



Southern Weights & Measures Association

103rd Edition

SWMA Newsletter

October 2005

JURISDICTIONAL NEWS

Arkansas

The Arkansas Bureau of Standards has undergone a few organizational changes since the last newsletter.

Act 1978 of 2005 established the Arkansas Agriculture Department, an umbrella organization consisting of several state agencies and boards that regulate and promote Arkansas agriculture. The State Plant Board, of which the Bureau of Standards is a division, is one of those affected agencies.

The department will be guided by former Riceland Foods president and CEO Richard Bell who will coordinate their administrative functions.

Our agency also has undergone a couple of personnel changes:

- July 1, 2005 Arkansas Governor Mike Huckabee appointed Tom Pugh, Director of the Arkansas Bureau of Standards.
- Mr. Pugh has a strong background in agricultural business and will be an asset to the division and the agency for years to come.
- Tom replaces James Scott who left the agency to return to family business.
- Metrologist James Chastain replaces Dr. Adrian Hawkins as Lab Supervisor of the Office of State Standards Lab. ⚖️

MARYLAND

- Kenneth Ramsburg is the new Program Manager for Weighing and Measuring and will also oversee the NTEP program for measuring devices. This position was formerly held by current Chief of Weights and Measures, Richard "Will" Wotthlie. Ken will handle questions on weighing and measuring devices and, in the absence of Michael Frailer, will handle questions on the NTEP evaluations of measuring devices.
- The Maryland State Fair was held in Timonium, MD from August 26 through September 5, 2005. The Maryland

Department of Agriculture (MDA) theme this year was "Agriculture – Our Past, Present and Future." Our section had on display a gasoline dispenser, a collection of old store scales and current scales, and a collection of old packages and current packages. We also had an electronic medium-capacity scale which was used by our staff members to provide those attending the Fair with their official "verified" weight. We have a total of 21 in our field and management staff, and 15 worked one or more days at the Fair.

Recent Civil Penalties

- On May 11, 2005, we received \$500 for a civil penalty assessed against EKO Food, Baltimore, MD. The civil penalty was assessed due to short-weight and labeling violations found during routine package inspections performed at the establishment.
- On June 27, 2005, we received \$750 for a civil penalty assessed against Giant Food #336, Wheaton, MD. The civil penalty was assessed due to short-weight violations found during routine package inspections performed at the establishment.
- On June 27, 2005, we received \$750 for a civil penalty assessed against Giant Food #304, Waldorf, MD. The civil penalty was assessed due to short-weight violations found during routine package inspections performed at the establishment.
- On June 27, 2005, we received \$750 for a civil penalty assessed against Giant Food #329, Rockville, MD. The civil penalty was assessed due to short-weight violations found during routine package inspections performed at the establishment.
- On August 22, 2005, we received \$1,000 for a civil penalty assessed against Lowe Products, Shepardsstown, West Virginia. The civil penalty was assessed due to short-measure violations found during inspections of mulch packaged by this firm. The mulch was inspected in response to a consumer complaint.

- On August 23, 2005, we received \$500 for a civil penalty assessed against La Mousse Du Quebec Inc., Woburn, Quebec, Canada. The civil penalty was assessed due to short-measure violations found during inspections of mulch packaged by this firm. The mulch was inspected in response to a consumer complaint.
- On September 19, 2005, we received \$500 for a civil penalty assessed against Shoppers Food Warehouse #2617, Annapolis, MD. The civil penalty was assessed due to short-weight violations found during routine package inspections performed at the establishment.
- On September 19, 2005, we received \$4,000 for a civil penalty assessed against Southern Importers, Inc., Greensboro, North Carolina. The civil penalty was assessed due to short-measure violations found during inspections of mulch packaged by this firm at several locations within the state. The mulch was inspected in response to a consumer complaint. This is the second civil penalty assessed against this firm. The first civil penalty was assessed in 1997.
- On September 21, 2005, we received \$2,000 for a civil penalty assessed against Giant Food #304, Waldorf, MD. The civil penalty was assessed due to short-weight violations found during routine package inspections performed at the establishment. This establishment previously received a civil penalty on June 27, 2005. †

NORTH CAROLINA

Measurement Section

Fall harvest season is upon us again. Tobacco, cotton, peanut and grain scale inspections are in full swing. This along with our regular duties and with what the disaster in the Gulf Region has done to gas and fuel supplies and prices has caused us to be extra busy.

Two new Gas and Oil Inspectors have been selected for the Charlotte and Greensboro areas. We are just waiting for final approval before announcing their names. With these additions we will be fully staffed and hopefully can get back on schedule with our inspections.

We have tried to stay out of the way of frantic consumers at the gas stations and convenient stores, but with the flooding of calls and complaints about gouging and price fixing, this has been impossible to do. Meter jumping complaints have increased. With prices of gas and fuel almost double, the number and amount of the jumps have greatly increased. Dispensers that will not compute at more than \$2.999 have also caused many calls and many problems. We attempted to alleviate this problem by temporarily allowing ½ pricing on analog dispensers without this capability until corrective parts could be purchased and installed. Proper signage must be on both sides of each dispenser informing the consumer that the dispenser is computing at ½ price. No surprises when they go inside to pay. This has also been the source of many calls. I am amazed at how hard it is to multiply by 2.

These are just small day to day issues that can be easily handled. Folks in the devastated Gulf Region have “real” problems. They also have our thoughts and prayers.

LP-Gas Section

Richard Fredenburg, our LP-Gas Engineer, witnessed some fire testing of composite propane cylinders and cabinet heaters at Underwriters Laboratory in August. The results of these tests were part of the discussions the next week at the NFPA 58 Committee meeting in Rapid City, SD. This was the meeting where the committee considers proposals for the next edition of the LP-Gas Code.

Wayne Joyce, LP-Gas Inspector, was selected as employee of the month for August for our department. Wayne was very helpful to those needing to complete their operating and maintenance procedures, among several other contributions to making the LP-Gas Section operate better.

Motor Fuels Section

We are in the process of procuring a new Zeltex Octane instrument. With this addition, we will have ten units. The ability to test octane on location has been very helpful to us and to the industry as more stations are installing blend and/or single hose dispensers. At these locations, a sub-standards octane result is often due to a problem with an individual dispenser(s) rather than the product in the storage tank, which makes a difference on how to proceed with the corrective action.

Dennis Barrington, a highly trained and experienced chemist, has joined our staff as a Chemist I. Mr. Barrington previously worked for our Food & Drug Division.

We are experiencing an increase of interest in Alternative Fuels in North Carolina. We are presently aware of about ten retail stations that sell Biodiesel to the public, two that sell E85, and many more are selling E10.

Standards Lab

Our thoughts and prayers continue to be with all of you on the Gulf Coast. It has truly been a horrendous hurricane season.

L.F., Van, and Cliff attended the NCSL International Workshop and Symposium in Washington, DC in August. During the week, they participated in nine tutorial sessions, participated in several committees meetings, networked with metrologists from many countries (including the directors of several National Measurement Institutes) and attended over 45 paper presentations directly related to laboratory metrology.

L.F. presented a paper on large volume and small volume gravimetric calibration. In addition, L.F. had the pleasure of touring the new NIST Advanced Measurements Laboratory. This lab is an incredible facility and truly defines the state of the art in many areas of metrology.

Yes, the NCSL International Workshop and Symposium was an expensive trip. However, we feel that it was well worth the cost for the training, experience, and knowledge gained by these metrologists. We are extremely fortunate to have the man-

agement support (and budget) to take advantage of this opportunity to improve our laboratory. We encourage all other SWMA members to consider NCSLI membership and support metrologist participation in this very active group. There is now a Legal Metrology Committee within NCSLI to focus on weights and measures issues, both in the United States and internationally. NCSLI participation is a good investment for our dwindling budget dollars.

Van is traveling up North to visit the Michigan, E.C. Heffron Metrology Laboratory September 25. He will work with NIST WMD, Craig VanBuren and Bill Erickson (MI), and Kelley Larson (AZ) to perfect gravimetric calibration procedures for small volume provers (SVPs). Marathon Ashland will provide their expertise and one of their SVPs. We have reached a point of relative confidence in the laboratory calibration of these field standards and now welcome any assistance with documentation of procedures and continuing the evaluation of these devices in field meter calibration as allowed by NIST Handbook 44.

For the first time since our Standards Laboratory fee system was implemented in 1992, the NC Legislature approved a fee increase for calibration services performed by our Standards Laboratory effective September 1, 2005. The legislation includes additional charges for weight adjustment, a minimum invoice amount of \$25.00, and doubling of fees for standards used primarily out-of-State. We realize that these increases will cause some hardship for our customers, but the increases were part of the budget reduction requested of the department by the legislature. This will allow us to maintain (and improve) services to our customers. Additional budget cuts would have made that very difficult. Besides, what else do we buy that hasn't gone up in price since 1992?

In addition to the fee increases, the legislature added a \$20 registration charge for all scale technician registrations. This is the first time we have charged for technician registration. There still is no charge for petroleum device technician registration, but fees will be assessed for test measure calibrations. Until this year, calibrations for test measures used in North Carolina were exempt from fees.

Tal Anderson and Bob Albright are preparing to travel to five different locations in the State during the first two weeks in October to calibrate test measures. This saves everybody time and money as we are able to test over 400 measures during the trip and test measure owners do not have to travel to the lab or ship their test measures in for calibration. With the new 3-inch neck test measures gaining in numbers, we have to transport and maintain two different control standards to monitor our process in the field at the same level we do in the laboratory.

We continue to work with MTL Corporation to implement the Automated Mass Metrology System (AMMS) in our laboratory. Recently there has been considerable progress, but implementation is still far from complete. Our current goal is to have the system in place and on line by January 1, 2006 when we begin the recalibration of our laboratory working standards. We'll keep you posted.

Based on data from the NCSL International State Laboratory Workload Survey and a legislative career-banding program, we are seeking a reclassification for our metrologist positions at the laboratory. The first step in this process is to update our job descriptions. If you have metrologist job descriptions that have been recently updated, please e-mail (LF.Eason@ncmail.net) or fax (919-733-8804) them to L.F. at the laboratory. The ranking of our metrologists' salaries has fallen eleven places within the State Laboratory Program since the 2003 survey. Obviously some states are doing better jobs of keeping up with the market than we are in North Carolina. Please share your secrets for success! ☩

Meet Our New Members

Mike Yannett

Mr. Yannett has been working with the Delaware Department of Weights and Measures for about 2 years. Just starting his career in Weights and Measures he states "I can say that I thoroughly enjoy all aspects of the job, so as to provide a fair business community in Delaware."

Ashok K. Mehrotra, PhD

Mr. Mehrotra is Branch Manager with SGS Oil, Gas and Chemicals Services Division in Nashville, TN with 20 years experience in the Industry.

He has a PhD in Chemistry with diversified experience in fuels, polymer, organic and other chemicals.

The Fuel Service Laboratory's expertise is in Fuels (Gasoline, Diesel and Jet/Kerosene), and Petrochemicals with Instrumentation Listings for Octane Engines, GC, AAS, Distillation, Vapor Pressure and Flash Point. ☩



"He's looking at our speedometer."

Southern Weights & Measures Association

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Dan Kushnir

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