



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
For Calendar Year 2018**

March 2019

Table of Contents

Table of Contents	1
Overview.....	1
Consumer Education and Outreach	2
Weights and Measures Inspections	2
Inspection Details	2
Enforcement Actions	2
Certified Examiner of Weights and Measures Program	3
Certified UPC/PLU Inspector Program	4
Fuel Quality Testing Program	4
Appendices.....	
• 2018 Yearly Inspection Activity Table	Exhibit A
• Regional and County Sealer Map	Exhibit B

Overview

Consumer protection is a critical part of the work done by the Pennsylvania Department of Agriculture. The Division of Weights and Measures exists for one reason: making sure Pennsylvania consumers get what they pay for.

The Division of Weights and Measures, part of the Pennsylvania Department of Agriculture’s Bureau of Ride and Measurement Standards, was created to ensure equity in the marketplace through laws and regulations, uniform inspection and testing 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 the state inspectors of weights and measures, Certified Examiners of Weights and Measures (CEWMs), 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: either an annual inspection or at some greater interval not to exceed every fifth year, depending on the device. The division conducts these inspections through its regionally-assigned inspectors and supervisors and CEWMs. 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.

Since the last significant update to the Consolidated Weights and Measures Act in 1985, 53 counties have dropped their sealer programs adding almost 75,000 devices to be inspected by the division. Exacerbating the situation is a 2012 amendment to the Act which removed Fuel Dispenser Meters (FDMs a.k.a. gas pumps) and Vehicle Tank Meters (VTMs a.k.a. home heating oil truck meters) from

the list of eligible devices to use in the CEWM program. The additional devices equate to an increase in inspection personnel that exceeds the bureau's budgetary ability, necessitating programmatic changes starting with the Act.

Included in the appendices of this report are the spreadsheets outlining the activities of the division's personnel, county and city sealers, and CEWMs for 2018. The appendices also include a map that identifies the seven regions into which the division is divided, the supervisors responsible for each region, and the existing county and city sealer programs with their respective contact information.

Consumer Education and Outreach

As part of the commonwealth's transparency efforts, the division continues to use its online inspection database that allows 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 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 (Exhibit A).

The "Tested and Approved" and "Rejected" seals placed on each item 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 needs service or repair. These seals indicate a pending issue that the department is working with the device owner to correct. In many cases, 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 taken out of service immediately until repairs are made and the device is found to be operating within allowable tolerances.

Weights and Measures Inspections

The Division of Weights and Measures is responsible for inspecting devices like scales and meters, 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 price scanning systems.

Inspection Details

The division inspects all devices in 54 of Pennsylvania's 67 counties and provides support to the remaining 13 county sealer programs and one city sealer program. The division is also responsible for ensuring consumer questions and concerns are addressed in a timely manner. A list of sealer programs can be found in Exhibit B.

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 its 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 acknowledge the concerns of the state formally and bring the device into compliance. Written warnings are the first step in acknowledging an issue with a device or with a business or vendor. The number of warnings, citations and prosecutions are included in the appendix (Exhibit A) of this report.

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

The CEWM program applies only to devices under the direct responsibility of the department to inspect. Understanding the need to monitor these inspections, the department is diligent in its duty to conduct random and thorough inspections and audits of all CEWM program inspections, as mandated.

The program suffered a setback in 2012 when device types (Vehicle Tank Meters [VTM] and Fuel Dispenser Meters [FDM]) were removed from the list of eligible devices removing a valuable opportunity for the program to leverage this private public partnership opportunity in meaningful way. Successful use of the CEWM program allows the bureau to conduct more inspections with little or no additional costs in equipment or personnel.

Currently the bureau has CEWMs for liquid propane gas (LPG) devices. The bureau expanded the program to include large capacity scales (LCS) in spring 2016. The number of devices inspected by CEWMs are represented in the appendix (Exhibit A) included in this report.

Certified UPC/PLU Inspector Program

In line with the Consolidated Weights and Measures Act, the division 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. UPC/PLU device inspectors complete a training course conducted by the division every three years.

Fuel Quality (Octane) Testing Program

In line with the Consolidated Weights and Measures Act, the division developed a fuel quality testing program that randomly samples gasoline at retail locations to ensure that the octane content advertised meets established standards. This program is separate from the bureau's ongoing ability to address individual consumer concerns for specific fuel quality issues.

The bureau collected 244 random fuel samples from retailers throughout Pennsylvania in 2018; of the 244 samples tested, two failed to meet the specifications of the advertised octane rating. The retailers resolved the issues immediately.

In addition to the random fuel quality testing, the division tested 60 consumer fuel quality samples in 2018 in response to consumer complaints. Of the 60 samples tested, 12 failed and the retailers resolved the issues immediately.

Appendix

Please see the following appendices, including:

- 2018 Yearly Inspection Activity Table
- Regional and County Sealer Map

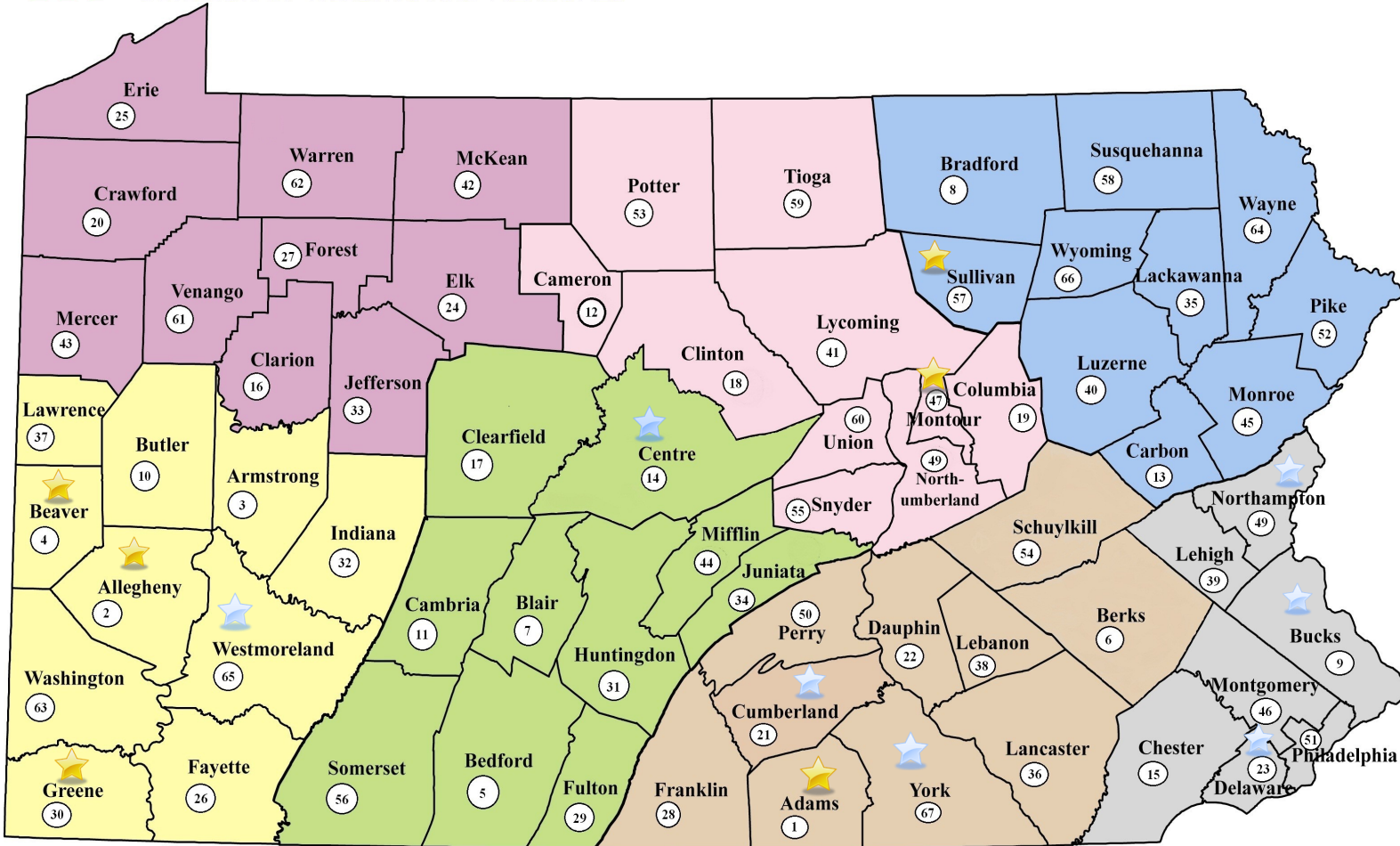
State Bureau	SCALES						MISC *		TIME DEVICE		METERS										UPC / PRICE VERIFICATION		PKG CHECK		TOTAL DEVICES INSPECTED	CONSUMER COMPLAINTS	WRITTEN WARNINGS	PROSECUTIONS & FINES	
	0 to 1,000		1,001-10,000		10,001 +						FDM		VTM		LPG		LRM		GMM		VERIFICATION		LOTS						
	Small	Reject	Medium	Reject	Large	Reject	Tested	Reject	Tested	Reject	Tested	Reject	Tested	Reject	Tested	Reject	Tested	Reject	System	Reject	Tested	Reject							
Region 1	2,742	243	63	4	180	39	415	153	2	0	5,232	1,082	201	34	28	8	39	5	25	4	224	27	0	0	9,151	33	53	1	
Region 2	1,422	23	39	5	151	16	43	0	0	0	2,952	307	49	2	42	7	0	0	63	5	11	5	0	0	4,772	14	0	0	
Region 3	3,774	249	79	16	168	38	47	5	0	0	6,715	783	0	0	17	2	0	0	0	0	11	2	0	0	10,811	35	2	0	
Region 4	2,323	164	93	7	370	78	49	5	0	0	4,763	1,112	100	33	3	0	0	0	16	0	24	7	0	0	7,741	22	5	0	
Region 5	2,633	56	117	8	353	26	89	7	0	0	5,359	354	206	16	88	5	10	0	34	3	8	0	0	0	8,897	8	0	0	
Region 6	7,406	409	180	15	520	55	75	7	0	0	9,160	1,279	395	35	4	1	0	0	107	9	11	0	9	3	17,867	42	11	0	
Region 7	7,912	618	272	64	280	97	28	6	0	0	8,571	1,566	211	32	1	0	0	0	0	0	2	0	3	1	17,280	59	16	0	
Total	28,212	1,762	843	119	2,022	349	746	183	2	0	42,752	6,483	1,162	152	183	23	49	5	245	21	291	41	12	4	76,519	213	87	1	
Counties / Cities																													
Adams	1,052	64	4	0			0	0	0	0	808	30	0	0	0	0	0	0	0	0	0	0	0	0	0	1,864	10	0	0
Allegheny	4,538	86	0	0			14	0	915	71	11,396	571	0	0	0	0	0	0	0	0	458	21	0	0	0	17,321	87	4	0
Beaver	385	6	0	0			12	0	0	0	1,102	34	0	0	0	0	0	0	0	0	25	0	0	0	0	1,524	10	0	0
Bucks	3,212	42	192	20			0	0	1,510	105	2,980	105	216	6	0	0	0	0	0	0	818	17	0	0	0	8,928	64	0	8
Centre	688	27	21	0			37	0	0	0	1,436	140	0	0	0	0	0	0	0	0	64	1	0	0	0	2,246	7	0	0
City of Scranton	415	28	0	0			62	0	786	16	257	37	0	0	0	0	0	0	0	0	0	0	0	0	0	1,520	17	7	0
Cumberland	1,155	44	24	2			3	3	314	10	2,544	100	111	10	0	0	0	0	0	0	0	0	0	0	0	4,151	47	0	0
Delaware	2,452	101	80	9			0	0	1,940	138	1,433	274	206	20	0	0	0	0	0	0	611	32	39	1	6,761	8	2	0	
Greene	178	8	0	0			0	0	0	0	218	13	0	0	0	0	0	0	0	0	0	0	0	0	0	396	0	0	0
Montour	103	0	0	0			0	0	27	8	234	6	0	0	0	0	0	0	0	0	10	0	0	0	0	374	0	0	0
Northampton	2,090	88	28	1			0	0	1,484	30	3,443	396	101	6	0	0	0	0	0	0	2	0	0	0	0	7,148	17	0	0
Sullivan	45	0	0	0			0	0	0	0	114	20	0	0	0	0	0	0	0	0	0	0	0	0	0	159	0	0	0
Westmoreland	669	33	0	0			0	0	110	18	4,203	452	0	0	0	0	0	0	0	0	268	31	0	0	0	5,250	8	23	90
York	2,068	74	0	0			0	0	0	0	3,464	54	0	0	0	0	0	0	0	0	3	1	0	0	0	5,535	4	2	1
Total	19,050	601	349	32	0	0	128	3	7,086	396	33,632	2,232	634	42	0	0	0	0	0	2,259	103	39	1	1	63,177	279	38	99	

State Inspector Badge Id	SCALES						MISC *		TIME DEVICE		METERS								UPC / PRICE VERIFICATION		PKG CHECK		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	Reject	Tested	Reject	
Badge 11	42	5	15	2	20	5	49	4	2	0	14	3	2	0	2	0	0	0	21	4	5	3	0	0	172	10	0	0					
Badge 12	694	44	20	0	57	21	22	5	0	0	1,287	329	199	34	26	8	39	5	0	0	86	6	0	0	2,430	9	5	1					
Badge 13	797	42	18	2	102	13	22	5	0	0	1,137	83	0	0	0	0	0	0	0	0	52	9	0	0	2,128	4	19	0					
Badge 15	1,209	152	10	0	1	0	322	139	0	0	2,794	667	0	0	0	0	0	0	4	0	81	9	0	0	4,421	10	29	0					
Badge 20	140	3	0	0	0	0	42	0	0	0	146	2	0	0	0	0	0	0	5	0	11	5	0	0	344	6	0	0					
Badge 21	535	10	0	0	0	0	1	0	0	0	1,333	150	49	2	0	0	0	0	0	0	0	0	0	0	1,918	5	0	0					
Badge 22	499	9	6	2	0	0	0	0	0	0	961	127	0	0	42	7	0	0	0	0	0	0	0	0	1,508	0	0	0					
Badge 23	248	1	33	3	151	16	0	0	0	0	512	28	0	0	0	0	0	0	58	5	0	0	0	0	1,002	3	0	0					
Badge 30	776	100	0	0	0	0	33	0	0	0	968	194	0	0	17	2	0	0	0	0	3	1	0	0	1,797	15	2	0					
Badge 31	1,128	61	0	0	0	0	10	5	0	0	1,748	350	0	0	0	0	0	0	0	0	7	1	0	0	2,893	1	0	0					
Badge 32	628	70	79	16	168	38	0	0	0	0	59	2	0	0	0	0	0	0	0	0	0	0	0	0	934	5	0	0					
Badge 33	1,242	18	0	0	0	0	4	0	0	0	3,940	237	0	0	0	0	0	0	0	0	1	0	0	0	5,187	14	0	0					
Badge 34	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0				
Badge 40	67	6	4	0	29	3	22	0	0	0	43	15	13	7	3	0	0	0	6	0	1	0	0	0	188	6	0	0					
Badge 42	1,042	65	5	0	70	23	6	0	0	0	2,020	463	0	0	0	0	0	0	0	0	4	0	0	0	3,147	12	0	0					
Badge 43	627	63	0	0	0	0	15	5	0	0	1,762	492	31	8	0	0	0	0	0	0	19	7	0	0	2,454	3	5	0					
Badge 44	587	30	84	7	271	52	6	0	0	0	938	142	56	18	0	0	0	0	10	0	0	0	0	0	1,952	1	0	0					
Badge 50	196	8	14	0	7	1	20	0	0	0	594	29	0	0	0	0	0	0	10	0	0	0	0	0	841	5	0	0					
Badge 51	725	10	22	1	28	0	15	0	0	0	1,904	112	206	16	15	1	5	0	22	3	3	0	0	0	2,945	1	0	0					
Badge 52	739	12	64	6	307	25	21	0	0	0	1,327	81	0	0	0	0	0	0	0	0	0	0	0	0	2,458	1	0	0					
Badge 53	973	26	17	1	11	0	33	7	0	0	1,534	132	0	0	73	4	5	0	2	0	5	0	0	0	2,653	1	0	0					
Badge 60	933	26	0	0	1	0	42	0	0	0	31	0	0	0	0	0	0	0	1	0	0	0	9	3	1,017	15	0	0					
Badge 61	11	0	0	0	0	0	0	0	0	0	455	111	0	0	0	0	0	0	29	1	0	0	0	0	495	1	0	0					
Badge 62	2,268	96	0	0	0	0	16	7	0	0	3,044	349	0	0	0	0	0	0	0	0	0	0	0	0	5,328	10	0	0					
Badge 63	1,227	78	0	0	0	0	1	0	0	0	2,689	458	147	17	0	0	0	0	0	4	0	0	0	0	4,068	5	0	0					
Badge 64	1,155	129	1	0	0	0	0	0	0	0	1,516	255	2	0	0	0	0	0	0	0	0	0	0	0	2,674	6	7	0					
Badge 65	1,771	78	8	0	0	0	16	0	0	0	1,425	106	246	18	4	1	0	0	77	8	7	0	0	0	3,554	4	1	0					
Badge 66	41	2	171	15	519	55	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	731	1	3	0					
Badge 70	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0				
Badge 71	1,447	105	0	0	0	0	0	0	0	0	2,491	561	32	8	0	0	0	0	0	0	0	0	0	0	3,970	2	0	0					
Badge 72	271	20	0	0	0	0	0	0	0	0	187	17	0	0	0	0	0	0	0	0	2	0	0	0	460	0	0	0					
Badge 73	1,765	199	0	0	0	0	18	1	0	0	1,103	205	179	24	0	0	0	0	0	0	0	0	0	0	3,065	24	2	0					
Badge 74	1,632	152	0	0	0	0	5	0	0	0	2,543	391	0	0	0	0	0	0	0	0	0	0	0	0	4,180	13	14	0					
Badge 77	120	6	263	61	244	80	5	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	632	9	0	0					
Badge 78	511	74	9	3	36	17	0	0	0	0	519	172	0	0	1	0	0	0	0	0	0	0	0	0	1,076	0	0	0					
Badge 79	2,166	62	0	0	0	0	0	0	0	0	1,728	220	0	0	0	0	0	0	0	0	0	0	3	1	3,897	1	0	0					
Total	28,212	1,762	843	119	2,022	349	746	183	2	0	42,752	6,483	1,162	152	183	23	49	5	245	21	291	41	12	4	76,519	213	87	1					
CEWM Inspections																																	
LPG-398																17	0											17					
LPG-402																58	4											58					
LPG-408																57	2											57					
LPG-432																148	8											148					
LPG-436																6	0											6					
LPG-446																57	0											57					
LPG-450																33	0											33					
LPG-451																19	0											19					
LPG-453																13	1											13					
LPG-454																3	0											3					
LPG-469																15	2											15					
LPG-470																1	0											1					
LPG-474																44	0											44					
Total																471	17											471					
Statewide Totals	47,262	2,363	1,192	151	2,022	349	874	186	7,088	396	76,384	8,715	1,796	194	654	40	49	5	245	21	2,550	144	51	5	140,167	492	125	100					



pennsylvania

DEPARTMENT OF AGRICULTURE
DIVISION OF WEIGHTS AND MEASURES



BUREAU HEADQUARTERS
WALTER REMMERT, DIRECTOR
2301 NORTH CAMERON ST
HARRISBURG, PA 17110-9408
O:717-787-9089 FAX:717-783-4158
wremmert@pa.gov

REGION I — NORTHWEST PA
BRAD LUNDBERG, SUPERVISOR
13410 DUNHAM RD
MEADVILLE, PA 16335-8346
O: 814-332-6890 FAX:814-333-1431
blundberg@pa.gov

REGION II — NORTHCENTRAL PA
CRAIG FESTER, SUPERVISOR
542 COUNTY FARM ROAD
MONTOURSVILLE, PA 17754-9685
O:570-433-2640 FAX:570-433-4770
cfester@pa.gov

REGION III — NORTHEAST PA
MIKE MCGOFF, SUPERVISOR
PO BOX C, RT 92 SOUTH
TUNKHANNOCK, PA 18657-0318
O:570-836-2183 FAX:570-836-6266
mmcgoff@pa.gov

REGION IV — SOUTHWEST PA
JOSH STEPANIAN, SUPERVISOR
226 DONOHUE RD
GREENSBURG, PA 15601-9444
O:724-832-1073 FAX:724-832-1013
jstepanian@pa.gov

REGION V — SOUTHWEST CTRL PA
TIMOTHY YAHNER, SUPERVISOR
403 E. CHRISTIANA ST
MARTINSBURG, PA 16662
O:814-793-1849 FAX:814-793-1869
tyahner@pa.gov

REGION VI — SOUTHCENTRAL PA
JOHN DILLABAUGH, SUPERVISOR
2301 NORTH CAMERON ST
HARRISBURG, PA 17110-9408
O:717-234-4186 FAX:717-346-3229
jdillabaug@pa.gov

REGION VII — SOUTHEAST PA
DAVID PATCHELL, Acting SUPERVISOR
1015 BRIDGE ROAD
COLLEGEVILLE, PA 19426
O:610-489-1003 FAX:610-489-6119
jmcgonigle@pa.gov

SEALERS

ADAMS Thomas Leedy
717.334.8603 Fax 717.334.1822
tleedy@adamscounty.us

ALLEGHENY Frank Pollock
412.350.2576 Fax 412.350.2578
frank.pollock@allegHENYcounty.us

BEAVER Ronald Zuccaro
724-622-2428 Fax 724.847.1058
rdzuccaro1211@aol.com

BUCKS Michael Bannon
215.348.7442 Fax 215.348.4570
mdbannon@buckscounty.org

CENTRE Ronald Williams Jr.
814.355.8746
rlwillia@co.Centre.pa.us

CUMBERLAND John Bitner
717.240.6349 Fax 717.240.7754
jbitner@ccpa.net

DELAWARE Evelyn Yancoskie
610.891.4865 Fax 610.566.3947
yancoskiee@co.delaware.pa.us

GREENE Gene Lee
724.852.5210 Fax 724.627.5428
glee@co.greene.pa.us

MONTOUR Gerald R. Buckley
570.271.3000
thebuck1@ptd.net

NORTHAMPTON John Keppel
610-829-6223
jkeppel@northamptoncounty.org

SULLIVAN Gerald R. Buckley
570.271.3000
thebuck1@ptd.net

WESTMORELAND Greg McCloskey
724.830.3980 Fax 724.830.3969
gmcclous@co.westmoreland.pa.us

YORK Jim Crager
717.840.7664 Fax 717.840.7201
jscrager@yorkcountypa.gov

CITY OF SCRANTON Todd Cortese
570.348.4193
tcortese@scrantonpa.gov

- Sealer program without fees
- Sealer program with fees

State Toll-Free
Consumer Line
1-877-TEST-007