



# Southern Weights & Measures Association

100st Edition

SWMA Newsletter

Januar 2005

## JURISDICTIONAL NEWS

### DELAWARE

The Delaware Department of Agriculture Weights & Measures Section has purchased the WinWam Device Inspection Program to compliment the Package Checking program already in use. Inspectors are currently training in the field, inspecting small scales state-wide. While implementing this new method of inspection tracking is rather time consuming, we feel that everyone will benefit in the end. The Administration will have inspection data and a large variety of reports available just seconds away on the Desktop. The Inspectors will have business histories at their fingertips, as well as reports with all the pertinent data ready to checkmark as approved or rejected. Consumers and the business community will be able to rest assured that the availability of all this data will help the Inspectors ensure true equity in the marketplace. At the risk of sounding like a commercial, WinWam is a WinWin situation.

We are looking forward to Tom Stabler presenting a one-day class on liquid measures and vehicle tank meters and a one day class on scales in our conference center in April. We will be having Service Techs and our Inspectors attending these sessions.

Once again, we will be asking the legislature for additional Inspectors to better cover our ever-expanding areas of responsibility, and funding for travel and training purposes. While we are obligated by law to inspect all commercial weighing & measuring devices once a year, the lack of personnel makes this impossible. It has been quite some time since we have been able to attend a Weights & Measures conference or training session out-of-state, but we're hoping to remedy that this year. †

### GEORGIA

As we start to enter into the winter season we are seeing our annual increase of activity in certain areas related to colder weather. Our small scale inspectors are checking for firewood being offered for sale to insure it is being marketed and sold accurately, our L.P. gas inspectors are receiving a higher number of requests for meter inspections and our fuel inspectors are pulling kerosene samples for quality testing at the fuel lab.

We are currently in the process of implementing Win-Wam software into our fuel and L.P. programs. Our I.T. professionals are coordinating with Win-Wam personnel for this project as our inspectors are being trained on their new tablet pc's. We expect this program to be up and running during the first quarter of '05.

Our metrologists at the Weights & Measures Lab are doing a good job of keeping up with their work load even though they remain understaffed. A new 5 ton AC unit was recently installed at the weights lab and they are seeing good results with it controlling their environment.

We would like to welcome aboard Mark Andrews as a new fuel inspector for the northeastern part of the state. We would also like to congratulate L.P. gas inspector Neal Rooks on his upcoming retirement in January '05. Neal has been with the Department of Agriculture for 34 years and will be greatly missed. We also want to congratulate Director Jerry Flanders on receiving the Golden Drake Award for outstanding service within the Fuel & Measures Division. Neal and Jerry are pictured below. †



## MARYLAND

- On December 15, 2004, we had a staff meeting at our facility in Annapolis. Presentations were given to the staff by Acting Chief Will Wotthlie and Program Manager Bob Eaves. Certificates of Appreciation were given to Inspectors Chuck Coleman, Tom Fagan, Mike Frailer, Barbara Miller, Ed Payne and Ed Santana for inspecting the highest number of devices and/or having the highest overall production 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 Mike Frailer, who inspected the highest number of devices during the last six month period. Maryland Department of Agriculture Secretary Lewis R. Riley, Deputy Secretary John R. Brooks, D.V.M and several other members of the secretary's office joined our staff for lunch. We invited retired members of our staff to join us and were pleased that former Chief Lacy DeGrange, former Metrologist Charles Stockman, former Inspector Harry Jones and former Office Secretary Joan Forsythe attended.
- With Will Wotthlie taking over the duties of "Acting" Chief, Field Supervisors Don Mason, Ed Payne and Ken Ramsburg have been working in the office on a rotating basis helping perform some of Will's previous duties as Program Manager for Weighing and Measuring Devices.

### Recent Civil Penalties

- On October 14, 2004, we received \$500.00 for a civil penalty assessed against Shoppers Food Warehouse #56, Wheaton, Maryland. The civil penalty was assessed due to short-weight violations found during routine package inspections performed at the establishment.
- On December 3, 2004, we received \$500.00 for a civil penalty assessed against Safa Market, Gaithersburg, Maryland. The civil penalty was assessed due to short weight violations found during test purchases and package inspections performed at the establishment. The establishment was visited and test purchases/package inspections were performed in response to a consumer complaint.
- On December 29, 2004, we received \$750.00 for a civil penalty assessed against Giant Food #304, Waldorf, Maryland. The civil penalty was assessed due to short weight violations found during routine package inspections performed at the establishment.

## MISSISSIPPI

The Mississippi Department of Agriculture and Commerce was pleased to host the 59th Annual meeting of the Southern Weights and Measures Association October 24-27, 2004, at the Grand Casino Hotel in Gulfport, Mississippi. Thank you to the attendees, MDAC employees, sponsors, committees and others who assisted in helping make this meeting successful. A special thanks goes to Julie McLemore, who served as President, for her dedication to the SWMA.

All committees and their chairmen did an excellent job in preparing and presenting reports. The technical presentations were most informative and very well received. Thank you again for a job well done in making these presentations useful and interesting.

I hope you enjoyed your stay in the Hospitality State as much as we enjoyed serving as your host. Thanks again for a successful conference. We look forward to seeing you in Tennessee.

Gene Robertson  
Deputy Bureau Director  
Regulatory Services ☎

## North Carolina

We hope everybody had a very joyful holiday season and will have an exceptionally good 2005.

### Standards Lab

Our primary update is the purchase of the AMMS (Automated Mass Measurement System) software from MTL (Measurement Technologies Laboratories). We are currently in the installation process and hope to begin training and validation very soon. Carl Schmidt is installing the product and modifying it for our specific requirements. I imagine he'll like our 70 degree temperatures this week better than those back home in Minnesota. When installation, training, and validation are complete, this system will be used for all mass measurement in the laboratory. Our goal is to increase mass calibration efficiency, improve quality assurance, and reduce our uncertainties. All balance and environmental instrumentation readings will be automated. Control process measurements evaluations will be automatically integrated into each measurement. Paperwork will be reduced and security improved by the AMMS file system and administrative controls. The system will also be used to monitor environmental conditions in the lab. We'll let you know in the next issue how well reality meets our expectations. In the future, we hope that MTL will be able to expand the program to include volume, length, and temperature calibration. To be continued...

January is the month we recalibrate all of our internal laboratory standards. In the past, we've only included mass standards, but this year we hope to include volume and length standards so that everything is on the same schedule. We will calibrate all of our volumetric standards up to 100 gallons gravimetrically. Based on a significant amount of internal data and two gravimetric round robins, we are requesting an increase in our NVLAP gravimetric volume calibration scope to volumes up to 100 gallons.

Van Hyder will travel to Phoenix, Arizona on January 12 to work with Kelley Larson (AZ) and Craig VanBuren (MI) to observe the calibration of a Calibron small volume prover at the manufacturers facility. We've calibrated several Daniel (formerly Brooks) small volume provers and have begun evaluations of their use in North Carolina fuel terminals. So far, the evaluations have been inconclusive and more work is needed. Again, more to come on this subject soon.

Van continues to finalize the plans for our March 14 - 18, 2005 SEMAP meeting. We will host the meeting at the Shell Island Oceanfront Suites in Wrightsville Beach, NC. The room rate is \$57.25 per night (plus 13% tax). We will provide transportation from the airport in Wilmington, NC for those flying in for the meeting. Yes, it will still be a little chilly for swimming, but the view and tranquility of the off season beach are hard to beat! Van will be sending out more details very soon.

The Grain Moisture Program completed its 2004 harvest for the 2004-2005 inspection year. There were spotty reports of water damaged beans, due to flooding from hurricanes, but overall the samples we gathered were adequate and we expect no problems with moisture meter testing. We will participate in a grain moisture display at the 2005 Southern Farm Show in Raleigh February 2-5 and look forward to talking with NC farmers and industry members about grain moisture inspection and other aspects of the Standards Division.

Please look for the 2004/2005 State Laboratory Workload survey to be distributed soon. NCSL International is working with us this year to distribute the survey. Hopefully you will even be able to complete it on line. The basic format and questions will be the same as previous years so please start putting your 2004 workload data together so that you can complete the survey ASAP.

### Measurement Section

The Measurement Section is looking forward to having what we think will be a great year, provided our "aging" staff can avoid injury and illness. With the exception of Bill Edwards, who retired at the end of December, we are fully staffed. Two inspectors are back on staff after extended absences with injuries and two vacant positions have been filled.

Bill Edwards will be sorely missed. He was in charge of our Taxi Meter Inspection Program in which he has done an outstanding job. As one of our first inspectors issued a hand held, shelf label priced audit unit, he assisted a majority of our inspectors in conducting the second or third 300 item scans after a location had exceeded the 2% error rate on the previous visit. This task earned him the title "Scan Dude One".

This past year we visited 16534 locations testing or weighing almost 2 ½ million measuring devices or packages. Our inspectors completed 1110 complaints or special requests. Over 90,000 measuring devices or packages were rejected for repairs or to be reweighed for correct net content. 225 Stop Sales were issued for short weight packages. I think we accomplished our goal of ensuring the consumer that what they purchased was what was advertised and the price paid was correct, whether it be a gallon of gas or a pound of meat.

### Motor Fuels Section

Congratulations to Art Rupard on his promotion to Program Manager this Fall. Art has been with the section for about 16 years, most recently as the Lab Supervisor. He has also been a chemist in the lab and a field inspector. We are in the process of hiring a new Lab Supervisor and hope to have a decision shortly. The Lab also needs to fill vacancies for a chemist and chemistry technician.

Our final statistics are not complete yet, but we investigated 284 fuel quality complaints in 2004. Water in the fuel is still the most frequent complaint we receive and the hardest to catch.

### LP-Gas Section

In October, our LP-Gas Engineer, Richard Fredenburg, traveled to Orlando, FL, to participate in the NPGA Technology and Standards Committee meeting. This committee is busy getting proposals ready for the next cycle of the LP-Gas Code.

In December, Richard Fredenburg made a presentation to the Board of Examiners for Engineers and Surveyors, asking them to allow propane companies and industrial sites with large LP-Gas bulk storage to be able to use the Fire Safety Analysis Manual, written by the NFPA and NPGA, to write their mandatory fire safety analyses rather than being required to have this analysis written by a professional engineer. A decision from this board is expected in January 2005.

We interviewed applicants for the vacant LP-Gas Inspector position in December. We hope to fill the vacancy in January 2005.†

## TENNESSEE

Greetings to all from the State of Tennessee! We hope that everyone had a very enjoyable Holiday Season as we welcome in 2005. The college football season is almost over with the Tennessee Volunteers securing a much needed victory over Texas A & M in the Cotton Bowl. Our NFL Tennessee Titans suffered through a injury plagued season which resulted in their first losing season in several years and their elimination from post season contention.

The 2005 NCWM Interim is rapidly approaching with many timely and important topics set to be discussed by the various committees. Bob Williams plans to be in attendance at this very important meeting.

Randy Jennings was recently promoted to the position of Regulatory Services Administrative Manager with our Department. As many of you know, Randy was very instrumental in developing our Petroleum Quality Program several years ago and has served on several petroleum quality committees on the national level. His expertise and professionalism in this and other areas has earned him recognition on numerous occasions. In his new position, Randy will be assisting our division director with administrative related issues involving all of the various sections that comprise Regulatory Services. We all wish Randy the best in his new position and look forward to continuing working with him. Ed Coleman was promoted to the position of Petroleum Administrator assuming those duties formerly conducted by Randy Jennings. Ed has held several positions with our Department with the most recent being Weights and Measures Program Coordinator supervising our LPG/Bulk Meter inspectors along with serving as our training officer.

Our Metrologist, Tom Smith, is currently scheduled to be released from active duty with the Tennessee Air National Guard in Spring 2005. Tom has been on active duty status for almost two years and we look forward to his return. Mr. Charles Miller, Weights and Measures Inspector 2 in the Chattanooga,

TN area, has been notified that his Navy Seabee unit will be called to active duty in mid-February. We all wish and pray for his safe and speedy return to Tennessee!

We are anxiously awaiting the arrival of a new enclosed large scale test unit including a weight cart and weights. This unit will replace a vehicle that was recently taken off of the road due to chronic mechanical problems and too many miles.

On a sad note, we recently learned that Mr. Jackson Carroll, retired Tennessee Weights and Measures Inspector, passed away several months ago. Also, Mr. Allen Duncan who served as Tennessee Weights and Measures Supervisor in the late 1970's passed away in late December.

## WEST VIRGINIA

Mr. John Junkins, a twenty-three veteran of service with the West Virginia Division of Labor Wage and Hour Section has accepted the position of Acting Weights and Measures Director until a final decision as to a permanent Director has been made after the new state administration has gotten established. Mr. Junkins is married, a native of Wheeling, West Virginia, and a graduate of West Virginia Community College. Mr. Junkins is excited by the challenges offered by his new position and hopes to increase the status and efficiency of the section. Mr. Junkins e-mail address is [jjunkins@labor.state.wv.us](mailto:jjunkins@labor.state.wv.us).

Karl H. Angell, Jr., was transferred from the position of Director of Weights and Measures to an administrative position within the West Virginia Division of Labor. Mr. Angell started as a field inspector in 1980, serving eleven years as State Metrologist before accepting the Acting Director's position in 1991, finally becoming Director in 1994.

During his fourteen year tenure as Director Mr. Angell was instrumental in making many extensive improvements within the West Virginia Weights and Measures program. Among his many accomplishments were:

1. The development of a modern weights and measures law, based upon the Uniform Weights and Measures Law, which was passed by the state legislature, the adoption by the state legislature of NIST Handbook 44, and a majority of NIST Handbook 130 Uniform Regulations, and

2. The development and implementation of a computer program to maintain and track all inspection activities, including

the administrative procedures for implementation of the new law and regulations, and

3. Replacement of obsolete vehicles, including vans for area inspectors, three heavy scale test units, three gasoline station test units, and

4. Modernization of the Metrology Laboratory, and related administrative procedures, and

5. Developing a system of communications between the office and area inspectors in order to expedite inspections and make the inspector more efficient by use of cell phones, pagers, and fax machines, and

6. Establishing Weights and Measures Inspector as a separate civil service position within state personnel requirements.

Mr. Angell was always an outspoken member of the weights and measures community, stressing the need for uniform and equitable national enforcement of weights and measures laws while maintaining the integrity and sovereignty of state weights and measures programs above all other considerations. We wish him the best success in his new position. 🍀



### 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](http://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!

**SWMA Newsletter**

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