



Southern Weights & Measures Association

77th Edition

SWMA Newsletter

April 1999



Alabama will host the SWMA Conference in October, 1999. A number of people have requested that we do another conference cookbook like the one published in 1984. In order to be successful in publishing a good cookbook, we need your participation.

Please send us your favorite recipes (and those of your co-workers) as soon as possible. Be sure the ingredients, amounts, and instructions are clear and that your name and company name appear on the recipe.

Please mail the recipes to:

Marilyn Mitchell
Alabama Weights and Measures
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Thank you for your support of this project.

Sincerely,

Steadman L. Hollis, Director
Division of Weights and Measures

Jurisdictional News

Alabama

Alabama hosted the Southeastern Measurement Assurance Program (SEMAP) meeting in Huntsville, Alabama, the week of March 15. We have purchased several pieces of new equipment for our Weights and Measures Laboratory and it is currently undergoing some renovations so we can install the new equipment. We believe once everything is installed and working properly, it will greatly increase our efficiency.

Plans are progressing nicely for the Southern Weights and Measures Conference to be held at the Adams Mark Hotel in Mobile October 16-22, 1999. All of the committee chairmen have been named. Be watching for information concerning all the great things being planned to make this a Conference to be remembered. Start making plans now to be in Mobile, Alabama, in October.

HAVE YOU OR YOUR ORGANIZATION MADE A CONTRIBUTION TO THE SWMA CONFERENCE COOKBOOK? IF YOUR STATE OR COMPANY HAS NOT ALREADY MADE A CONTRIBUTION, PLEASE DO SO AS SOON AS POSSIBLE. There are still a lot of people we have not heard from and we need your support.

We have already received a number of recipes -- some of which we had to try. Thank you to those who have responded to date. †

Arkansas

Arkansas Bureau of Standards has hired several new employees recently and would like to welcome them aboard. Cindy French is working in the gas pump testing program, and Jeff Lemay and Ben Collins are working in the large scale testing program. Mary Morton has been hired as a Secretary and will assist Tricia Stacks in administrative duties. New faces are always refreshing!

Ray Curtis has been promoted from LPG Meter Inspector to Metrologist. This new position gives the agency two full-time Metrologists. Ray is adjusting well to working indoors.

Richard Slater, Weights & Measures Investigator, attended the NTP Training Course 202 hosted by NIST the week of March 22-26. In the near future, Richard will conduct a training class for our field personnel. Tim Chesser, Laboratory Supervisor, and Ray Curtis, Metrologist will be attending the Basic Metrology Seminar hosted by NIST the week of April 12-23.

The agency hosted an Open House Friday, March 26, for industry representatives to provide them an opportunity to tour the facilities and become more familiar with the different programs of the Bureau.

Like many other states, the state legislature is in session, and we have been very busy monitoring House and Senate bills that might affect our programs.

We would like to extend our congratulations to David Smith from North Carolina for receiving the 1998 American Society for Testing and Material (ASTM) Committee D-2 on Petroleum Products and Lubricants Sydney D. Andrews Award of Achievement. David's leadership in ASTM, the NCWM and the SWMA is a valuable asset to our country and more specifically to the SWMA organization. Congratulations David!†

Florida

The Bureau of Weights and Measures conducted another follow-up sweep of pawn shops in Florida to assure legal scales are being used in weight transactions and to assist the Division of Consumer Services in determining compliance of pawn shops with statutory requirements. During the one week sweep, 447 shops were visited and a total of 555 scales were inspected. There were 489 (88%) scales approved, 44 (8%) legal for trade scales rejected for violations, and 22 (4%) "not legal for trade" scales found being used for commercial purposes. (It should be noted that 20 of the 22 illegal scales were found in shops that had opened since our last inspection sweep). Additionally, 23 pawn shops were found to be in non-compliance with Consumer Services requirements regarding licensing and posting of current licenses.

Supervisor Carlos D'Arcy recently trained five inspectors from Metro-Dade Consumer Protection and two inspectors from our Department's Dairy Division in Package Testing. Metro-Dade is the only local W&M jurisdiction in Florida, and the Dairy Division tests milk packages at processing plants.

Coordinator Don Williams is attending the Instructor Training Course at NIST on retail scales in March. Petroleum Inspection Trainer Steve Hadder is scheduled to attend the Instructor Training Course on motor fuel dispensers in May. Mr. Hadder has also been appointed to replace Jack Jeffries on the NTETC Measuring Sector group. †

Georgia

Weights and Measures Lab

Brenda Whitener attended the Advanced Mass Measurements Seminar at NIST, March 8-12, 1999.

Brenda Whitener and Valentino Bradford plan to attend the annual SEMAP meeting in Huntsville, AL, March 12-26, 1999.

Pete Paulsen, Metrologist I for the Weights and Measures Lab and Board member of Smyrna Clean and Beautiful, Inc., received first place in the Department of Community Affairs KAB Systems Awards for Population category. Governor Roy Barnes was the speaker and presented the awards at the Awards Banquet held March 18, 1999. Pete is an asset, both to the Agriculture Department and his community.

The division recently had a 5000 liter prover removed from a trailer and mounted on a medium diesel truck that had been used for vehicle tank calibrations.

Beginning this summer, the unit will be utilized for spot checking terminal loading rack meters in Georgia. By the way, the prover capacity is calibrated at 1320 gallons. This value, for some reason, is more appropriate to use. †

Kentucky

Carl Dills, Assistant director of Regulation & Inspection has received the Jimmy Floyd Safety Award from the National Association of Amusement Ride Safety Officials (NAARSO). NAARSO presents the award to the inspector who has contributed the most to the advancement of safety and developing safety items for the amusement ride industry. Carl has been in charge of the department's Amusement Ride Inspection program since it was first started in June of 1985.

Two inspectors within the division have been promoted. Buddy Brooks of Leitchfield has been promoted to Supervisor for Motor Fuel Quality and Petroleum Meters. He will be responsible for inspectors testing LP, VTM, and terminal meters and the sampling of motor fuel. Bob Ginter of Morehead will be field supervisor for eastern KY. Bob will oversee nine inspectors in their district work. Both Bob and Buddy were motor fuel quality inspectors along with experience in large meter inspections.

Lanny Arnold has returned to the division as the Program Coordinator for Motor fuel. He will be working out of the office dealing with our inspection staff, industry, and the public along with other duties. It is nice to have Lanny back.

Luther Nall, Supervisor for west central Kentucky, attended the retail computing Scales instructor training class March 22-26 in Gaithersburg MD.

Michael Baker of our metrology lab attended the SEMAP meeting in Huntsville AL March 21-26.

The Kentucky Department of Agriculture has been awarded a grant from the Governor's Empower Kentucky Project. Regulation and Inspection will be the pilot project for putting mobile computers in the hands of field inspectors. We have found a software program and now are looking at what type of hardware to use in the field. If any jurisdiction has any information or experiences with computers in the field that they would like share, we would greatly appreciate it. †

Maryland

- A Training Class was held for our field staff at our facility during March 1-3, 1999. The instructors for the sessions on Scales and NTEP were Program Managers Will Wothlie and Andrea Buie-Branam. The instructor for the session on Metering Systems was Program Manager Dick Shockley, the instructor for the session on Packing and Labeling was Program Manager Bob Eaves and the session on Administrative Matters was conducted by Chief, Lou Straub. Attending the mulch inspection portion of the training class were Bob LaGasse, Executive Director of the National Bark & Soil Producers Association and Don Dugger, Plant Manager of the Hyponex Plant, Lawrenceville, Virginia.
- We began our annual inspection of grain moisture meters on March 15, 1999. We have approximately 139 meters in commercial service in our state.

- The 12th Annual Maryland Department of Agriculture Open House was held on Saturday, March 20, 1999. The theme of the Open House this year was how the Maryland Department of Agriculture protects the consumers of Maryland. Our labs were on display and we gave demonstrations on the inspection of packaged commodities. Representing our section during the Open House were Chief, Lou Straub, Program Managers, Dick Shockley, Bob Eaves and Will Wotthlie, Field Supervisors Ed Payne and Ken Ramsburg, Inspectors Ethan Halpern, Mike Frailer, Leila Smith and Aaron Webb, and Laboratory Staff members Jim Price and Antonio Maceo. Inspector Smith was responsible for one of the favorite attractions at the Open House. Leila and co-owner Bill Larkin had on display their beautifully restored 1949 Chevrolet 3/4 ton pick up truck and 1948 Chevrolet 1 1/2 ton farm truck with dump body.
 - Sean Roemer, a Metrologist, represented our staff at the annual SEMAP (Southeastern Measurement Assurance Program) conference held in Huntsville, Alabama during March 22-26, 1999.
 - Ed Payne, our Large Scale Supervisor, was the instructor for a Vehicle Scale Training School held in Nashville, Tennessee during March 29-April 1, 1999. Students in the school were inspectors from Tennessee and Kentucky.
- On February 11, 1999, we received payment of \$150.00 for a civil penalty assessed against Murry's of Maryland #8060, Baltimore, Maryland. The civil penalty was assessed due to short weight violations found during routine package inspections performed at the establishment.
 - On February 12, 1999, we received payment of \$500.00 for a civil penalty assessed against Shoppers Food Warehouse #46, Germantown, Maryland. The civil penalty was assessed due to short weight violations found during routine package inspections performed at the establishment.
 - On March 22, 1999, we received payment of \$200.00 for a civil penalty assessed against Super Fresh #912, Westminster, Maryland. The civil penalty was assessed due to short weight violations found during test purchases conducted at the establishment.

Recent Court Activities

- On February 3, 1999, in Talbot County District Court, Easton, Maryland, the trial of David Allen Coleman III was held. Mr. Coleman accepted payment of \$110.00 for a cord of firewood and promised the buyer that it would be delivered the following day. Apparently the following day never arrived because Mr. Coleman failed to deliver the wood. Mr. Coleman was charged with misdemeanor theft. Mr. Coleman was found guilty and received a 60 day jail sentence and was ordered to return \$110.00 to the buyer. Representing our section at the trial was Program Manager Bob Eaves and Inspector Bill Hall. Mr. Coleman's problems aren't over yet. He has another trial pending in Anne Arundel County District Court, Annapolis, Maryland for a short measure firewood delivery.
- On February 5, 1999, in Anne Arundel County District Court, Annapolis, Maryland, the charges (short measure firewood delivery) against Mr. Tracy Blankenship were dismissed in exchange for Mr. Blankenship making full restitution in the amount of \$57.00 to the firewood buyer. Charges were filed against Mr. Blankenship by Inspector Bob Fisher.
- On February 18, 1999, in Prince George's County Small Claims Court, Upper Marlboro, Maryland, Inspector Mike Frailer testified on behalf of a buyer who purchased 20 cords of firewood from Adirondack Tree Experts, Beltsville, Maryland. The buyer only received 10.87 cords. After hearing testimony from the buyer, the

proprietor of Adirondack Tree Experts, and Mike (who testified as to his measurement of the wood), the Hearing Officer ruled in favor of the buyer and ordered

questionable samples. In the past the number of samples has been limited by laboratory capacity. The testers will also allow our inspectors to test the flash point on many

Mississippi

Consumer Protection Division

Personnel:

Greg Young has been employed as an Inspector Regulatory Services Trainee. Greg is a graduate of Jones County Community College and has been employed with the Southern Pine Electric Power Association for the past thirteen years. He has undergone intensive on-the-job training and has been assigned a seven county central state area that became vacant with the resignation of Marc Buffington. Marc left the department for a job in the private sector.

NCWM Interim Meeting:

John Tillson enjoyed participating in the National Conference on Weights and Measures Interim Meeting in Albuquerque January 31st – February 4th. This is only the second year the MDAC has had representation at the interim meeting, however, we hope to continue this trend and become more active. We feel very fortunate that Commissioner Lester Spell agrees with us and supports our continued involvement in the conference.

New Scale Form:

As mentioned in an earlier article, the division's increasing responsibilities and increasing work load on our inspectors is forcing us to continually search for new avenues to reduce the time it takes to conduct regulatory inspections. We are currently in the process of finalizing a scale test report form which will allow the data for four scale tests to be entered on one form. This along, with the use of the 31 pound avoirdupois cylindrical weight kits should significantly reduce the time required for testing scales as well as the amount of paper handled by our inspectors and office staff.

PETROLEUM DIVISION

Diesel Flash Testers:

The Petroleum Division recently purchased two (2) Grabner Mini Flash Testers. Instructional seminars are scheduled for the first week of April to insure that all our inspectors will be qualified and proficient in the use of the instruments. As with our octane testers, no regulatory action will be taken based on the results of the field tests, however, the tests will limit laboratory analysis to only

more diesel samples.

Petroleum Inspector Sidney Scarbrough discussing the Grabner Mini Flash Tester with division personnel.

Louys attends Task Force Meeting:

Division Director, Robert Louys attended the Florida Regional Task Force Meeting in Jackson recently. The Task Force is designed to reduce or eliminate petroleum tax evasion. The Department's participation in the past has been to work in cooperation with the Department of Transportation and the Internal Revenue Service checking for the illegal use of Dyed (tax exempt) Diesel Fuel.

Supervisors attend Management Course:

Petroleum Division Field Supervisors, John Childress and Gerald Broom recently attended a Basic Supervisory Management course offered by the Mississippi State Personnel Board. Some of the key topics covered in the weeklong program were management of personnel, organization of state government, and interpersonal skills. Communication and reinforcement skills were also an important part of the curriculum.

WEIGHTS AND MEASURES DIVISION

Staff visits Louisiana Metrology Lab:

On Thursday, March 11, 1999, Joe Hardy, Director Bureau of Regulatory Services; Rusty Robbins, Director of Weights and Measures and Bill Eldridge, retired former Director of Weights and Measures, accompanied Scott Eddy and David Jenkins of Barlow, Eddy and Jenkins, PA, the architectural firm designing our new Metrology Lab, to Baton Rouge to visit the LA Department of Agri-

culture and Forestry Metrology Lab. The architects wanted to see how a Metrology Lab functions to get some ideas for the Mississippi design. Bill Eldridge, because of his years of Weights and Measures experience and his efforts to gain funding for construction of a new laboratory, has been retained as a consultant to work with the architects during the development and construction of the lab. We are most appreciative to Ronnie Harrell, Pat Chaney and Carl Decker for their help and hospitality.

While we are on the subject of metrology, Ena Gustavis attended the Advanced Mass Seminar at NIST in Gaithersburg, MD during the week of March 8-12, 1999.

Bids opened:

On Friday, March 5, 1999 bids to replace our wrecked 33000 lb. test truck were opened. Cargo Tech of Swanton, Ohio was low bidder. A purchase order was issued on March 12, 1999 with delivery of the new test truck expected in 200 days or about the end of September.

However, our bad luck seems to continue. As we finally resolve one accident we have another. On Tuesday, March 9, 1999, Weights and Measures Inspector Randy Triplett was involved in an accident which caused major damage to the 1997 ¾ ton intermediate test van he was driving. We are grateful no one was injured in this accident. However the accident did point up a real important safety need in our intermediate units. All van units will in the very near future be equipped with heavy dividers between the driver and test equipment and weights which are transported.

Welch announces retirement:

The Weights and Measures Division is soon to lose a valuable employee. Timmie Welch who has very ably served the Division for the past fourteen years has announced his intentions to retire on June 30, 1999. Timmie has progressed through the ranks of the Division from Milk Tank Calibration Inspector, practically all other division job responsibilities and has served for the past eight years as Field Supervisor. He has been very proficient in the performance of all duties and responsibilities assigned to him and has had an excellent working relationship with those under his supervision and the general public. †

North Carolina

A major investigation conducted in June 1998 by the Motor Fuels Section involved bogus premium gasoline deliveries by an oil company in the Wilmington area. This investigation was settled in February 1999 with the oil company paying a \$16,000 civil penalty and agreeing to leave a copy of the terminal bill of lading when deliveries are made to independent stations. The violations involved sixteen stations and twenty-two deliveries. The investigation found that a total of 28,262 gallons of gasoline were invoiced and sold to stations as premium grade when only regular grade fuel was actually delivered.

In response to the federal requirement to dye untaxed 1-K kerosene, the Motor Fuels Section has increased the rate of inspection for this product. As inspectors encounter this fuel during all routine visits, samples are collected for testing at the central laboratory. This has resulted in a five-fold increase in the number of samples tested. The red dye can mask any possible contamination of this fuel by another petroleum product such as diesel fuel. Contamination would render the kerosene unsafe for use in unvented heaters. In the past, consumers looked for the clear, "water white" product. The lack of color was an indicator that the fuel was suitable for use. Since the dye was introduced consumer complaints have increased. At the present time, tests are underway to determine if the use of dyed kerosene is having a detrimental affect on heater wicks.

Motor Fuels Section personnel continue to assist the NCDMV with Diesel Compliance Officer training and have sent four chemists and one supervisor through this program for certification. The section is also helping with courier support in transporting fuel samples taken by DMV officers and state revenue agents during routine roadside truck inspections and oil company audits. The impact of these coordinated inspection efforts has meant a significant increase in diesel fuel tax collections.

New Standards Laboratory employee Val Miller comes to us from the Kennedy Space Center with 22 years of military and aerospace metrology experience. He will attend the NIST Basic Class in April, but his experience has already helped by carrying his part of the workload and adding a different perspective to our operation. This has helped us streamline some processes and be more conscious of the needs of our clients.

Glen Davenport attended the Advanced Mass Class and hands on training session at NIST March 8 through 19. With Val's employment and Glen's advanced training, things are looking much better at the laboratory.

In the last edition of the newsletter, it was reported that we were spending considerable time on getting the LabWizard 2 program operational. Susan Myrick has worked with the department's computer consultants to get the LabWizard 2 program up and working for all instruments in our small mass lab. We are currently working on getting the data into our actual applications and repeating this feat in the large mass lab. We are grateful for the extra efforts of everyone to get the LabWizard 2 program operational.

Tal and Reggie have completed their Intermediate LAP problems after their November Intermediate Training class. (Actually Tal's has been mailed and Reggie promises his will be in the mail by March 26.)

Sharon Denning Woodard and LF are attending SEMAP in Huntsville, Alabama from March 22 to 26. Yes, Sharon has a new last name. She was married on February 15, 1999.

We haven't heard much from Cheryl Tew lately (she is a backroom scientist). She has a couple of new equipment items. A few months ago she received the new Dickey-john NTEP GIPSA accepted GAC2100 moisture meter. Also, Cheryl has a new Mettler AT201 balance to replace her old Sartorius R160P.

New ergonomic computer tables are on order. Speaking of computers, the department is about to begin a grand computer experiment. We will soon become the first state agency to lease all its computers. According to our purchasing officials, the three-year lease cost will be about the same as our computer purchases would have been over the same period of time. The advantage is we get newer machines, quicker service, and everyone will be operating on the same machines and systems. That is how it is suppose to work in theory. In the next edition of the newsletter we may have the rest of the story.

We continue to be impressed with the performance of the KG3000. With 87 control readings, it has a standard deviation of 0.014 pound for modified substitutions with a 2500 pound load. It appears to be a solid performer for testing weight carts. We are also collecting data on our weight cart stability. More work needs to be done in this area; it's just a matter of scheduling all four weight carts for periodic testing.

The new controller on the new Liebert system in the small mass lab is giving us better than plus or minus 0.2 deg C temperature control and 3% relative humidity control. We feel like many of our nagging environmental problems are finally being resolved. It's almost too good to be true.

For the measurement section, it is back to the salt mines. Except in this case it's back to testing bark mulch and fertilizer. We are very pleased to report that only a small number of packages have been found to be short measure. Both industries have made tremendous strides in the past couple of years.

Gerald Brown is currently attending the NIST sponsored train the trainer session on scale inspection. Gerald has attended a number of these classes and each time he returns feeling very good about the training being offered. Another one of our trainers, Jim Skipper, will be attending the class on retail motor fuel dispensers in May. Soon thereafter, it will be time to gather all field inspectors for refresher courses.

Two new measurement section employees will be welcomed soon. Gerald Price will be assigned to retail motor fuel dispensers in the Raleigh area. A name from the past, Lawrence Hochschwender, will be the new inspector in the New Bern area. Some of you may recall that Lawrence, also know as Biff, was a weights and measures inspector in Barnstable, Massachusetts. Both gentlemen should prove to be excellent employees and we extend to them a hearty welcome. †

South Carolina

In order to meet the requirements for continued laboratory accreditation, personnel in our Metrology Lab have been attending training sessions. Robert McGee attended an Advance Metrology Seminar at NIST the week of March 8-12, 1999. John Pugh and Billy Kennington attended the SEMAP meeting held in Huntsville, AL on March 22-26, 1999. Billy Kennington is President-elect of that organization and will have the honor of hosting next year's meeting here in the Palmetto State.

With the new year, personnel involved in weights and measures programs find themselves starting over on those seasonal inspections they must perform. It is time for stores to stock up on those yard and garden products, and we have begun checking the net content of bark mulch at the manufacturing plants in South Carolina. It is much easier to check the majority of this product at the plant where it can be reprocessed and avoid the difficult of trying to re-bag it at retail stores. However, we will do some inspections at the retail level to ensure compliance by out of state companies. We also check the weight on those yard and garden items such as topsoil and compost. As the year progress, it will again be time to inspect moisture meters with small grains, then tobacco scales and then cotton scales.

Recently we have received some complaints on door to door sales of meat products in the Greenville area. Our investigations have revealed several of these firms operating in that area. They use high-pressure sales tactics and attempt to sale meat products by the serving, box, or case instead of by the pound. We find it difficult to ensure these firms comply with the basic requirement that meat, poultry, and seafood must be sold by weight and the other regulations governing Home Food Service Plan Sales in the Uniform Method of Sale Regulation. If there are jurisdictions that have had success dealing with these types of firm, we would be interested in hearing from them. ☪

Tennessee

Randy Jennings and Bob Williams recently attended the Interim Meeting of the NCWM in Albuquerque, NM. Randy serves as the Petroleum Subcommittee Chairman and Bob as a member of the Laws and Regulations Committee, both report that a number of vital and timely issues were discussed by regulatory officials and industry members.

Our Metrologist, Tom Smith, attended the Advanced Mass Metrology class held at NIST in Gaithersburg, MD in early March. Tom noted that the training was very beneficial as the instructors covered topics not previously discussed at the Basic and Intermediate Classes. Statistics, mass theory, advanced computerization, etc. were a few of the topics Tom and the other attendees were taught. Our appreciation goes to OWM for hosting this session and allowing Tom to attend. Tom is also scheduled to attend the annual SEMAP meeting in Huntsville, AL in late March and will present a report on round-robin results relating to 5 gallon slicker plates used by all labs.

Mr. Rodney Gross and Mr. Terry Mills recently began work with us. Rodney transferred to us from our Live-stock Section and will be a large scale inspector in Middle TN. Terry transferred to us from the TN Department of Corrections and will be employed as a crosstrained inspector in West TN. We currently have one vacant crosstrained inspector position in East TN and anticipate hiring someone in the near future.

On March 29 - April 1, Mr. Ed Payne, Field Supervisor, Maryland Weights and Measures conducted a training session in Nashville for TN and KY large scale inspectors. Ed's presentation was excellent and was very beneficial to all attendees, especially to some of the newer inspectors! Our thanks go to Ed along with Lou Straub for allowing Ed the time to conduct this session.

Finally, as this newsletter is being composed, the Tennessee Legislature is in session. We never know what, if any, weights and measures laws may be discussed or amended. Currently, we are being visited by State of Tennessee auditors who are closely examining documents to ensure we conduct our work according to applicable laws and regulations. ☪

Contact SWMA

The SWMA Newsletter is published quarterly. Annual dues are \$25.

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What's 380 pounds divided by two?