The Consolidated Weights and Measures Act
Report to the Pennsylvania General Assembly
Title 3 Pa C.S.A. Chapter 41, Title 70
For Calendar Year 2020

March 1, 2021
Table of Contents

Table of Contents .............................................................................................................. 1
Overview ............................................................................................................................ 1
Consumer Education and Outreach .................................................................................. 2
Weights and Measures Inspections .................................................................................... 2
  Inspection Details ........................................................................................................... 2
  Enforcement Actions ...................................................................................................... 2
Certified Examiner of Weights and Measures Program .................................................... 3
Certified UPC/PLU Inspector Program ............................................................................. 4
Fuel Quality Testing Program ........................................................................................... 4
Appendices ....................................................................................................................... 4
  • 2020 Yearly Inspection Activity Table ........................................................................ Exhibit A
  •  Regional and County Sealer Map .............................................................................. Exhibit B

Overview

Consumer protection is a critical part of the work done by the Pennsylvania Department of Agriculture. The Division of Weights and Measures exists for one reason: making sure Pennsylvania consumers get what they pay for.

The Division of Weights and Measures, part of the Pennsylvania Department of Agriculture’s Bureau of Ride and Measurement Standards, was created to ensure equity in the marketplace through laws and regulations, uniform inspection and testing procedures, and certified and knowledgeable inspectors.

The division is empowered through the Consolidated Weights and Measures Act, Title 3 Pa C.S.A. Chapter 41, with additional regulations found in Title 70. The act requires the department to describe all relevant activities of the state inspectors of weights and measures, Certified Examiners of Weights and Measures (CEWMs), and city and county sealers of weights and measures for the preceding calendar year.

The division is required to inspect weighing and measuring devices on a set schedule: either an annual inspection or at some greater interval not to exceed every fifth year, depending on the device. The division conducts these inspections through its regionally assigned inspectors and supervisors and CEWMs. These inspectors and supervisors work with the remaining county and city sealers who conduct weights and measures activities in their respective jurisdictions through an ongoing Memorandum of Understanding with the department.

Since the last significant update to the Consolidated Weights and Measures Act in 1985, 53 counties have dropped their sealer programs adding almost 75,000 devices to be inspected by the division. Exacerbating the situation is a 2012 amendment to the Act which removed Fuel Dispenser Meters (FDMs a.k.a. gas pumps) and Vehicle Tank Meters (VTMs a.k.a. home heating oil truck meters) from
the list of eligible devices to use in the CEWM program. The additional devices equate to an increase in inspection personnel that exceeds the bureau’s budgetary ability, necessitating programmatic changes starting with the Act.

Included in the appendices of this report are the spreadsheets outlining the activities of the division’s personnel, county and city sealers, and CEWMs for 2020. The appendices also include a map that identifies the seven regions into which the division is divided, the supervisors responsible for each region, and the existing county and city sealer programs with their respective contact information.

**Consumer Education and Outreach**
As part of the commonwealth’s transparency efforts, the division continues to use its online inspection database that allows consumers to access inspection reports. This application can be found [www.pda.state.pa.us/WMInspections](http://www.pda.state.pa.us/WMInspections) for inspections prior to June 2020; [https://www.pairs.uat.pa.gov/pairs-weights/Home/Search](https://www.pairs.uat.pa.gov/pairs-weights/Home/Search) for inspections conducted after June 2020.

The website also includes an online complaint form that consumers can use to alert the department to potentially inaccurate devices. The number of consumer complaints by location is included as part of the report spreadsheets in the appendix (Exhibit A).

The “Tested and Approved” and “Rejected” seals placed on each item inspected by the department feature the state’s toll-free number, 1-877-TEST-007, which consumers can use to register complaints or concerns about scales, gas pumps, and other state-regulated measuring devices. The red rejected seal serves as a warning to consumers that the device needs service or repair. These seals indicate a pending issue that the department is working with the device owner to correct. In many cases, a device with a rejected seal may still be in service if the issue is a repair that does not affect the accuracy of the device, or if the accuracy of the device is in the consumer’s favor. Devices found to be out of operational condition, or beyond the acceptable tolerance levels and detrimental to the consumer, are taken out of service immediately until repairs are made and the device is found to be operating within allowable tolerances.

**Weights and Measures Inspections**
The Division of Weights and Measures is responsible for inspecting devices like scales and meters, small-retail to large-capacity truck scales, truck-mounted fuel meters, liquid propane gas meters, retail fuel pumps, compressed natural gas meters, grain moisture meters, load rack meters, timing devices (except parking meters), and all consumer price scanning systems.

**Inspection Details**
The division inspects all devices in 54 of Pennsylvania’s 67 counties and provides support to the remaining 12 county sealer programs and one city sealer program. The division is also responsible for ensuring consumer questions and concerns are addressed in a timely manner. A list of sealer programs can be found in Exhibit B.
Enforcement Actions
The state, through Act 155 of 1996, adopts many of the federal standards created by the National Institute of Standards and Technology as found in its Handbook 44, Handbook 130, and other related publications. As devices and systems are found to be faulty or beyond the acceptable tolerance levels, action is taken to acknowledge the concerns of the state formally and bring the device into compliance. Written warnings are the first step in acknowledging an issue with a device or with a business or vendor. The number of warnings, citations and prosecutions are included in the appendix (Exhibit A) of this report.

Certified Examiner of Weights and Measures Program
Act 155 of 1996 amended PA C.S.A. Chapter 41, § 4110 (a)(4) and authorizes the department to use private industry professionals who have been trained and certified to conduct field level inspections on behalf of the department. With this use of department trained, tested and certified professionals, the weights and measures division personnel serve as the quality control auditors who monitor this program’s implementation, provide the final assurances that the law is being upheld, and ensure that certified examiners are protecting the consumers they represent.

The CEWM program applies only to devices under the direct responsibility of the department to inspect. Understanding the need to monitor these inspections, the department is diligent in its duty to conduct random and thorough inspections and audits of all CEWM program inspections, as mandated.

The program suffered a setback in 2012 when device types (Vehicle Tank Meters [VTM] and Fuel Dispenser Meters [FDM]) were removed from the list of eligible devices removing a valuable opportunity for the program to leverage this private public partnership opportunity in meaningful way. Successful use of the CEWM program allows the bureau to conduct more inspections with little or no additional costs in equipment or personnel.

Currently the bureau has CEWMs for liquid propane gas (LPG) devices. The bureau expanded the program to include large capacity scales (LCS) in spring 2016. The number of devices inspected by CEWMs are represented in the appendix (Exhibit A) included in this report.

Certified UPC/PLU Inspector Program
In line with the Consolidated Weights and Measures Act, the division developed a Certified Universal Product Code (UPC) and Price Look-Up (PLU) Inspector Program. Scanning systems and devices are inspected annually by the division or private business, as allowed by the act. UPC/PLU device inspectors complete a training course conducted by the division every three years.
**Fuel Quality (Octane) Testing Program**

In line with the Consolidated Weights and Measures Act, the division developed a fuel quality testing program that randomly samples gasoline at retail locations to ensure that the octane content advertised meets established standards. This program is separate from the bureau’s ongoing ability to address individual consumer concerns for specific fuel quality issues.

The bureau collected 0 random fuel samples from retailers throughout Pennsylvania in 2020; of the 0 samples tested, none failed.

In addition to the random fuel quality testing, the division tested 26 consumer fuel quality samples in 2020 in response to consumer complaints. Of the 26 samples tested, four failed and the retailers resolved the issues immediately.

**Appendix**

Please see the following appendices, including:

- 2020 Yearly Inspection Activity Table
- Regional and County Sealer Map
### 2020 Inspection Statistics

#### State Bureau

| Region | Small | Reject | Medium | Reject | Large | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Reject | Tested | Rejected | 85 | 0 | 3,859 | 249 | 31,515 | 1,761 | 448 | 36 | 0 | 0 | 0 | 0 | 0 | 2,010 | 87 | 28 | 1 | 55,338 | 147 | 32 | 49
The document contains a table with data related to inspections and complaints. It appears to be a statistics report, possibly from a government or regulatory body. The table includes columns for various identifiers (Badge ID), state bureaus, inspector names, and various metrics such as inspections, complaints, and warnings. The data includes numbers which indicate counts or measurements for different categories. The table is too detailed to transcribe fully here, but it is structured to show comparisons across different departments and inspectors.