



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**

March 2015

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Overview

The Division of Weights and Measures, part of the Pennsylvania Department of Agriculture’s Bureau of Ride and Measurement Standards, was created to help 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, 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 Certified Examiners of Weights and Measures. 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.

Included in the appendix of this report are the spreadsheets outlining the activities of the division’s personnel, county and city sealers, and Certified Examiners of Weights and Measures for 2014. The appendix also includes a map which identifies the seven regions the division is broken into, the supervisors responsible for each region, and the existing county and city sealer programs with their 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 screenshot shows the 'Weights and Measures Inspection Search' page. At the top, there is a banner for the Pennsylvania Department of Agriculture. Below the banner, there is a navigation bar with 'pennsylvania PA' and 'PA STATE AGENCIES ONLINE SERVICES'. The main heading is 'Weights and Measures Inspection Search'. A note below the heading states: 'Please note that the following counties have their own weights and measures inspection programs and inspection data may not be available online: Adams, Allegheny, Beaver, Blair, Bucks, Centre, Cumberland, Delaware, Elk, Greene, Huntingdon, Lancaster, Montour, Northampton, Northumberland, Westmoreland and York counties; and the cities of Meadville and Scranton. For help locating information on this database, contact the Bureau of Ride & Measurement Standards at 717-787-6772.' Below this is a 'Search' section with a form containing the following fields: 'Business Name:' (text input), '*Device:' (dropdown menu set to 'Fuel Dispenser'), '*County:' (dropdown menu set to 'All'), '*Inspection Type:' (dropdown menu set to 'Audit'), and '*Date Inspected:' (with 'From' and 'To' text inputs and a note 'three years from the present date maximum'). There are 'Search' and 'Clear' buttons. A small note '* Indicates a required field' is at the bottom of the form. At the bottom right of the page, there is a navigation bar with '> ready > set > grow'.

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.

The "Tested and Approved" and "Rejected" seals placed on each item that is 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 it is affixed to is in need of service or repair. These seals indicate a pending issue and that the department is working with the device owner to correct it. 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 immediately taken out of service (made unusable by the consumer) until such time as repairs are made and the device is found to be operating within allowable tolerances.



Weights and Measures Inspections

The Pennsylvania Department of Agriculture's Division of Weights and Measures is responsible for inspecting devices such as scales – ranging from 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 scanning systems (UPC/PLU).

Inspection Details

The division inspects all devices in 54 of Pennsylvania's 67 counties and provides support to the remaining 13 county sealer and two city sealer programs. The division is also responsible for ensuring consumer questions and concerns are addressed in a timely manner.

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 formally acknowledge the concerns of the state and bring the device into compliance. Written warnings are the first step in acknowledging an issue with a device or with a business/vendor. The number of warnings, citations and prosecutions are included as part of the report spreadsheets in the appendix.

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

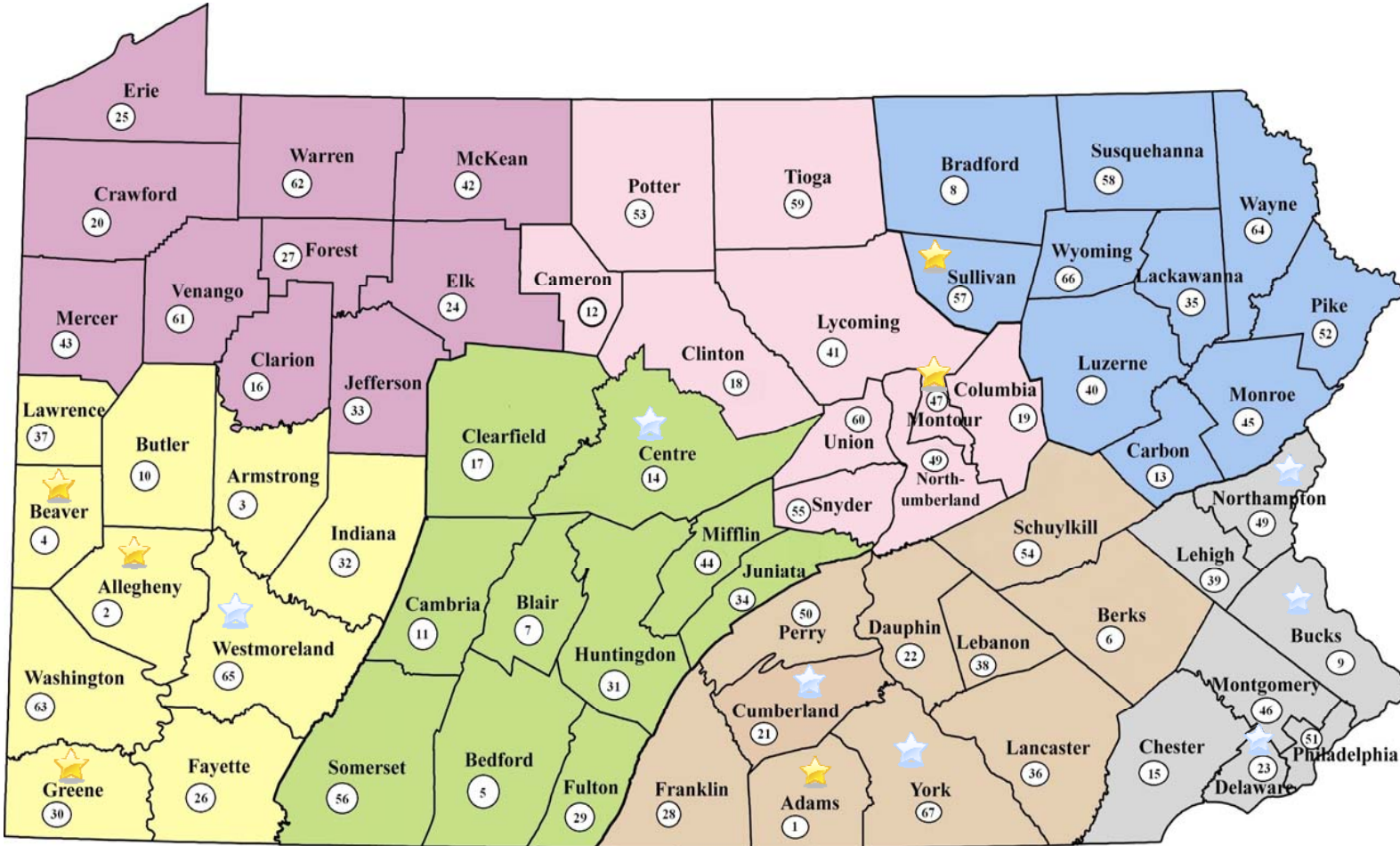
The CEWM program applies only to devices under the direct responsibility of the department to inspect. Understanding the need to monitor these inspections, the department is diligent in its duty to conduct random and thorough inspections and audits of all CEWM program inspections, as mandated.

Certified UPC/PLU Inspector Program

In line with the Consolidated Weights and Measures Act, the Pennsylvania Department of Agriculture's Division of Weights and Measures 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. PLU/UPC device inspectors complete a training course conducted by the division every three years.

Badge Id	SCALES						MISC *		TIME DEVICE		METERS										UPC / PRICE		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	Systems	Reject	Tested	Reject										
Badge 11	268	46	5	0	18	7	8	2	0	0	612	147	9	1	0	0	0	0	22	4	0	0	0	0	942	3	16	0				
Badge 13	397	4	5	1	44	13	2	0	0	0	664	49	0	0	0	0	0	0	0	0	0	0	0	0	1,112	6	1	1				
Badge 14	681	25	11	0	7	1	0	0	0	0	1,778	366	209	36	10	2	0	0	0	0	0	0	0	0	2,696	6	2	3				
Badge 15	977	101	1	0	1	0	15	10	0	0	1,747	242	0	0	0	0	0	0	0	0	0	0	0	0	2,741	3	14	1				
Badge 20	390	14	6	0	3	0	0	0	0	0	81	4	0	0	0	0	0	0	22	0	0	0	0	0	502	3	1	0				
Badge 21	179	8	0	0	1	0	0	0	0	0	1,631	109	31	2	0	0	0	0	0	0	0	32	0	0	1,874	3	2	0				
Badge 22	813	32	11	0	0	0	0	0	0	0	811	88	0	0	67	7	0	0	0	0	0	0	0	0	1,702	1	1	0				
Badge 23	278	3	34	2	180	23	0	0	0	0	817	42	0	0	0	0	0	0	28	1	0	0	0	0	1,337	8	0	0				
Badge 30	97	4	1	0	0	0	0	0	0	0	632	59	1	0	1	0	0	0	5	0	0	0	0	0	737	14	4	1				
Badge 31	1,524	66	0	0	0	0	0	0	0	0	2,472	213	0	0	0	0	0	0	0	0	0	24	0	0	4,020	11	0	0				
Badge 32	231	12	52	15	146	40	9	1	0	0	622	62	0	0	0	0	4	1	0	0	0	0	0	0	1,064	13	2	5				
Badge 33	964	22	0	0	0	0	8	0	0	0	2,730	189	293	18	0	0	0	0	0	0	0	0	0	0	3,995	10	0	0				
Badge 34	691	11	0	0	0	0	18	1	0	0	929	97	0	0	291	91	0	0	0	0	138	2	711	119	2,778	14	0	0				
Badge 40	155	7	16	1	90	11	0	0	0	0	65	6	3	0	6	0	0	0	15	0	0	0	0	0	350	7	0	0				
Badge 42	1,063	79	2	0	7	0	0	0	0	0	2,443	553	2	2	0	0	0	0	0	0	0	0	0	0	3,517	6	0	0				
Badge 43	785	49	3	0	0	0	0	0	0	0	900	182	160	36	68	13	0	0	0	0	0	0	0	0	1,916	8	16	5				
Badge 44	598	21	17	3	108	13	0	0	0	0	331	51	0	0	0	0	0	0	0	0	0	0	0	0	1,054	3	0	0				
Badge 50	460	19	6	1	5	1	1	0	0	0	441	56	1	0	0	0	0	22	1	0	0	0	0	0	936	4	3	0				
Badge 51	331	9	16	1	19	1	0	0	0	0	575	44	416	58	5	1	0	0	0	0	0	0	0	0	1,362	3	2	0				
Badge 52	697	12	54	6	319	45	2	0	0	0	1,185	81	0	0	0	0	0	0	4	0	0	0	0	0	2,261	10	1	1				
Badge 53	1,280	51	36	1	43	2	55	23	0	0	3,043	265	1	0	79	5	0	0	9	1	0	0	0	0	4,546	2	0	0				
Badge 60	332	8	2	0	0	0	2	0	0	0	251	48	0	0	0	0	0	64	10	1	0	0	0	0	652	33	6	0				
Badge 61	870	21	0	0	0	0	0	0	0	0	988	128	236	43	1	0	0	0	35	0	0	0	0	0	2,130	12	0	1				
Badge 62	1,734	50	0	0	0	0	0	0	0	0	2,838	304	5	0	0	0	0	0	19	0	0	0	0	0	4,596	10	0	0				
Badge 63	1,335	62	0	0	0	0	0	0	0	0	2,291	523	121	17	3	0	0	0	25	0	0	0	0	0	3,775	11	10	14				
Badge 64	1,867	481	221	84	0	0	4	1	0	0	2,629	570	0	0	0	0	0	3	3	18	1	0	0	0	4,742	14	0	0				
Badge 65	701	32	5	1	0	0	0	0	77	23	1,604	125	180	13	11	1	0	0	60	12	0	0	0	0	2,638	2	0	0				
Badge 66	56	2	312	32	481	76	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	849	2	5	0				
Badge 67	1,481	52	51	2	1	0	0	0	0	0	1,941	232	131	30	109	9	0	0	0	0	0	0	0	0	3,714	16	2	0				
Badge 70	144	6	0	0	0	0	0	0	0	0	24	0	0	0	0	0	0	0	0	0	0	0	0	0	168	15	0	0				
Badge 71	1,030	75	0	0	0	0	2	0	0	0	1,190	294	159	64	1	0	0	0	0	0	0	0	0	0	2,382	15	0	3				
Badge 72	1,475	72	0	0	0	0	0	0	0	0	1,737	317	0	0	0	0	0	0	0	0	0	0	0	0	3,212	11	0	0				
Badge 73	1,760	218	0	0	0	0	1	0	0	0	1,370	244	198	46	0	0	0	0	0	0	0	0	0	0	3,329	22	2	0				
Badge 74	1,837	173	0	0	0	0	2	1	0	0	2,063	198	0	0	0	0	0	0	0	0	0	1	0	0	3,903	20	1	0				
Badge 77	364	7	212	7	290	56	0	0	0	0	0	0	0	0	0	0	0	19	0	0	0	0	0	0	885	13	11	0				
Badge 78	1,961	217	0	0	0	0	0	0	594	4	2,265	508	0	0	13	3	0	0	0	0	0	15	1	0	4,848	13	0	0				
Badge 79	614	78	0	0	0	0	0	0	0	0	1,180	265	0	0	0	0	0	0	0	0	0	0	0	0	1,794	20	0	0				
Total	30,420	2,149	1,079	157	1,763	289	129	39	671	27	46,880	6,661	2,156	366	665	132	4	1	269	32	272	3	751	120	85,059	367	102	35				
CEWM Inspections																																
LPG - 398															10	0											10					
LPG - 402															77	10											77					
LPG - 406															67	12											67					
LPG - 407															2	0											2					
LPG - 408															75	6											75					
LPG - 432															58	9											58					
LPG - 436															2	0											2					
LPG - 437															27	6											27					
Total															318	43											318					
Statewide Totals	49,538	2,807	1,122	160	1,763	289	697	100	12,657	849	79,790	8,552	2,600	390	983	175	4	1	269	32	3,397	174	827	136	153,647	741	144	44				

State Bureau	SCALES						MISC *		TIME DEVICE		METERS										UPC / PRICE		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	2,323	176	22	1	70	21	25	12	0	0	4,801	804	218	37	10	2	0	0	22	4	0	0	0	0	7,491	18	33	5
Region 2	1,660	57	51	2	184	23	0	0	0	0	3,340	243	31	2	67	7	0	0	50	1	32	0	0	5,415	15	4	0	
Region 3	3,507	115	53	15	146	40	35	2	0	0	7,385	620	294	18	292	91	4	1	5	0	138	2	735	119	12,594	62	6	6
Region 4	2,601	156	38	4	205	24	0	0	0	0	3,739	792	165	38	74	13	0	0	15	0	0	0	0	6,837	24	16	5	
Region 5	2,768	91	112	9	386	49	58	23	0	0	5,244	446	418	58	84	6	0	0	31	2	4	0	0	9,105	19	6	1	
Region 6	6,509	227	370	35	482	76	2	0	77	23	9,913	1,360	673	103	124	10	0	0	124	22	80	0	0	18,354	86	23	15	
Region 7	11,052	1,327	433	91	290	56	9	2	594	4	12,458	2,396	357	110	14	3	0	0	22	3	18	1	16	1	25,263	143	14	3
Total	30,420	2,149	1,079	157	1,763	289	129	39	671	27	46,880	6,661	2,156	366	665	132	4	1	269	32	272	3	751	120	85,059	367	102	35
Counties / Cities																												
Adams	1,054	89	7	0			0	0	0	0	1,026	158	0	0							0	0	0	0	2,087	23	0	0
Allegheny	4,185	64	0	0			5	0	2,955	163	10,854	519	0	0							1,312	66	3	0	19,314	99	6	1
Beaver	676	14	22	0			38	0	37	0	1,296	62	0	0							64	0	0	0	2,133	53	0	0
Bucks	3,077	57	1	0			422	58	1,571	71	2,787	93	257	12							798	57	0	0	8,913	86	2	1
Centre	572	17	0	0			0	0	100	15	929	83	0	0							102	0	0	0	1,703	0	0	0
City of Meadville	45	2	0	0			0	0	346	26	34	0	0	0							0	0	0	0	425	0	0	0
City of Scranton	394	24	0	0			37	0	30	0	358	40	0	0							0	0	0	0	819	22	10	0
Cumberland	1,054	41	9	3			1	1	0	0	3,066	132	0	0							0	0	0	0	4,130	40	1	0
Delaware	2,503	98	0	0			0	0	3,707	110	1,530	237	156	8							638	34	73	16	8,607	16	17	0
Greene	180	5	0	0			0	0	0	0	194	16	0	0							0	0	0	0	374	2	0	0
Montour	88	1	0	0			0	0	13	3	234	10	0	0							10	0	0	0	345	0	0	0
Northampton	1,855	32	3	0			16	0	663	12	2,199	35	31	4							0	0	0	0	4,767	9	0	0
Northumberland	533	12	0	0			7	0	400	0	289	3	0	0							0	0	0	0	1,229	3	0	0
Sullivan	44	3	0	0			0	0	0	0	146	24	0	0							0	0	0	0	190	0	0	0
Westmoreland	789	115	1	0			42	2	2,164	422	3,944	395	0	0							201	14	0	0	7,141	7	6	7
York	2,069	84	0	0			0	0	0	0	4,024	84	0	0							0	0	0	0	6,093	14	0	0
Total	19,118	658	43	3	0	0	568	61	11,986	822	32,910	1,891	444	24	0	0	0	0	0	0	3,125	171	76	16	68,270	374	42	9



<p>BUREAU HEADQUARTERS WALTER REMMERT, DIRECTOR 2301 NORTH CAMERON ST HARRISBURG, PA 17110-9408</p> <p>O: 717-787-9089 FAX: 717-783-4158 wremmert@pa.gov</p>	<p>REGION I — NORTHWEST PA BRAD LUNDBERG, SUPERVISOR 13410 DUNHAM RD MEADVILLE, PA 16335-8346</p> <p>O: 814-332-6890 FAX: 814-333-1431 jstepanian@pa.gov</p>	<p>REGION II — NORTHCENTRAL PA CRAIG FESTER, SUPERVISOR 542 COUNTY FARM ROAD MONTOURSVILLE, PA 17754-9685</p> <p>O: 570-433-2640 FAX: 570-433-4770 cfester@pa.gov</p>	<p>REGION III — NORTHEAST PA MIKE MCGOFF, SUPERVISOR PO BOX C, RT 92 SOUTH TUNKHANNOCK, PA 18657-0318</p> <p>O: 570-836-2183 FAX: 570-836-6266 mmcgoff@pa.gov</p>
<p>REGION IV — SOUTHWEST PA JOSH STEPANIAN, SUPERVISOR 226 DONOHOE RD GIBSONIA, PA 15044-9644</p> <p>O: 724-823-1073 FAX: 724-832-1013 jstepanian@pa.gov</p>	<p>REGION V — SOUTHWEST CTRL PA DOUG RUDY, SUPERVISOR 403 E. CHRISTIANA ST MARTINSBURG, PA 16662</p> <p>O: 814-793-1849 FAX: 814-793-1869 drudy@pa.gov</p>	<p>REGION VI — SOUTHCENTRAL PA JOHN DILLABAUGH, SUPERVISOR 2301 NORTH CAMERON ST HARRISBURG, PA 17110-9408</p> <p>O: 717-234-4186 FAX: 717-346-3229 jdillabaug@pa.gov</p>	<p>REGION VII — SOUTHEAST PA JOE MCGONIGLE, SUPERVISOR 1015 BRIDGE ROAD COLLEGEVILLE, PA 19426</p> <p>O: 610-489-1003 FAX: 610-489-6119 jmcgonigle@pa.gov</p>

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