



Southern Weights & Measures Association

96th Edition

SWMA Newsletter

January 2004

URGENT!

Please be advised that if you have not renewed your SWMA membership this will be your *last newsletter*. To prevent missing any important SWMA information, please send your \$25.00 and a membership new/renewal form to: N. David Smith, SWMA Secretary-Treasurer, NC Department of Agriculture & Consumer Services, 1001 Mail Service Center, Raleigh, NC 27699-1001. Membership form can be accessed from the SWMA web site (www.swma.org). If you have questions regarding your membership, please contact Mrs. Dale Driver at 919-733-2113 ext. 222. We hope to hear from you soon!

We would like to congratulate Raiford Smith on his retirement from the state. Raiford was a retail fuel inspector with Fuel and Measures for over 3 years and worked with the State for over 10 years. We wish him the best in his retirement years.

Our fuel inspectors and Fuel Lab have been busy finishing up the EPD sampling around the metro Atlanta counties for the year. We will be looking forward to starting up again in May 2004.

We will be sending four of our Calibration inspectors to a seminar in Nashville, Tennessee for a two day training exercise with inspectors from surrounding states to better serve consumer and businesses alike. ✚

JURISDICTIONAL NEWS

GEORGIA

During the shopping season our small scale inspectors have been conducting price verifications in some of the retail establishments to ensure that the consumer is getting the right prices on their merchandise, as well as the businesses we check are not losing money from inaccurate prices. We are hopeful some of this upturn in the local economy will fuel the upswing in the revenue that comes into Georgia. Our budget has been tight and will continue until the state revenues pick up. We currently have two Retail Fuel Inspector positions that are unfilled.

Our state has just finished certifying some food grade meters to dispense cooking oil to various restaurants around the metro Atlanta area. Our state metrogist Richard Lewis and field supervisor Chuck Royal were on hand to witness the tests being done.



MARYLAND

- On December 12, 2003, we had a staff meeting at our facility in Annapolis. Presentations were given to the staff by Chief Lou Straub, and Program Managers Will Wothlie and Bob Eaves, Certificates of Appreciation were given to Inspectors John Barton, Rick Bristow, Chuck Coleman, Bob Fisher, and Mike Frailer for inspecting the highest number of devices and/or having the highest overall production rating during the last six monthly periods. An award "day off" was given to Inspector Chuck Coleman for having the highest overall production during the last six month period and Inspector Mile Frailer, who inspected the highest number of devices during the last six month period. Maryland Department of Agriculture Secretary Lewis R. Riley and recently retired Program Manager Dick Shockley joined our staff for lunch.
- On October 1, 2003, regulations became effective which gave us the authority to voluntarily register individuals and agencies involved in the installation, service, repair, and reconditioning of commercial weighing and measuring devices in Maryland. We started accepting registrations in late November and currently have 14 companies and 59 technicians registered. Registered companies and technicians will now be allowed to place commercial devices into service prior to an official inspection by our office. The regulations also require that technicians pass a written test. We plan to hold our first testing session early in 2004. There is a provision in the regulation that allows us to accept "other" tests passed by a technician. These tests may be industry tests

or those administered by another state. We have also scheduled a training session and test date at the spring ISWM Potomac Division meeting in Ocean City, MD on April 16, 2004. The biennial registration fee is \$200.00 for the agency and \$50.00 for a technician.

- The Maryland Legislative session will begin on January 14, 2004. The Weights and Measures Section has a bill, introduced through the Governor's Office, to increase some of our device registration fees. We began assessing registration fees in 1992; however, we have been unsuccessful in increasing any fees in previous years. SB (Senate Bill) 54 which will be heard on January 20, 2004 increases about half of the existing fees and introduces a new fee for a Point of Sale system. The proposed POS fee will be \$75 per location. All fees were calculated on inspector time and test equipment necessary to conduct the inspections. New "general funds" for our section were not an option because of the State's fiscal condition.

Recent Civil Penalties and Court Activities

- On November 12, 2003, we received \$2,000.00 for a civil penalty assessed against Pre-Mix Industries, Inc., Clinton, MD. The civil penalty was assessed due to short-weight violations found during routine package inspections performed at the plant. ♣

NORTH CAROLINA

The North Carolina Department of Agriculture has completed the fourth quarter of 2003 and continues to be concerned about the state's budget picture. Some reports indicate the economy is doing better and that tax revenues are up for the 2004-05 budget. A month or so back, deficit projections were in the \$500 million to \$1 billion range. The department is somewhat holding our collective breath to see how the January receipts come in. During this year's short session of the General Assembly, no new legislation is presented. The session primarily deals with overall budget adjustments for 2004-05 that relate to tax revenue income and government expenditures.

On a very positive note, the Governor appointed NCDA&CS Interim Commissioner, Britt Cobb to Commissioner during the second week in December. In removing the Interim part of the title, the Governor has appointed Commission Cobb to complete the remaining term of the former Commissioner. Commissioner Cobb has announced that he plans to run for Commissioner of Agriculture during statewide elections with voting in November of this year. Since another candidate has also announced on the Democratic ticket, there will be a Democratic primary in May.

On the national scene, the department is watching the situation in Washington State, concerning the outbreak of BSE (Mad Cow), very closely. While the Standards Division is not directly involved in monitoring this situation, the division would go into a support mode should the State Veterinarian declare an emergency.

The Measurement Section is glad to have Frank Wood return to our inspection staff. Frank is returning as a Standards I,

G&O Inspector after a two-year stint with the private sector. We are now almost fully staffed with the exceptions of Arlene Snow who is returning on a part-time basis after back surgery, Ray Winslow who is out due to a serious vehicle accident, and one vacant position. All three Weights and Measures Area Supervisor positions are now filled. Our reduced inspection staff has done a great job in having visited over 16,000 locations and tested or inspected almost 2.5 million measuring devices or packages this past year. They have also completed 870 complaints or special requests. With our staff more complete we should do an even a better job in 2004.

As an update on Ron Murdock, he suffered a stroke during the second week in December. He is now out of the hospital and resting at a rehabilitation center. The name and address of the center has been included for those that know Ron and would like to send a card or give him a call.

Blue Ridge Health Care Center
3830 Blue Ridge Road
Raleigh NC 27612
Phone 919-420-5097

The Motor Fuels Lab has experienced some personnel changes this quarter. Carroll Rogers was promoted to Field Supervisor in October. Carroll has been a field chemist for 21 years and is taking over for Ken Elliott who retired in May. Larry McLaughlin retired in November after spending over 35 years as the field chemist for the Asheville area. Larry covered 17 counties in the mountains of North Carolina and it seemed that he knew everybody in the business at that end of the state. Doug Cox, Lab Supervisor, retired in December with over 35 years of service. Doug was a field chemist and later became our first field supervisor. He had been Lab Supervisor for the last 3 years.

We are in the middle of a major engine oil recall. Coastal 5W30 sold at AutoZone stores and Advance Auto 5W30 sold at Advance Auto Parts stores across the state failed cold crank specifications. Both brands tested as 10W30 oil and are bottled by Coastal Unilube of Memphis, TN. Based on the results of our testing, Coastal Unilube voluntarily recalled both brands and notified the two store chains. The division and department issued a press release at the end of December 2003.

Concerning the LP-Gas Inspection program, some good training is being conducted later in January of 04. The three truck inspectors, who also perform meter calibrations, will soon take part in a training session hosted by the State of Tennessee and several meter manufacturers. The truck inspectors receive information occasionally from manufacturers on new electronic registers and how to calibrate these devices. The training and update in Nashville, during the last week of January, will be more in-depth and one on one with the manufacturers.

Our LP-Gas Engineer, Richard Fredenburg, traveled to Virginia to speak about propane bulk plant safety to a town board meeting where approval for a new bulk plant was being considered. As it turned out, the site was rejected because the town hall complex was within the evacuation zone if something major happened.

The LP-Gas section is fortunate that it has remained fully staffed during this last quarter. It has been a few years, due to budget and personnel turnovers, since this has been the case. The newest inspectors are learning their duties well and are a good asset for the section.

Of significance to those who use NFPA 58 to do LP-Gas inspections, the new edition will be coming out in the spring of 2004. The proposals are not earth shaking, except that the code will be completely reorganized. This is in keeping with NFPA guidelines on style and content. Everyone that relies on this publication will have the opportunity to learn how to find the sections that are moved. Hopefully, some of the steps the committee took to help organize the code will make it easier to find desired information. North Carolina is one of very few states, maybe the only one, that adopt the latest edition of NFPA 58 by reference in the North Carolina LP-Gas Regulations.

The section continues to add state administrators to the list of those responsible for LP-Gas rules enforcement. About half of the states are represented on the list. That does not necessarily indicate the enforcement activity happening around the country. If anyone would like to ensure their state is on the list, please send his/her name and e-mail address to the division's LP-Gas Engineer, Richard Fredenburg at richard.fredenburg@ncmail.net. This group tries to share information, concerns, and questions common to many LP-Gas enforcement departments.

The report from the Grain Moisture section concerns a change that is in process of being implemented beginning on January 1, 2004. The section will begin to test National Type Evaluation Program (NTEP) grain moisture meters for test weight per bushel accuracy. Previously, inspectors have only allowed meters with test weight measurement capability to be used as a "screen" regarding commercial test weight of grain. The meters had the capability to deliver test weight at the same time a moisture test was performed, but the result could not be used commercially to determine a price for the grain. The new 2004 Handbook 44 requirements for NTEP-approved grain moisture meters provide specifications and tolerances for the commercial measurement of test weight per bushel. This will be new ground for the grain moisture program and the grain dealers within the state. The moisture meter inspectors seem anxious to implement this change as the section feels it will be useful to the grain industry and will perhaps save them some valuable time when making grain measurements.

Reports from the Standards Laboratory are that everyone had a happy and restful holiday season. The lab has finished up a very busy year. A record number of weights, 21,439, were tested during 2003 with over 500 companies served during the year. The lab is using the month of January to calibrate all of the laboratory standards that will be used during the upcoming year. There is also an ongoing 5-gallon test measure round robin for SEMAP. The lab is acting as a pivot lab to help pinpoint and analyze any changes that occur in these standards.

The lab hosted safety training in December, which dealt with hoist inspection. Standards Division personnel along with folks from other divisions within the department took advantage of this valuable safety training. The training was required

to ensure compliance with the new OSHA hoist and crane safety inspection requirements. The division's heavy scale inspectors also participated in this training. Laboratory personnel plan to take part in more extensive hoist maintenance training offered by a NC hoist manufacturer in March 2004.

The metrologists are becoming more comfortable with large volume (up to 100 gallons) calibrations. Changes observed in the lab's 100-gallon standard, comparing the lab's gravimetric volume with the 5 year old NIST calibration value coincided with the offset seen on the NIST 100-gallon prover round robin. The metrologists are finding that accurate water temperature measurement is even more critical to this process than was once thought.

In February the lab will conduct a captive displacement prover (CDP) calibration demonstration and training program that is being coordinated by NIST WMD. This will be the second time the Standards Lab has calibrated the same three provers and will provide evidence for the repeatability of the process, the adequacy of lab's uncertainty, and the stability of the CDP's themselves. With this calibration series, the lab hopes to add CDP calibration to the scope of accreditation.

The lab is also working toward hiring a new quality manager and hopes are that the position will be filled soon. ♣

TENNESSEE

The staff of Tennessee Weights and Measures hopes each of you enjoyed a very happy holiday season as 2003 ends.

Commissioner of Agriculture, Ken Givens, hosted our annual Christmas open house and service award ceremony in mid December. Two of our Regional Supervisors, James Thompson and Rickey Freeman, each received their 30-year service award with several other staff members receiving service awards. A special thanks goes out to James and Rickey for their dedication and professionalism over the years!

Our State Metrologist, Thomas Smith, continues to be on active duty with the Tennessee Air Guard. We and Tom's family are very happy that he continues to be based in Nashville and has not been deployed overseas. However, in his absence, our metrology laboratory has all but shut down due to these circumstances. Tom's orders call for a 1-year duty assignment; hopefully he will return to work with us in early spring 2004!

Randy Jennings and Ed Coleman have been working to coordinate a 2-day workshop, January 28 - 29, 2004 on bulk and LPG meters. Representatives from several meter and register manufacturers will be assisting in the instruction of this class. Several states will be sending personnel and Randy reports that the class is full.

The agenda for the upcoming Interim NCWM appears to have a varied and busy session for all those in attendance. Hopefully, we will have someone in attendance for this meeting.

Brian Payne will be joining our staff in mid January as a Weights and Measures Inspector 2 in Middle Tennessee. Brian previously was employed with us as a large scale inspector

prior to transferring to the Tennessee Wildlife Resources Agency. We all welcome Brian back.

We were recently asked to survey tobacco warehouses and buying stations across Tennessee to determine if they utilize any type of moisture meter when purchasing tobacco. We found approximately one third of them did utilize these devices. A survey of several weights and measures jurisdictions in tobacco producing states surrounding Tennessee determined that none of these states, including Tennessee, inspect these devices. A couple of states did indicate that they witnessed the calibration of these devices prior to their use each year. We, likewise, witnessed calibration at 2 locations in Tennessee this year. This may be something that we may need to take a look at in the future. ♣

Contact SWMA

The SWMA Newsletter is published quarterly.
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