section in August. Inspector Joe Lutz has completed his training and is now gaining experience testing oil and propane VTMs. Inspector John Hartman, who completed his training earlier this year, is settling into his assigned territory of Western Maryland by testing oil and propane VTMs. The program is in the process of hiring two new field inspectors to replace inspectors who have recently resigned, as well as an assistant metrology lab/NTEP technician. Although the program has experienced some recent turnover, we are pleased with the professional work of our staff and enthusiastic about working with new people.

In June, the staff reviewed electronic device audit trails. This was very useful as many gas stations in Central Maryland are replacing old equipment with pumps that have electronic audit trails. For two days in September, all inspectors enjoyed hands-on safety training for fire extinguishers and defensive driving. Everyone practiced putting out a (small) live fire. Training in safety and devices is on-going, and continued education training is a goal of the program.

With all the devices to cover out in field, the fleet of vehicles gets a lot use and racks up the miles. So, the program this year replaced a pick-up truck and four vans.

The program continues taking enforcement action against violators in short weight packages and misrepresentation of prices. Enforcement actions taken from May to September 2012 are shown below.

- On May 29, 2012, MDA received \$1,500.00 for a civil penalty assessed for short weight to Harris Teeter 403 of Olney, MD 20832.
  - On June 29, 2012, MDA received \$500.00 for a civil penalty assessed for short weight to Safeway #2848 of Bethesda, MD 20814
  - On June 29, 2012, MDA received \$1,500.00 for a civil penalty assessed for short weight to Safeway #1315 of Rockville, MD 20853
  - On June 29, 2012, MDA received \$2,000.00 for a civil penalty assessed for short weight to Safeway #853 of Bethesda, MD 20814
  - On July 6, 2012, MDA received \$250.00 for a civil penalty assessed for short weight to Ceriello Fine Foods of Baltimore, MD 21212
  - On July 10, 2012, MDA received \$500.00 for a civil penalty assessed for short weight to Giant Food #347 of Largo, MD 20774
  - On July 10, 2012, MDA received \$2,000.00 for a civil penalty assessed for short weight to Giant Food #342 of Marlow Heights, MD 20748
  - On July 10, 2012, MDA received \$2,000.00 for a civil penalty assessed for short weight to Giant Food #362 of Germantown, MD 20876
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- On July 10, 2012, MDA received \$1,500.00 for a civil penalty assessed for short weight to Giant Food #192 of Gaithersburg, MD 20879
- On July 27, 2012, MDA received \$2,000.00 for a civil penalty assessed for short weight to Safeway #2753 of Kensington, MD 20895
- On July 27, 2012, MDA received \$500.00 for a civil penalty assessed for short weight to Safeway #4868 of Laurel, MD 20707
- On July 10, 2012, MDA received \$2,000.00 for a civil penalty assessed for short weight to Jumbo Food International of Temple Hills, MD 20748
- On July 6, 2012, MDA received \$500.00 for a civil penalty assessed for price verification to Wawa #8502 of Baltimore, MD 20784
- On July 12, 2012, MDA received \$500.00 for a civil penalty assessed for price verification to CVS #5764 of Baltimore, MD 21212
- On July 12, 2012, MDA received \$500.00 for a civil penalty assessed for price verification to CVS #3976 of Baltimore, MD 21217
- On July 31, 2012, MDA received \$500.00 for a civil penalty assessed for price verification to Rite Aid #3790 of Langley Park, MD 20783
- On July 31, 2012, MDA received \$500.00 for a civil penalty assessed for price verification to Rite Aid #374 of Baltimore, MD 21228
- On July 31, 2012, MDA received \$500.00 for a civil penalty assessed for price verification to Rite Aid #2210 of Baltimore, MD 21227
- On July 31, 2012, MDA received \$500.00 for a civil penalty assessed for price verification to Rite Aid #11204 of Silver Spring, MD 20904
- On July 31, 2012, MDA received \$500.00 for a civil penalty assessed for price verification to Rite Aid #2585 of Hyattsville, MD 20783
- On August 1, 2012, MDA received \$1,000.00 for a civil penalty assessed for price verification to CVS #4411 of Baltimore, MD 21215

During FY 2012 (July 1, 2011 to June 30, 2012), Maryland Weights and Measures issued 93 civil penalties, most for packaging short weight violations and price misrepresentation, in the amount of \$94,250. This is due to field inspections of 8,261 package lots with 19.4% in violation and 16,002 price scanning verifications with 3.4% in violation.

### **A Recap of Field Activities in Maryland**

For FY 2012, field inspectors conducted 1,067 (16.1% in violation) large scale inspections, 743 (16% in violation) medium scales and 8,385 (21.5% in violation) small scale inspections. The meters inspected were 28,970 (19.6% in violation) retail motor fuel meters, 481 (27.8% in violation) propane gas meters and 1,104 (12% in violation) vehicle tank. The inspectors tested 134 (24.6% in violation) grain moisture meters. Other inspections include 2,072 (11.9% in violation) tare inspections and 1,294 (0.7% in violation) delivery tickets.

The state metrology lab conducted tests on 1,726 weights (13.3% rejection); 34 volumetric measures (41.2% rejection); 31 temperature devices, 2 timing devices and 405 grain samples. The lab also underwent NVLAP re-accreditation.

The NTEP lab conducted 58 type evaluations of devices.

The program investigated 584 consumer complaints, most of which were related to retail motor fuel dispenser accuracy. That is an average of 2.4 complaints investigated every work day. When gas prices increase, complaints about gas station pumps also tend to increase. ☼

### **North Carolina**

As I write this, we are preparing for the NC State Fair scheduled for October 11 – 21, 2012. The theme for this year is “Bumper Crop of Fun.” We will have our annual Standards Division booth set up to give customers their weight for free. We will also feature price scanning and price posting issues and the impact they have on consumers.

As always, a number of staff members are involved with the State Fair, from conducting daily inspections of all the LP-Gas tanks in commercial use to staffing both our booth and several other depart-

ment booths or events, we commit a great deal of time to make this a successful event.

### **Standards Laboratory**

The month of October is always an exciting month for us at the Standards Laboratory. From October 1 – 9, 2012 we begin our journey from Colfax, North Carolina traveling as far west as Fletcher, North Carolina making stops in Charlotte and Greenville, before ending in Lumberton, North Carolina for our annual 5 gallon test measure run. Metrologist Ashley Lessard and Quality Assurance Manager Robert Rogers will calibrate over 400 test measures during this 7 day process. This will be Robert's first year experiencing this opportunity to work out in the field.

Kristopher Simino has joined our staff as our newest Metrologist. He began his state agency employment on August 6, 2012 and attended the Fundamentals of Metrology class a few weeks later. He comes to us from Jacksonville State University in Alabama, where he served as an instructor for the last 3 years. We still have one vacant Metrologist position, which we will probably fill this winter or spring.

The Grain Moisture section just completed its corn harvest. Despite a spotty season and a threat of Tornados bearing down on North Carolina, adequate samples were collected for the upcoming inspection year. We will begin our soybean harvest in October.

**Sharon Woodard**

### **Measurement Section**

It's "Harvest Time". That's when cotton, tobacco, livestock, grain and peanut scales take time away from our regular duties but, we are "The Department of Agriculture" and it's our duty to see that the farmers, as consumers, are protected as these scales represent a large portion of their income for the entire year.

The NC Western State Fair and The NC State Fair that are held in September and October also require many hours of our time to help carry out each year. Thousands of people come to these two events each

year. They represent excellent opportunities to educate a large number of people on who we are and what we, as the Standards Division, do for them but more important, what agriculture is and what it means to them. We feel like it is time well spent. Plus everyone gets to have a great time at the Fair. There are tons and tons of things to do, see, and enjoy. Oh yeah, let's not forget "eat". There will be things to eat you can only get "At the Fair". I think I gained about 5 pounds during the Fair last year myself. It's hard to walk by that stuff.

The NCDA&CS Standards Division is hosting a NIST Handbook 133 Seminar in December. NIST employees Lisa Warfield and David Sefcik will be our instructors. Several of our inspectors have attended classes they have taught before and we are looking forward to a week packed with lots of "hitting the books, hands on, down in the trenches" training. Several of our neighboring states are planning to attend. We are hoping to make them, Lisa and David feel right at home while they are here.

There have been several personnel changes since the last newsletter. Bryon Moore is now a Standards Inspector II and his old Standards Inspector I position has been moved towards the Southeast part of the state and should be filled soon. John Rogers (Standards Inspector II) retired and that position should be advertised soon. Reggie Shufford, Heavy Scale Inspector, retired after 15 years. Congratulations to all on their promotion or retirement! Randy Ramsey joined our staff as a Standards Inspector I in the western part of the state.

**Jerry Butler**

### **Motor Fuels Laboratory**

The HVAC renovations to the 1976 wing of the Motor Fuels Lab are finally complete. An occasional bug still turns up, but overall, we are very happy with the new system. This included installing all new duct work, a new fume hood, new motors on existing fume hoods as well as a new ventilations system. The lab now has constant outside air coming in and being exhausted. The projects' Architects' favorite quote from an employee was, "fresh air smells funny".

It looks like we are in for more changes in the chemistry of fuels sold in NC. Conversion to E10 and S15 products has been completed. Now, we are beginning to see an increase in the number of diesel samples that contain biodiesel. Historically we have had few retail locations selling biodiesel blends. That number is not only increasing, but more diesels seem to have some biodiesel content up to 5% already, making higher blends difficult since the buyer doesn't know how much, if any, is already present. We do have labeling requirements to state the percentage of biodiesel present, but it will be a challenge for all involved to be sure they are accurate.

**Art Rupard** 中



**WHY WOMEN LIVE LONGER**

**Contact SWMA**

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