



pennsylvania
DEPARTMENT OF AGRICULTURE

**The Consolidated Weights and Measures Act
Report to the Pennsylvania General Assembly
Title 3 pa C.S.A. Chapter 41, Title 70**

March 2013

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Overview

The Division of Weights and Measures, part of the Pennsylvania Department of Agriculture’s Bureau of Ride and Measurement Standards, was created to help ensure equity in the marketplace through laws and regulations, uniform inspection and test 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 State Inspectors of Weights and Measures, Certified Examiners of Weights and Measures 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. Depending on the type of device being inspected it may require an annual inspection or at some greater interval not to exceed every fifth year. The division conducts these inspections through its regionally assigned inspectors and supervisors and Certified Examiners of Weights and Measures. 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.

Included in the appendix of this report are the spreadsheets outlining the activities of the division’s personnel, county and city sealers, certified parking meter inspectors and Certified Examiners of Weights and Measures for 2012. The appendix also includes a map that identifies the seven regions into which the division divided, supervisors responsible for each region and existing county and city sealer programs.

Consumer Education and Outreach

As part of the commonwealth's transparency efforts, the division continues to use its online inspection database, which enables consumers to access inspection reports. This application can be found www.pda.state.pa.us/WMIinspections. Visit the database to see the latest inspection reports for your local businesses and devices.

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.

The "Tested and Approved" and "Rejected" seals placed on each item that is 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 is in need of service or repair. These seals indicate a pending issue and the department is working with the owner to correct it. 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 immediately taken out of service (made unusable by the consumer) until repairs are made and the device is found to be operating within allowable tolerances.

Weights and Measures Inspections

The Pennsylvania Department of Agriculture's Division of Weights and Measures is responsible for inspecting devices such as (but not limited to) scales – ranging from 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 scanning systems (UPC/PLU).

Inspection Details

The division inspects all devices in 52 of Pennsylvania's 67 counties and provides support to the remaining 15 county sealer and two city sealer programs. The division is also responsible for ensuring consumer questions and concerns are addressed in a timely manner.

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 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 formally acknowledge the concerns of the state and bring the device into compliance. Written warnings are the first step in acknowledging an issue with a device or with a business/vendor. The number of warnings, citations and prosecutions are included as part of the report spreadsheets in the appendix.

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 role of the weights and measures division personnel moves to serve as the quality control auditors who monitor this program's implementation and provide the final assurances that the law is being upheld and that the certified examiners are protecting the consumers they represent.

The CEWM program applies only to devices under the direct responsibility of the department to inspect. The department conducts random and thorough inspections and audits of all CEWM program inspections, as mandated.

Certified UPC/PLU Inspector Program

In line with the Consolidated Weights and Measures Act, the Pennsylvania Department of Agriculture's Division of Weights and Measures 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. PLU/UPC device inspectors complete a training course conducted by the division every three years.

Appendix

Please see the following appendices, including:

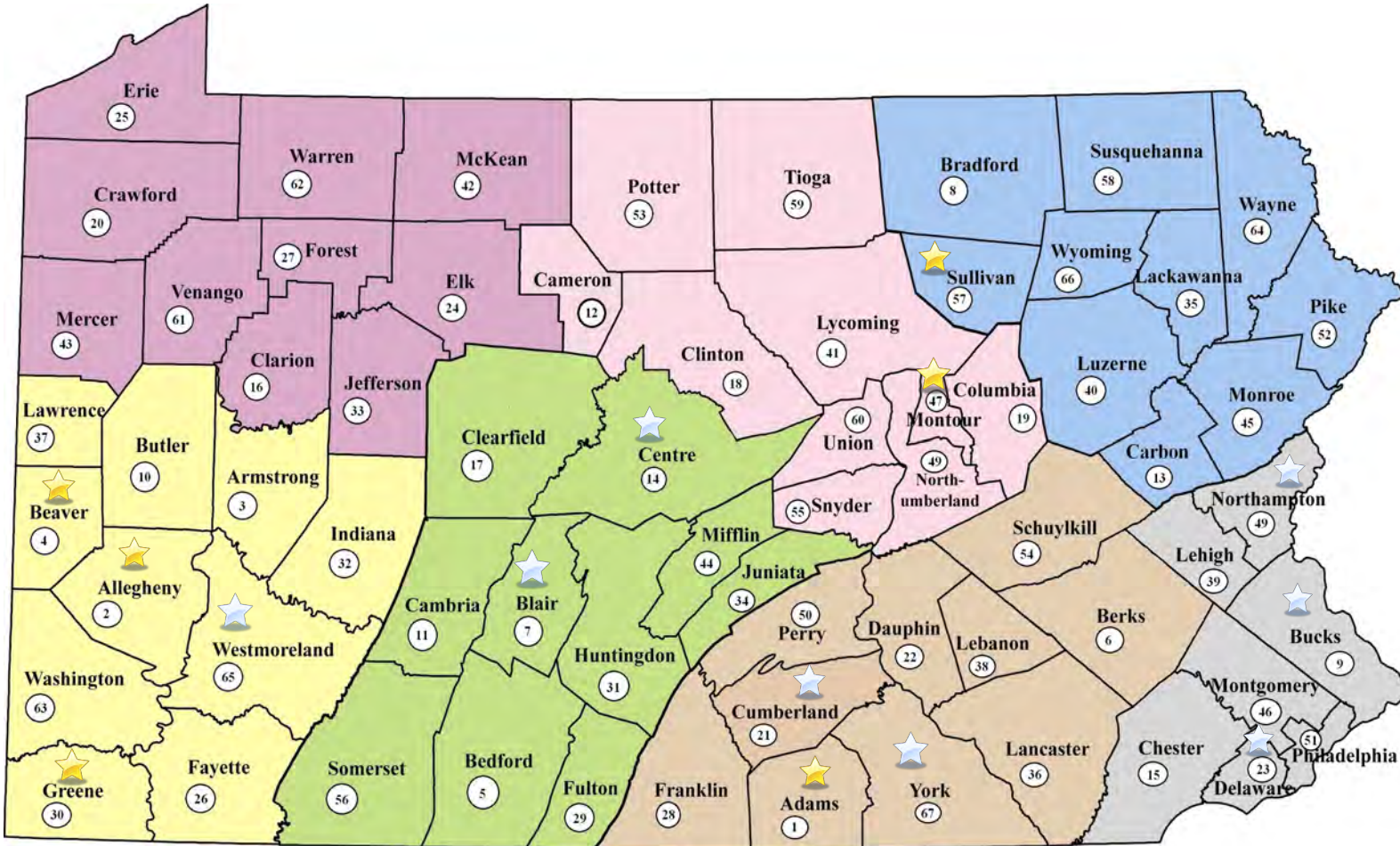
- 2012 Yearly Inspection Activity Table
- Regional and County Sealer Map



Bureau of Ride and Measurement Standards
Weights and Measures Division
2012 Inspection Statistics

Badge Id	SCALES						MISC *		TIME DEVICE		METERS								UPC / PRICE VERIFICATION		PKG CHECK LOTS		TOTAL DEVICES INSPECTED	CONSUMER COMPLAINTS	WRITTEN WARNINGS	PROSECUTIONS & FINES			
	0 to 1,000		1,001-10,000		10,001 +		Tested	Reject	Tested	Reject	FDM		VTM		LPG		LRM		GMM		Systems	Reject					Tested	Reject	
	Small	Reject	Medium	Reject	Large	Reject					Tested	Reject	Tested	Reject	Tested	Reject	Tested	Reject	Tested	Reject									Tested
Badge 11	535	74	9	2	3	1	0	328	49	1,409	335	40	9	0	0	0	53	5	24	1	29	9	51	28	2,481	15	50	0	
Badge 13	732	21	12	2	56	16	1	202	19	1,988	240	0	0	0	0	0	0	0	0	49	6	0	0	3,040	0	0	0		
Badge 14	684	31	9	1	31	8	0	983	198	1,977	419	66	6	0	0	0	0	0	0	61	5	0	0	3,811	6	0	0		
Badge 15	1,164	79	1	0	1	0	1	217	39	1,546	257	0	0	0	0	0	0	0	0	65	8	0	0	2,995	3	7	0		
Badge 20	300	20	0	0	1	0	0	0	0	89	11	0	0	0	0	0	0	0	0	0	0	0	0	390	23	2	0		
Badge 21	220	4	0	0	0	0	13	0	0	1,504	147	84	16	0	0	9	0	5	0	56	1	0	0	1,891	0	0	0		
Badge 22	1,115	34	10	2	0	0	1	310	0	1,538	187	0	0	1	0	0	0	0	0	0	0	2	1	2,977	3	0	0		
Badge 23	239	13	43	6	187	28	6	0	0	756	67	0	0	0	0	0	0	0	50	3	0	0	1,281	0	0	0			
Badge 30	326	64	0	0	0	0	0	7	0	912	204	1	1	0	0	8	7	0	0	204	0	17	4	1,271	25	0	4		
Badge 31	1,250	66	0	0	0	0	0	91	30	2,087	176	0	0	0	0	0	0	0	0	0	0	857	71	4,285	0	0	0		
Badge 32	255	12	71	11	200	58	23	2	0	1,015	145	0	0	0	0	0	0	0	0	0	0	0	0	1,564	5	15	4		
Badge 33	1,314	38	0	0	0	0	0	0	0	2,783	190	259	13	0	0	190	0	0	0	16	0	0	0	4,372	10	0	0		
Badge 34	328	6	0	0	0	0	0	220	3	721	54	0	0	204	37	0	0	0	0	509	29	0	0	1,982	8	0	0		
Badge 40	73	6	43	4	76	2	0	0	0	67	22	0	0	0	0	0	0	5	1	0	0	31	0	295	2	0	0		
Badge 42	852	66	2	1	8	0	115	34	1,024	133	1,940	358	163	26	0	0	0	0	0	41	2	0	0	4,145	14	0	0		
Badge 43	424	30	4	0	0	0	0	1,151	151	1,396	243	256	37	13	4	0	0	0	0	50	6	0	0	3,294	15	14	1		
Badge 44	329	9	10	0	27	0	64	6	41	9	0	0	0	0	0	0	0	0	0	0	0	0	0	471	1	0	0		
Badge 50	47	0	0	0	17	0	0	0	0	15	5	0	0	0	0	2	0	0	0	5	0	0	0	81	1	0	0		
Badge 51	267	2	12	0	10	0	0	32	1	787	28	356	48	30	9	0	0	0	0	56	2	0	0	1,550	2	1	0		
Badge 52	414	16	56	5	309	35	4	0	0	1,216	107	0	0	0	0	0	0	9	1	0	0	0	0	2,008	3	1	0		
Badge 53	1,416	60	42	3	47	1	3	33	0	2,318	304	0	0	14	3	0	0	16	3	50	0	0	0	3,939	5	0	0		
Badge 60	551	22	2	1	0	0	0	0	0	158	46	0	0	0	0	0	0	45	0	0	0	6	0	762	22	2	0		
Badge 61	736	48	0	0	0	0	0	359	30	1,969	316	186	34	0	0	0	0	47	4	67	1	0	0	3,364	10	0	0		
Badge 62	1,220	51	0	0	0	0	0	203	37	3,584	704	0	0	0	0	0	0	0	0	83	1	9	0	5,099	24	0	0		
Badge 63	512	12	2	0	0	0	1	161	12	2,042	591	142	44	2	0	0	0	0	0	62	2	0	0	2,924	12	3	1		
Badge 64	1,667	354	128	29	0	0	0	0	0	3,033	712	0	0	0	0	0	0	0	0	437	19	0	0	5,265	0	0	0		
Badge 65	1,024	55	4	0	0	0	0	0	0	969	145	116	16	0	0	0	0	10	0	0	0	0	0	2,123	6	0	0		
Badge 66	66	1	172	17	492	72	0	0	0	136	5	0	0	0	0	0	0	0	0	0	0	0	0	866	3	6	0		
Badge 67	1,650	144	4	0	0	0	0	302	6	3,711	913	204	37	0	0	0	0	19	1	86	2	0	0	5,976	20	0	0		
Badge 70	0	0	0	0	0	0	0	0	0	98	30	0	0	0	0	0	0	0	0	30	0	0	0	98	2	0	0		
Badge 71	76	4	0	0	0	0	0	0	0	772	344	479	209	1	0	0	0	0	0	0	0	0	0	1,328	5	0	0		
Badge 73	1,424	260	1	0	0	0	0	679	43	3,275	825	2	2	0	0	0	0	0	75	1	64	5	5,520	56	3	0			
Badge 74	2,203	128	0	0	0	0	0	0	0	2,762	704	0	0	0	0	0	0	0	0	0	0	151	10	5,116	49	0	0		
Badge 77	77	0	287	16	354	53	0	0	0	0	0	0	0	0	0	0	0	17	0	0	0	0	0	735	5	0	0		
Badge 78	2,255	236	0	0	3	1	0	1,062	94	3,314	910	0	0	0	0	0	0	0	0	0	0	98	15	6,732	27	0	0		
Badge 79	1,608	182	0	0	0	0	0	125	20	1,739	301	140	31	0	0	0	0	0	12	5	214	13	3,838	14	0	0			
PT1	521	78	0	0	0	0	0	0	0	694	227	0	0	0	0	0	0	0	0	0	0	0	0	1,215	0	0	0		
PT2	937	69	0	0	0	0	0	0	0	1,676	410	0	0	0	0	0	0	0	0	0	0	0	0	2,613	0	0	0		
Total	28,811	2,295	924	100	1,822	275	232	42	7,530	874	55,996	10,682	2,494	529	265	53	72	12	237	14	1,814	99	1,500	147	101,697	396	104	15	
CEWM Inspections																													
Amerigas																146		27						146					
Keehn Service Corp																53		0						53					
Reitz and Sons																5		0						5					
Specialty Tank & Truck																31		2						31					
Surban Propane																9		0						9					
Surban Propane																14		1						14					
Tank Truck Outfitters																41		4						41					
Total																299		34						299					
Statewide Totals	48,376	3,046	1,087	106	1,822	275	370	49	25,701	1,696	88,806	12,987	3,022	561	564	87	72	12	237	14	5,645	340	1,859	313	177,555	1,308	104	15	

* 4 CNG tests were included in this category



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