



Southern Weights & Measures Association

117th Edition

SWMA Newsletter

July 2009

JURISDICTIONAL NEWS

GEORGIA

The good news in Georgia is that the rainfall is up, but the bad news is that the revenues are down. We have lost 8 Fuel and Measures personnel in the last 8 months due to retirement, death, or better jobs. The gaps to be filled are getting larger and larger. We will be losing our only Metro Atlanta small scale inspector at the end of the year. So far we have been keeping up with the requests and complaints mainly in the vacant areas. The furloughs have stopped for the last 2 months, but July 1 starts a new fiscal year and the budget is going to be tighter.

On the scale side of things the gold buying rush has slowed down a bit in the State of Georgia, but our small scale inspectors and the supervisors still are spot checking places during the week and the weekends too. We have covered all the pawn shops, jewelry stores, hotels, motel, flea markets, etc. Our small scale inspectors are starting to go throughout the state checking the net weight on bottle filled propane tanks. We have had several complaints about the weight of the tanks and we will be doing spot inspections on several locations through out the state to check for conformity.

Our Large Scale truck inspectors have been registered with the GIPSA program to inspect grain scales for the federal Grain Program. I would like to thank Bill Bates and his folks for helping us in this process. We are currently working the state with only 5 large scale trucks due to the retirement of Jim Collins in South Georgia. We wish Jim a long and; prosperity retirement. We will probably be able to realign the territories and get by with only 5 trucks.

We have lost 3 retail fuel inspectors due to retirements in the state and this has slowed down our regular inspection in this area to only spot checks and quality complaint checks. We have lost two of our Fuel Calibration Inspectors due to better job opportunities and retirement. This has put a strain on the remaining two calibration inspectors where one works the North half of the state and the other the South part of the state. Our supervisors have been going to the terminals witnessing the meters being calibrated by certified meter companies that check them 4 times a year.

We are looking forward to getting a new Laboratory built in Tifton with a target date for Completion in December 2010.

The new Georgia Department of Agriculture Oil Lab. Will have over 7000 sq. feet of actual lab space. The lab is not only for diesel, kerosene, gasoline and ethanol but also for engine oil and anti-freeze testing. It will also be a center of State-of-Art bio-diesel testing facility. It shall be a paperless operation with a high degree of automation. David Au, fuel director has requested \$4 million dollars for equipment updating and purchasing. In addition, we plan to acquire one or two Mobile Laboratories to handle consumer complaints in metro-Atlanta area. Based on 12 to 18 months inspection interval, we expect to process 30,000 samples annually.” ☛

MARYLAND

Where has 2009 gone? Here it is June 23rd and it seems like yesterday it was 20 degrees and snowing. Maryland has experienced a very wet spring with only 12 dry days since April.

Maryland has filled five (5) vacant positions since January 2009. We welcome Ed Payne a 25-year employee to his new position as Scale NTEP Evaluator. We thank Steve Cook from NIST for assisting Maryland in this training and transition period. We have also hired an individual for our Metrology Lab and two field positions who will be starting later this summer. We will announce the names of the additional new employees in the next newsletter.

We extend our congratulations to Rich Tomarelli for his promotion to Field Supervisor. His 30 years of Weights and Measures experience with USDA has been a tremendous asset to the department since he joined MDA three years ago.

Finally, Maryland Weights and Measures is coming into the computer age and is taking the necessary steps to complete inspections electronically. We have completed the first step by issuing 15 laptops to our Field Staff. These lap tops all have wireless internet cards and each inspector has a wireless key to access our office data base from the field. Each inspector also has been issued an email address through the department and we can send assignments and consumer complaints directly to them via the internet. Sorry U.S. Post Office.

This spring Maryland implemented a special price verification inspection survey at stores other than grocery stores. This included any store that used scanners at the front end or cash

register. Our inspectors inspected 82 firms and found 41 in violation of NIST handbook 130. We followed up with additional inspections and issued 18 stores civil penalties for repeated violations. Our plans are to follow up with another survey this summer. We plan to include the results in the next newsletter.

Short weight packages continues to be a problem and Maryland has collected a total of \$ 14,500 in civil penalties since the end of January to the present û many of which were repeat violators. We will continue to address this issue and hope for better results next quarter.

The following is a list of Maryland firms that were found in violation of Maryland Weights and Measures Laws and were assessed a civil penalty:

- On February 11, 2009, MDA received \$750.00 for a civil penalty for short weight assessed to Safeway #1089, Gaithersburg, MD 20878.
- On March 12, 2009, MDA received \$750.00 for a civil penalty for short weight assessed to BJÆs Wholesale Club #132, Bowie, MD 20716.
- On April 10, 2009, MDA received \$500.00 for a civil penalty for short weight assessed to Fresh World, Glen Burnie, MD 21061.
- On April 27, 2009, MDA received \$750.00 for a civil penalty for short weight assessed to Giant Food #132, Bethesda, MD 20814.
- On April 27, 2009, MDA received \$2,000.00 for a civil penalty for short weight assessed to Bloom #2708, Rockville, MD 20852.
- On April 28, 2009, MDA received \$1,000.00 for a civil penalty for short weight assessed to Super Fresh #943, Silver Spring, MD 20906.
- On May 19, 2009, MDA received \$500.00 for a civil penalty for price verification assessed to K- Mart, Frederick, MD 21702. The civil penalty was assessed for price verification.
- On May 19, 2009, MDA received \$500.00 for a civil penalty assessed for price verification to Staples #7289, Owings Mills, MD 21117.
- On May 19, 2009, MDA received \$500.00 for a civil penalty assessed for price verification to Petco #1771, Forestville, MD 20746.
- On May 19, 2009, MDA received \$500.00 for a civil penalty assessed for short weight to Mor For Less, Cumberland, MD 21502. On May 20, 2009, MDA received \$250.00 for a civil penalty assessed for short weight to Tropical Market, Baltimore, MD 21228.
- On May 20, 2009, MDA received \$500.00 for a civil penalty assessed for price verification to Target #1045, Owings Mills, MD 21117.

- On June 3, 2009, MDA received \$750.00 for a civil penalty assessed for short weight to Weis Market #111, Westminster, MD 21157.
- On June 17, 2009, MDA received \$500.00 for a civil penalty assessed for price verification to Advanced Auto Parts, Frederick, MD 21702.
- On June 23, 2009, MDA received \$500.00 for a civil penalty assessed for price verification to Advanced Auto Parts, Westminster, MD 21157.
- On June 23, 2009, MDA received \$1,000.00 for a civil penalty assessed for short weight to Giant Food #198, Potomac, MD 20854.
- On June 23, 2009, MDA received \$500.00 for a civil penalty assessed for short weight to Giant Food #152, Silver Spring, MD 20904.
- On June 23, 2009, MDA received \$750.00 for a civil penalty assessed for short weight to Giant Food #342, Marlow Heights, MD 20748.
- On June 23, 2009, MDA received \$2,000.00 for a civil penalty assessed for short weight to Han Ah Reum, Wheaton, MD 20902. †

NORTH CAROLINA

Many states have faced budget problems this past year, we know ours will continue in 2009-2010. Inspections have continued, but we have had to deal with restrictions on purchases, supplies and filling positions and pay reversions. We expect a 10% or more reduction in our appropriated budget next fiscal year.

Motor Fuels Section

Low vapor pressure season began on June 1. About 30% of the stations in NC are selling gasoline with 10% ethanol, which are allowed a 1 lb. vapor pressure tolerance to the EPA designated fuels we may use.

The budget shortfall is having an impact on the Motor Fuels Section. We are not able to fill vacancies (including a new field inspector position approved earlier in the fiscal year) or make any large expenditures. Some non-critical testing has been suspended until next year (July) as we lack the necessary supplies for them.

The Motor Fuels Lab continues to receive many consumer complaints on fuel quality. More than 200 complaints have already been logged for the year.

Measurement Section

The Measurement Section has just completed several different seasonal inspection tasks that come up this time of year. We wonder why we never can get caught up in our inspection process, but then you just look at the time we invest in these types of inspections that are outside our normal agenda, you will get your answer. Taxi meters involve several inspectors

for several weeks. Cucumber scales, produce scales and road side stands have a narrow window and regular duties must be put aside to take care of them before the short season is gone. Blueberries, strawberries and other early products must be checked at the packer for correct net content. Livestock scales must be tested in the spring.

People are traveling more, prices of gasoline are rising as they always do this time of the year and along with it the complaints are rising as well. Sounds like I'm complaining myself, doesn't it? I guess we need to look at it as job security and carry on.

Anyway those tasks are behind us for this year and we can settle into our regular duties for awhile. We are lucky that we are fully staffed and we should be able to accomplish many of our inspection goals for the year.

Standards Laboratory

Congratulations to Sharon Woodard, who was named as our new Lab Manager mid June. She has been a metrologist at the lab for 18 years and is looking forward to her new opportunities. I would like to thank Cliff Murray, who has served as our interim manager for the past 11 months, and all the staff at the lab for stepping up and maintaining the quality of their work while we worked to fill this position. During this period they submitted both NIST WMD traceability certificate renewal and NVALP application on time.

The lab applied to participate in the NC Department of Labor's (DOL) Public Star safety program. This included a rather detailed application, involvement of all staff in safety awareness, practices and documentation as well as an audit and interviews by DOL staff. It was almost a year long process, but they received a recommendation for the award from the auditor, which should eventually be approved by the Secretary of Labor before they will be presented their award. Congratulations! ☞

SWAM Policy on Funding for Annual Meeting

The following policy was adopted by the SWMA Board of Directors at the 2008 Annual Meeting in Atlanta, Georgia:

It shall be the SWMA policy that SWMA shall not accept contributions for conference social events.

The intent of this policy is to ensure that: (1) All costs for receptions, outings, and other social functions shall be paid for by registration fees, annual dues, and/or special participation fees, and (2) any contributions accepted by the SWMA shall be used as directed by the contributor (cannot accept contributions for social functions) and the contributor must specify a use for the funds (e.g., training scholarships, website enhancements and maintenance, defraying the cost of business meetings).

Changes to Bylaws:

It was also agreed at the 2008 Annual Meeting that the SWMA should consider changes to the Bylaws that are necessary to move forward in a manner consistent with the above policy change. Article V - Amendments to Bylaws requires that:

ARTICLE V-AMENDMENTS TO BYLAWS

Section 1. These Bylaws may be altered, amended, or added to by a two-thirds majority vote of the jurisdictions present at an annual meeting of the Association. If nine jurisdictions or more are represented, it shall constitute a quorum. Any proposed changes to the Bylaws shall be submitted in writing to the Officers and the Board of Directors at least sixty days before the date of the next annual meeting. The President of the Association shall have the Editor-in-Chief of the Southern Weights and Measures Newsletter promptly print in the Newsletter, copies of all proposed amendments and mail these copies to members of the Association, not later than fifteen days before the date of the next annual meeting.

Therefore, it was agreed at the meeting that the SWMA should put the following changes forward for vote at the 2009 Annual Meeting.

Amend Article IX, as follows:

Section 14 -The principle responsibilities of the Associate Membership Committee shall be to secure additional industry members, promote industry attendance at annual meetings, plan and recommend to the Board of Directors the social activities of the annual meeting, and to collect and dispense all funds related to the social activities of the annual meeting, and to advise and assist the Association on matters of mutual interest to the Association. There shall originally be appointed three members for a period of one year, three members for a period of two years, and three members for a period of three years. The Associate Membership Committee shall annually elect a chairman and vice-chairman from its members and these names shall be reported to the President of the Association. The chairman shall keep the President and Board of Directors apprised of the committee's activities, and the chairman shall make an annual report of the committee's activities to the members during the annual meeting.

Amend Article X - Dues as follows:

Section 2. In order to help defray the expenses of a meeting, a registration fee may be collected from each person attending the meeting, the amount of which shall be determined by two-thirds vote of the Board of Directors **President of the Association.** The payment of the registration fee is expected of each person in attendance, however exceptions may be granted by the President. ☞

In Memoriam
Seraphin Test Measures Sales Manager

Bohdan "Danny" Kushnir
June 9, 1948 - May 19, 2009



Dan Kushnir, died Tuesday, May 19, 2009. Dan was born and still currently resided in Philadelphia, PA. In his spare time Dan enjoyed spending time with his Family, 4 grandchildren and their dogs. He recently came back from a Disney World vacation with his grandkids. Dan is survived by his Daughter and son-in-law along with their 4 children, 3 sisters, 3 brothers and many nieces and nephews.

Dan began working for Seraphin Test Measures in September 1973, where he began in the shop working with sheet metal. He worked his way up to Jr. Engineer, Salesman and eventually Sales Manager. Dan was an active participant in the National Conference on Weights and Measures, had attended numerous Weights and Measures conferences for all the regions and was the Associate Chairman for Southern Weights and Measures during his career. He devoted 36 years to Seraphin and had a great impact on the success of the company. Dan has been best described as an Ambassador for Seraphin Test Measures. All that knew him will remember his ever present smile and his pleasant disposition. Family, friends and work were Dan's life.

Family and Friends are invited to Mass, Saturday, May 23, 2009 at 11:00am where friends may call from 10:30am at St. Albert the Great Church, 212 Welsh Rd., Huntington Valley, PA. In lieu of flowers, memorial gifts may be made to American Heart Association, P.O. Box 15120 Chicago, IL 60693.

Dan will be remembered and missed by all the people whose lives he had touched.

Contact SWMA

The SWMA Newsletter is published quarterly. Annual dues are \$50. Membership inquiries should be directed to:
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