



Southern Weights & Measures Association

125th Edition

SWMA Newsletter

July 2011

JURISDICTIONAL NEWS

MARYLAND

Maryland Weights and Measures Trains Inspectors, Purchases Microbalance and Assesses Penalties

Since the last newsletter in April, the Maryland Weights and Measures Section has begun training three new inspectors, replaced a mass comparator microbalance in its metrology laboratory, and assessed civil penalties against 38 firms around the state.

The three new inspectors are working with the current staff to conduct routine inspections of scales, gas pumps, and packages, and to investigate consumer complaints. The Section is also training these new inspectors to test vehicle tank meters for petroleum products and liquid propane gas.

Despite the budgetary hardships that all state agencies across the country continue to face, the Maryland metrology laboratory replaced a much needed mass comparator microbalance that is essential for field traceability and internal lab work. The previous balance was in service for 21 years. The Section anticipates replacing several of its lab balances over the next several fiscal years due to the unavailability of parts and the uncertainty of their continued service.

Other enforcement activities that kept the Section busy ranged from testing packages to verifying prices. . Since April, 38 firms have been assessed civil penalties and the agency has collected \$37,000 in civil penalties. They are listed below.

- On April 14, MDA received \$1000 for a civil penalty assessed for short weight to Giant Food # 362 Germantown, MD 20876.
- On April 15, MDA received \$1000 for a civil penalty assessed for short weight to Giant Food # 140 Hyattsville, MD 20782.

- On April 15, MDA received \$1000 for a civil penalty assessed for short weight to Giant Food # 132 Bethesda, MD 20814.
 - On April 15, MDA received \$500 for a civil penalty assessed for short weight to Giant Food # 162 Clinton, MD 20735.
 - On April 15, MDA received \$2000 for a civil penalty assessed for short weight to Safeway # 2713 Bowie, MD 20720.
 - On April 15, MDA received \$500 for a civil penalty assessed for short weight to Safeway # 2753 Kensington, MD 20895.
 - On April 15, MDA received \$2000 for a civil penalty assessed for short weight to Safeway # 853 Bethesda, MD 20814.
 - On April 15, MDA received \$1000 for a civil penalty assessed for short weight to Giant Food # 123 Camp Springs, MD 207487.
 - On May 10, MDA received \$250 for a civil penalty assessed for short weight to Grand Mart Landover, MD 20784.
 - On May 10, MDA received \$2000 for a civil penalty assessed for short weight to Giant Food # 329 Rockville, MD 20850.
 - On May 10, MDA received \$1500 for a civil penalty assessed for short weight to Giant Food # 361 Upper Marlboro, MD 20772.
 - On May 10, MDA received \$1000 for a civil penalty assessed for short weight to Safeway # 1882 Fort Washington, MD 20744.
 - On May 11, MDA received \$1000 for a civil penalty assessed for short weight to Giant Food # 373 District Heights, MD 20747.
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- On May 13, MDA received \$500 for a civil penalty assessed for short weight to Mega Supermarket International Riverdale, MD 20737.
- On May 15, MDA received \$250 for a civil penalty assessed for price verification to CVS Pharmacy # 1492 Silver Spring, MD 20910.
- On May 17, MDA received \$500 for a civil penalty assessed for short weight to Safeway # 1565 Cloverly, MD 20904.
- On May 17, MDA received \$500 for a civil penalty assessed for short weight to Giant Food # 327 Bethesda, MD 20814.
- On May 17, MDA received \$2000 for a civil penalty assessed for short weight to Giant Food # 152 Silver Spring, MD 20904.
- On May 17, MDA received \$250 for a civil penalty assessed for price verification to CVS Pharmacy # 169 Rockville, MD 20852.
- On May 17, MDA received \$250 for a civil penalty assessed for price verification to CVS Pharmacy # 1468 Silver Spring, MD 20901.
- On May 17, MDA received \$500 for a civil penalty assessed for price verification to Staples # 1288 Ocean City, MD 21842.
- On May 17, MDA received \$500 for a civil penalty assessed for short weight to Giant Food # 340 Laurel, MD 20707.
- On May 19, MDA received \$2000 for a civil penalty assessed for short weight to H Mart Gaithersburg, MD 20877.
- On June 9, MDA received \$2000 for a civil penalty assessed for short weight to Super Q Mart Germantown, MD 20876.
- On June 9, MDA received \$2000 for a civil penalty assessed for short weight to Giant Food # 326 Lanham, MD 20706.
- On June 9, MDA received \$750 for a civil penalty assessed for short weight to Safeway # 1089 Gaithersburg, MD 20878.
- On June 9, MDA received \$500 for a civil penalty assessed for short weight to Global Foods Montgomery Village, MD 20886.
- On June 10, MDA received \$500 for a civil penalty assessed for short weight to Safeway # 107 Greenbelt, MD 20770.
- On June 28, MDA received \$500 for a civil penalty assessed for price verification to CVS Pharmacy # 4079 Baltimore, MD 21228.
- On June 29, MDA received \$250 for a civil penalty assessed for price verification to Advanced Auto Parts # 1601 Cumberland, MD 21502.
- On June 29, MDA received \$250 for a civil penalty assessed for price verification to Advanced Auto Parts # 5106 Baltimore, MD 21223.
- On June 29, MDA received \$250 for a civil penalty assessed for price verification to Wal Mart # 1981 California, MD 20619.
- On June 29, MDA received \$500 for a civil penalty assessed for price verification to Advanced Auto Parts # 1602 Lavale, MD 21502.
- On June 29, MDA received \$2000 for a civil penalty assessed for short weight to Giant Food # 319 Rockville, MD 20850.
- On June 29, MDA received \$2000 for a civil penalty assessed for short weight to Harris Teeter # 325 Germantown, MD 20878.
- On June 29, MDA received \$1000 for a civil penalty assessed for short weight to Harris Teeter # 328 Rockville, MD 20852.
- On June 29, MDA received \$2000 for a civil penalty assessed for short weight to Giant Food # 196 Gaithersburg, MD 20879.
- On July 11, MDA received \$500 for a civil penalty assessed for price verification to CVS Pharmacy # 4107 Baltimore, MD 21215. †

North Carolina

The Department of Agriculture and Consumer Services made it through this year's legislative session in relatively good shape with regards to budget. The Standards division did have some cuts to our receipt supported program, resulting in four positions being eliminated. There will also be some other reductions affecting the entire Department. We also have some new employees as the NC Forestry Service, Soil and Water Conservation, Grade A Milk Program and the Sleep Product Program were all transferred to the Department, increasing the staff by about 2/3.

Measurement Section

Our spring seasonal inspections are completed which include produce scales and packages, fertilizer scales and packages, blueberry packages, and contract cucumber scales. Our inspectors have worked hard over the last few years with producers to show them the importance of a maintenance program for their scales and how to properly fill packages to avoid short net content. It appears to be paying off because we found very little short net content on these items this year.

Due to complaints, we did investigations into bundles of firewood and packaged ice. What we found was disturbing. Not any of the firewood bundles were correct. Most were labeled .75 cubic foot but ranged from .25 to .50 cubic foot. The original complaint came from a distributor about his competitors not giving a full measure. Sure enough they were not, but neither was he. When we would check one vendor, they would complain about another. Through this process we found dozens of vendors, from large operations to small back yard operations. We made a point to visit all we could find to work with and share information that would help them package their product correctly. Due to the hundreds and hundreds of firewood packages that were returned to the packers and the information we shared at their locations, we hope the issue has been resolved. We will find out this fall when sales start back up.

The ice was not quite as bad with only about three major vendors and a few small operators out of many having problems with short weight. We visited each packer in the state with which we had found problems, reviewed their quality control program (if they had one) and pointed out some trouble spots. Prior to our visits at the packers, we found hundreds and hundreds of bags of ice that were returned for short weight. After our visits, we only found four locations with short weight ice and these bags were dated prior to our visits. We have inspected dozens of locations that sell bagged ice and are finding correct, along with more uniform measures.

After 23 years of excellent service, Jerry Roberts has retired as of May 31st. He has decided to devote full time to his farming and cattle operation. Jerry serves as Chairman of the North Carolina Western Cattlemen's Association and devotes a lot of time to this organization. I have seen him in action and he does a great job and represents them well.

Randy Snipes has had to retire as well. Randy had both knees replaced last year. One of the replacements has continued giving him problems and is forcing him retire. Randy was very good at his job and is going to be missed.

Jerry and Randy, we wish you the best.

Motor Fuels Section

North Carolina, like many states, cut spending this year. The Motor Fuels Lab lost three positions. Two positions were vacant, a chemistry technician and an octane rating analyst. The other was a field inspector position. Fortunately that employee found a position in another division

Summer mean low vapor pressure season, which began on June 1. Most stations in NC are selling gasoline with 10% ethanol now. We allow a 1 lb. vapor pressure tolerance for ethanol blends. In addition, a law was passed this legislative session that requires we develop regulations requiring ethanol labeling on retail dispensers. We are in the process of drafting those rules now.

The lab has recently added a Cannon MiniAV-X automatic viscometer to our motor oil testing program. We have relied on the manual test method for over 20 years. We have noticed an increase in the number of condemnations of bottled oil due to viscosity discrepancies. We intend to screen sample with the automatic viscometer, using the manual unit to confirm and condemn the product.

As of this writing, we are preparing for major HVAC work on one wing of the lab. It includes upgrading the entire system, using outside air for exchanges, some additional fume hoods and better air flow through that part of the lab. This is scheduled to take several months since we can't vacate the building.

LP-Gas Section

In April, Richard Fredenburg made a presentation to the NC Fire Prevention School about the LP-Gas Laws and the LP-Gas Code. He is invited annually to this meeting which provides an update to state fire marshals

In May we attended the open house at Gardner-Marsh Equipment, where truck inspectors spent time with meter manufacturer reps and site inspectors attended a seminar

on cathodic protection for underground propane tanks. The vendors at the Got To Be NC Festival who used propane were inspected daily for safe installations. Stephen and Richard attended the NCPGA Road Show at the NC State Fairgrounds.

Standards Laboratory

During the month of April we participated in the Southeastern Measurement Assurance Program, SEMAP, which took place in Orange Beach, Alabama. Metrologists, Van Hyder and Gerald Price represented North Carolina during this week long training process. North Carolina successfully demonstrated proficiency in several areas including ISO/IEC 17025 work flow, statistical tools, traceability, uncertainty analysis and software verification and validation.

The NCDA&CS Standards Laboratory received the prestigious Gold Star Award for a second consecutive

year for having outstanding safety and health efforts in the work place. The recognition comes from the North Carolina Department of Labor Safety Awards Program. Special thanks to all the staff members for a job well done and keeping safety a top priority.

Cliff Murray, our Quality Assurance Manager, will retire on July 29th after 10 years with the lab. Cliff has kept us on track with our NVLAP accreditation these many years and he will be missed. We expect to advertise this position soon and have a new person in place prior to our November NVLAP audit.

The grain moisture laboratory continues to participate in the soybean quality traits program. Our grain moisture program just completed its wheat harvest. Grain collected for samples appear robust and we look forward to another good sample year. After 31 years of service our grain moisture supervisor, Cheryl Tew is planning to retire September 30, 2011. †

Contact SWMA

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SWMA Newsletter

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